



**SERVICE EMPLOYEES INTERNATIONAL UNION
LOCAL 1021
BYLAWS**

Adopted on September 15, 2012

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PREAMBLE

We as workers in the northern region of California recognize that the Union is committed to the development and advancement of labor, and the protection of human rights. We value human dignity, equality, solidarity, and the principles of democracy. We acknowledge diversity and traditions. To that end, we seek to empower, support, and encourage our members to improve our status and the status of other working people. We shall collectively strive to resolve problems common to our communities and work environments. This philosophy shall be reflected in our activities and the services we provide. We therefore acknowledge these principles and adopt these Bylaws.

ARTICLE 1. NAME: The name of this organization shall be Service Employees International Union Local 1021 hereinafter referred to in these Bylaws as SEIU Local 1021 or the Union.

ARTICLE 2. AFFILIATION: SEIU Local 1021 is part of the Service Employees International Union and shall be subject to the Constitution of that Union and all policies adopted pursuant thereto. Any existing group of employees may request consideration for affiliation with SEIU Local 1021. The requesting organization shall submit a written request for affiliation and a copy of its constitution and/or bylaws, and meet with the Executive Board of SEIU Local 1021. Written notice shall be mailed after the details of an affiliation have been agreed to.

ARTICLE 3. JURISDICTION: This Union shall have jurisdiction to organize public sector and publicly funded workers in the northern region of California, except as it may conflict with such exclusive jurisdiction that has been granted to other SEIU local unions in California.

ARTICLE 4. MISSION, VISION AND OBJECTIVES: Our mission is to ensure that all workers and their families have a voice in our Union, as well as our workplace, government, and communities.

We envision a society where: All workers and their families live and work in dignity and respect. Through strength, unity and member support our Union works with the communities we serve, our labor allies, and employers towards our common goals. We are known among our members and communities as the leader in the labor movement. Through our collective voice, we achieve justice, empowerment, and respect in every workplace. Through alliance building and social responsibility, the visibility and influence of working people in our communities is strong. Working people engage in the democratic process and exercise their collective voice at a local, state and national level. The communities we live and work in support and advocate for the critical public services we provide.

In all of our activities and programs, our Union will: Be accountable and responsive to the needs of our membership. Promote democratic participation, engagement and leadership among our members. Manage change and resources with integrity and transparency. Encourage unity by being proactive and mentoring others. Eliminate indifference and transform fear into courage. Demonstrate sound, ethical and just principles.

ARTICLE 5. MEMBERSHIP: There shall be no discrimination against any member or applicant for membership by reason of race, creed, color, religion, gender, gender expression, sexual

orientation, national origin, citizenship status, marital status, ancestry, age, political affiliation, or disability status.

5.1. Regular Member Rights

A. The right to have opinions heard and respected, to participate in the work of the Union, and to be informed of union activities.

B. The right to be educated in union values and union skills.

C. The right to nominate candidates for office, vote in elections, participate in meetings and choose leaders of the Union in a fair and democratic process.

D. The right to a full accounting of union dues and expenditures.

E. The right to participate in collective bargaining efforts and to vote on contracts with our employers.

F. The right to have a meaningful and protected voice in designing one's work and in long-term planning by one's employer.

G. The right to fair and equitable treatment on the job.

H. The right to share fairly in the gains of the employer.

I. The right to receive fair and expeditious representation.

J. The right to meet and assemble freely.

5.1A. Retiree Member Rights

SEIU Local 1021 Retirees shall have the right to have opinions heard and respected, to participate in the work of the Union, to be active participants on committees, including but not limited to, committees referenced in Article 13, and to be informed of union activities.

5.2. Member Responsibilities: Each member is obligated to the following terms and conditions of SEIU Local 1021. These terms and conditions shall not be construed to require any individual member to waive his/her legal rights. Members shall have:

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 co-workers 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.

5.3. Categories of Membership

A. **Regular Member:** A regular member is employed by an employer for which SEIU Local 1021 is recognized as the exclusive bargaining agent on matters related to the terms and conditions of employment. Regular members pay full dues as established by this Union. Regular members have the right to vote and run for office. Regular members may serve on a committee, as

an elected representative or delegate, as a negotiating team member, as a steward, chapter officer or any other elected position, subject to the terms of these Bylaws.

B. Retiree Member: A member who retires from employment with a bargaining unit within SEIU Local 1021 or from a bargaining unit over which SEIU Local 1021 now has jurisdiction is eligible for retiree membership. Retiree members shall pay reduced dues as set by the Executive Board. Retiree members shall have the right to participate in the Retiree Council. Retiree members may elect a retiree chair to represent them on the Executive Board, serve on a committee and attend meetings. Retiree members are ineligible to run for office or vote, with the following exceptions: Retirees may run for the office of Retiree Council Chair. Retirees may vote only for the offices of Retirement Security Chair and Retiree Council Chair, as well as vote on proposed amendments to Local 1021 Bylaws. Retirees who are employed by the Union are not eligible to run for the Retiree Council Chair. The Executive Board may waive retiree membership requirements for those retiree members who were retiree members prior to the approval of these Bylaws.

C. Associate Member: Individuals whose interests, purposes and activities are aligned with the work and goals of SEIU Local 1021 and who are not part of a bargaining unit for which the Union is the exclusive bargaining agent are eligible for associate membership. Workers involved in an active organizing campaign as employees within the jurisdiction of the Union are eligible for associate membership. Retired workers other than ones represented by SEIU Local 1021 are eligible for Associate Membership. Retiree Associate Members are not eligible to serve on the Retiree Council, or to be officers of Retiree Chapters. Associate members shall submit an application for associate membership and pay dues as set by the Executive Board. The Executive Board shall have the right to approve or disapprove associate membership applications. Associate members are ineligible to nominate officers, run for office, or vote in elections or matters of the Union. Associate members are not entitled to representation by SEIU Local 1021 in any grievance, litigation, personnel board, or civil service matter. Associate members may attend meetings if they receive approval from the appropriate governing or organizing body. The Executive Board has the right to determine the benefits and privileges of associate members.

D. Associate Member–Staff: Staff, whether they are represented or unrepresented by a bargaining agent, wishing to be associate members of the Local Union shall pay full dues to the Local Union. Associate Staff Members may serve on committees and attend meetings. Associate Staff Members may run only for the position of international convention delegate. Associate Staff Members shall constitute no more than 10% of the Local's delegation.

ARTICLE 6. MEETINGS

6.1. Membership Convention: A membership convention of delegates from each chapter of the Union, including the Retiree Chapters, shall be held at least once per every Executive Board term at a time and place designated by the Executive Board. The membership shall be notified in advance of the meeting time and location. The purpose of the membership convention is to:

- A. Develop member leadership through education and training.
- B. Strengthen our Union by providing members with an opportunity to network, share ideas and connect across the Union.
- C. Discuss, advise on, and ratify major plans and projects of the Union.
- D. Celebrate the contributions and work of members in advancing the goals and objectives of the Union.
- E. The membership convention shall be a delegated body. Delegates shall be allocated by Chapter, including the Retiree Chapters, based on two (2) delegates for each chapter and two (2) additional delegates for every additional one hundred fifty (150) members in each chapter. Each chapter shall elect its delegates.

The membership convention shall be open to all members. Such attendees may participate in all activities, but shall not be eligible to vote at the convention.

One-third of the elected delegates shall constitute a quorum at the membership convention.

6.2. Right to Attend Meetings: Regular members and Retiree members of the Union have the right to attend all public meetings of the Union.

6.3. Special Meetings: The Executive Board may call special membership meetings with advance notice to members of the date, time, and location of the meeting.

6.4. Votes at Meetings: There shall be no proxy votes at any meetings. All votes shall be cast in person.

6.5. Parliamentary Authority: The meetings of this Union shall be governed by the *Manual of Common Procedure*. (See *Manual of Common Procedure* located in Appendix A.)

ARTICLE 7. INDUSTRY COUNCILS: Industry Councils include employees of similar employers or bargaining units from across the Union. The role of the Industry Councils is to strengthen contracts, organize new members within the industry, track trends, and improve overall standards within the industry by sharing information, resources, and strategies and to strengthen member engagement and participation in achieving the goals and objectives of the Union.

7.1. Composition: This Union shall be composed of at least nine (9) Industry Councils. The Industry Councils shall be as follows: Cities, City and County of San Francisco, Counties, Courts, Health Care, Private Sector/Non-Profit, Registered Nurses, Schools, Special Districts.

7.2. Powers and Authority: A chair of each Industry Council shall be elected by the members of each industry, in accordance with Article 18 (Elections) of these Bylaws. The chair shall represent the interests of each industry on the Executive Board. The Executive Board shall have the right to modify, dissolve, and create new industries, which may lead to the addition or subtraction of Executive Board seats. The Union shall develop Industry Council accountability measures and standards. Each Industry Council shall have the authority to:

- A. Establish subcommittees to complete the work of the Industry Council.
- B. Establish occupational councils within each council and across Industry Councils.
- C. Advise the Executive Board on matters related to the industry.

7.3. Responsibilities: Each Industry Council shall:

A. Develop industry specific plans, programs, and objectives. Industry Councils shall work to strengthen contracts and standards within the industry.

B. Provide training, education, and information on trends, struggles, and issues related to the industry. Each Industry Council shall serve as a forum for member engagement and participation in the Union. Each Industry Council shall establish the appropriate avenues for members from all regions of the Union to participate in the Industry Council.

C. Implement local-wide initiatives and promote political programs as directed by the Executive Board.

D. Identify opportunities for improving service delivery within the industry.

7.4. Meetings: Each Industry Council shall meet at least quarterly. Each Industry Council shall maintain meeting minutes and submit them to the Executive Board upon request.

ARTICLE 8. OCCUPATIONAL GROUPS: Occupational groups include members from like occupations, professions or job classifications with the same or different employers. Occupational groups provide a forum for members to share issues with those who have a mutual community of interest based on their type of employment. Such groups may participate in Industry Council meetings and may report items of interest to their chapters, Industry Council, or the Executive Board. Each occupational group shall maintain meeting minutes and submit them to the Executive Board upon request.

ARTICLE 9. REGIONS

9.1. Composition: A region is defined as members organized by a geographic area over which SEIU 1021 has jurisdiction. See Appendix B for current regions.

9.2. Powers and Authority

A. The Executive Board may modify, dissolve or create new regions to meet the changing needs of the Union. Such actions must be adopted at least one (1) year before the Executive Board elections specified in Article 18 of these Bylaws.

B. The Executive Board may establish regional committees to implement the plans and programs of the Union.

C. Members from each region shall elect two members to serve on the Budget and Finance Committee in accordance with Article 18 (Elections) of these Bylaws.

D. Members from each county area over which SEIU has jurisdiction shall elect their county representative(s), as described in Article 18 (Elections), who shall serve on the Executive Board. County area representatives shall serve as a liaison between members in their area and the Executive Board, collaborate with Industry Councils to ensure participation of members from their county area, and engage their membership in the activities, plans and programs of the Union.

ARTICLE 10. RETIREE COUNCIL: The Retiree Council is comprised of retiree members. The purpose of the Retiree Council is to provide retiree members of the Union with a forum for participating in the work of the Union and voicing items of interest or concern.

10.1. Powers and Authority

A. The Retiree Council shall have the authority to develop policies, procedures and rules related to the operations of the Retiree Council, in accordance with Union policies, rules, and Bylaws. The Executive Board shall have the authority to review and approve said policies, procedures, and rules.

B. The Retiree Council shall develop and implement a program to achieve goals and objectives related to retirees, as well as to further the overall interests of this Union. The Retiree Council shall have the authority to set up subcommittees or other bodies to implement its program, in accordance with SEIU 1021 Bylaws, rules, and policies.

C. A Retiree Council chair shall be elected in accordance with Article 18 (Elections) and shall serve on the Executive Board, the International Retiree Council, and the Budget and Finance Committee.

10.2. Vacancy

If an elected member of the Executive Board has fulfilled more than 60% of his/her term and retires from his/her employment, he/she may remain in the position until the end of his/her term, and must continue to pay the full contribution of dues.

ARTICLE 11. CHAPTERS: This Union shall be subdivided into chapters. A chapter is comprised of one or more bargaining units from an employer or employers.

11.1. The Executive Board shall have the authority to establish new chapters (including retiree chapters), authorize a request for chapter status by a bargaining unit or group of employees represented by SEIU 1021, or authorize chapters based on additional criteria such as geographical area or job classification. In order to have official chapter status, a chapter must receive authorization from the Executive Board.

11.2. The Executive Board shall have the authority to authorize chapter status to local governing bodies in operation prior to the merger that created this Union that may not meet the definition of a chapter as defined in these Bylaws. The Union shall assist those jurisdictions without existing chapter structures at the time of the initial passage of these Bylaws to establish or transition to chapters.

11.3. The Executive Board shall have the authority to approve compliance rules and policies for chapter operations in order to meet fiduciary and legal standards. Expenditure of chapter funds must be in compliance with rules and policies established by this Union.

11.4. Each chapter is responsible for activities representing its members within its jurisdiction. Each chapter shall elect chapter officers. Each chapter shall have the authority to adopt policies and bylaws suitable to the needs of its members in accordance with SEIU 1021 Bylaws, policies, and regulations. The Executive Board shall have the authority to review and approve chapter bylaws and amendments.

11.5. Chapters shall maintain minutes of chapter meetings and provide minutes to the Executive Board upon request.

11.6. Regional Chapter Bodies: Chapters are the building blocks of a strong union. Stewards are the face of the Union at the worksite and are critical to building a strong, engaged, and active membership. Area Representatives are the elected leaders serving and representing the interests of the members in their area and the Union as a whole. Regional Bodies are groupings of Area Representatives, Chapter Officers, stewards, and member leaders formed to empower the rank and file, to formulate policy, to make decisions, and to communicate with the Executive Board on any and all matters of importance to the members.

Subject to the approval of the Executive Board Regions, as defined in Article 9, may develop Regional Bodies to address the needs of members in their area. The following general guidelines are recommended, but the Area Representatives and the members in each Region are responsible for developing the structure that best suits their needs.

- Each Regional Body shall be chaired by a/the area's designated Executive Board Representative with the support of the area Vice President.
- Regional Bodies should hold regularly scheduled meetings.
- Meetings use the *Manual of Common Procedure*. (See Appendix A for the *Manual of Common Procedure*.)
- Regional Bodies should engage and communicate regularly with the Executive Board.
- Recommendations and decisions adopted by Regional Bodies are subject to the authority of the Executive Board and should be communicated through the Area Representatives to the Regional Vice-President and the Executive Board (Secretary).

- Minutes are taken, submitted for approval at the next meeting of the body, and maintained in a file. Minutes are available to any member upon request.
- Regional Bodies should be well organized, effective, and promote solidarity and inclusiveness.
- They should develop strategies for member engagement, political education, improving communication, and serving the needs of their members.

It is the responsibility of the Area Representatives and interested members from each region to work with the Regional Vice President to develop a plan for the Regional Body. Once a plan has been developed it shall be presented to the Executive board for review and approval.

ARTICLE 12. STEWARDS AND STEWARDS COUNCILS: Stewards are the face of the union at the worksite and are critical to building a strong, engaged, and active membership.

12.1. Chapters may develop policies and procedures related to stewards and Stewards Councils. The Executive Board shall have the authority to review and approve policies and procedures related to stewards. The Union may develop local-wide programs, rules, standards, and training programs for stewards and Stewards Councils.

12.2. Stewards may be elected by ballot, petition, or appointment. Chapters may determine the appropriate steward election and recall method based on the needs of their members, subject to the policies established by this Union.

12.3. A steward has no greater rights than any of the members in her/his area. The diversity of the union allows for a general description of stewards' roles and responsibilities. Stewards' roles and responsibilities include, but are not limited to:

- A. Participate in ongoing training and education;
- B. Welcome and orient new members;
- C. Mobilize, educate, and inform members on union activities and other issues that impact them;
- D. Resolve worksite issues and process grievances;
- E. Provide timely and effective representation for the members.

12.4. When stewards are engaged in contract enforcement and representation, they are the legally recognized representatives of the Union in the workplace.

12.5. Stewards Councils may be comprised of stewards from one or more bargaining units, chapters, or geographic areas. The purpose of Stewards Councils is to provide stewards with an opportunity to share issues and develop strategies with those who have common interests, employers, chapters, or industries. Chapters may establish Stewards Councils within or across chapters, subject to the policies established by the Union.

ARTICLE 13. COMMITTEES: Committees are essential to implementing the programs and plans of the Union. They also provide members with the opportunity to participate in the work and decision-making of the union, gain leadership experience, and build solidarity with members from across the Union. Committees shall operate subject to the policies established by the Union and in accordance with the Bylaws of this Union and the International Constitution and Bylaws.

13.1. The Executive Board may establish committees to implement its plans and programs.

13.2. Each standing committee shall develop policies and procedures related to governance, committee membership, and operations. All committees shall make reports in writing and shall confine their activities to the business for which they were formed. The Executive Board shall have the authority to review and approve said policies and procedures.

13.3. Except for the chair of the Budget and Finance Committee, the chair of each standing committee shall be elected by the members as defined in Article 18 (Elections) of these Bylaws.

13.4. The standing committees include the Organizing Committee, Social and Economic Justice Committee, Political Action Committee, Budget and Finance Committee, and the Retirement Security Committee.

Budget and Finance Committee: The purpose of the Budget and Finance Committee is to develop recommendations related to the budget, including, but not limited to, investments, expenditures, financial policy, and other fiduciary matters of the Union. The Budget and Finance Committee shall then submit the aforementioned recommendations to the Executive Board for their approval. Upon approval of said recommendations by the Executive Board, the Budget and Finance Committee will then be responsible for providing the ongoing budgetary management over said expenditures, investments, financial policies and other fiduciary matters of the Union, in order to ensure that the approved recommendations are carried out. The Budget and Finance Committee shall be chaired by the Treasurer of the Union and comprised of two (2) elected committee members from each of the regions of SEIU Local 1021, in addition to the officers of the Union, and the Retiree Council Chair. Members of the Budget and Finance Committee shall also be members of the Executive Board.

Retirement Security Committee: The purpose of the Retirement Security Committee is to work to achieve a secure retirement for all workers. The Committee shall provide education and training around pensions and pension issues to the members. This committee is comprised of active and retired members committed to maintaining and improving retirement benefits, and retiree health care.

The Retirement Security Committee Chair shall be responsible for engaging members and retired members Localwide around pension issues. The Committee shall track legislation and bargaining and, subject to the authority of the Executive Board, the Committee shall create political policies and strategies related to retirement security. The Committee may recommend to the COPE committee(s) candidates for retirement board endorsement. The Retirement Security Committee Chair shall submit a written quarterly report on the activities and status of pension-related issues, including legislation and pension bargaining, in the regions; and shall be reimbursed for reasonable expenses incurred in carrying out these duties.

Political Action Committee: The purpose of the Political Action Committee is to engage members in local, state, and national politics, to educate members on the impact of politics on their daily lives, and to mobilize members to take part in political education and action, community partnership, issue advocacy, and voluntary contributions to our COPE fund.

Organizing Committee: The purpose of the Member Organizing Committee is to organize the un-organized worker and to ensure meaningful member participation and leadership development through organizing. This committee has an emphasis on organizing that responds to changing political and economic conditions and is a member-run committee with staff support.

Social and Economic Justice Committee: The purpose of the Social and Economic Justice Committee is to build partnerships with community allies committed to improving opportunities for working people, in particular workers from under-represented, low income, and diverse communities. This committee supports caucuses and committees to support the Union in meeting this goal.

ARTICLE 14. EXECUTIVE BOARD: The Executive Board shall be the governing body of the Union, responsible for representing the interests of the members and for managing the affairs of the Union in accordance with the goals and objectives of the members and the terms and conditions established in these Bylaws.

14.1. Composition: The Executive Board shall be comprised of the following members:

A. Officers: President, Regional Vice Presidents, Vice President of Politics, Vice President of Organizing, Vice President of Representation, Secretary, and Treasurer.

B. Industry Chairs: One (1) Industry chair representing each Industry Council.

C. Retiree Council chair: One (1) Retiree Council chair.

D. Committee chairs: Social and Economic Justice, Retirement Security.

E. County Area Representatives:

1. One (1) representative for each county area with between 100 and 5,000 represented members.

2. Two (2) representatives for each county area with between 5,001 and 10,000 represented members.

3. Three (3) representatives for each county area with 10,001 or more represented members.

F. Budget and Finance Committee Members.

14.2. Powers and Authority: The Executive Board is authorized to take all lawful action consistent with the Bylaws of this Union. The Executive Board shall also be empowered to:

A. Oversee the fiduciary affairs of the Union, including investing, expending, contributing, using and acquiring Union funds and property in pursuit of the objectives of this Union. The Executive Board shall approve the annual budget.

B. Oversee the operations of the Union and establish operating policies, procedures, standards and rules to ensure that the goals and objectives and direction of the Union are met. The Executive Board shall approve the compensation, terms, and conditions of employment for all officers and staff of the Union.

C. Transact all business, manage and direct the business and affairs of the Union, and implement the programs and plans of the Union. The Executive Board may establish committees and subcommittees to implement the plans or programs of the Union and may delegate roles and activities as appropriate.

D. Sell or dispose of, as well as lease, purchase, or otherwise lawfully acquire, real estate or other property rights and privileges deemed necessary for conducting the affairs of the Union.

E. Authorize the formation of chapters and Industry Councils, as well as modify regions.

F. Review at its meetings how staff, Officers and Executive Board delegates are implementing the policy, programs and goals of the Local Union.

G. Grant authorization to employ or retain legal counsel, accountants, or such other assistants or personnel as required, or as recommended by the President, in order to assist in the operation and administration of the Local Union. Any other staffing items shall be subject to the terms of the applicable collective bargaining agreement or employment contract.

14.3. Responsibilities: The Executive Board shall be responsible for:

- A. Representing the interests of its membership as the foremost priority.
- B. Ensuring that members from each region and Industry of Local 1021 participate in the work of the Union and have a voice in decision-making.
- C. Actively enhancing the reputation of the Union by upholding the highest standard of ethics, in accordance with the Bylaws of this Union and applicable law.
- D. Maintaining confidentiality for those matters that demand it.

14.4. Meetings

A. The Executive Board shall meet monthly and may meet more frequently as determined by the President and Executive Board. The President of the Union shall have the authority to call meetings of the Executive Board and shall serve as the chair of Executive Board meetings. The date, time, and location shall be made known to the membership. Meetings of the Executive Board may be held by telephone or video conference at the discretion of the President.

B. A majority of filled seats shall constitute a quorum for the transaction of official business at any meeting. The action of a simple majority of the Executive Board present at a meeting at which a quorum is present shall be the action of the Executive Board.

C. All Executive Board members shall attend each meeting of the Executive Board. If any Executive Board member has two (2) unexcused absences in a calendar year, s/he may be subject to charges and removal from office pursuant to Article 23 (Trials and Appeals) of these Bylaws and Article XVII of the International Union Constitution and Bylaws.

D. When the Executive Board is not meeting and the President deems it necessary for the Executive Board to act promptly on a matter, the President or her/his designee may poll the Executive Board and such action and vote may be taken by letter, telegram, teletype, facsimile, telephone, electronic mail, or any other appropriate means of communication. Such action so taken on vote of the majority of the Executive Board shall constitute official action of the Executive Board.

E. Reports regarding significant activities of, and decisions made by, the President, Lead Director and/or the Head of Operations and Labor Relations shall be made to the Executive Board in a timely manner but no later than the next Executive Board meeting.

ARTICLE 15. ELECTED OFFICIALS

15.1. Powers and Duties of the Officers

A. President - Officer

1. Subject to the authority and direction of the Executive Board, the President shall be the presiding officer of the Local Union and shall preside over all Executive Board meetings, General Membership meetings and the Local Union Convention.
2. S/he shall have general oversight and input into all programs, finances and committees of the union in accordance with these bylaws.
3. The President, along with the Treasurer, shall be authorized to countersign all orders on funds, after such expenditures of funds have been approved by the Executive Board.
4. S/he shall be a non voting participant (ex officio) in any committees as s/he requests. S/he is a non-voting member of the Executive Board, unless breaking a tie.
5. S/he appoints committees and committee chairs with concurrence of the Executive Board.
6. The President shall cause an agenda to be prepared for each meeting of the Executive Board prior to that meeting in accordance with board policy and the draft

agenda to be emailed together with the notice of the meeting to all board members for review. Approval of the final agenda shall occur at the beginning of each board meeting.

7. S/he may receive complaints and grievances and work with the Lead Director to seek solutions of same.

8. The President shall serve as the Union's First Delegate to all conventions to which the Local is entitled to send delegates. The President shall serve as the first delegate to the SEIU State Council.

9. The President shall represent the Union before all boards, committees, departments and other official bodies as may be designated by the Executive Board, including, but not limited to, serving as a delegate to all committees, boards, divisions, conventions and conferences of the Service Employees International Union and its affiliated bodies, and other organizations that the union is affiliated with. Where appropriate the President may designate another member to represent the union in her/his absence.

10. The President shall serve as the chief spokesperson for the Union, representing the Union in the community, in the media, and at meetings, conferences or conventions with which the Union is affiliated.

11. The President shall be reimbursed for his/her reasonable expenses incurred in carrying out his/her duties.

B. Regional Vice Presidents - Officers

1. The Regional Vice Presidents shall assist the President in the performance of the President's duties and shall perform all other proper duties and functions pertaining to the office.

2. The Regional Vice Presidents shall be reimbursed for their reasonable expenses incurred in carrying out their duties.

3. Each Regional Vice President shall be responsible for representing the interests of members within a unique geographical area of the Union, including, but not limited to, establishing a strong Union presence within the assigned geographical area, attending industry, committee and other meetings, and engaging, promoting, recruiting, and mentoring members to implement the Union's programs and plans.

4. Regional Vice Presidents may co-chair Regional Stewards Council Meetings at multiple locations in their respective areas. Regional Vice Presidents may co-chair, with the county area representatives, Regional Council Meetings.

5. The Executive Board shall select, by a simple majority, the subsequent delegates for all conventions to which the Local is entitled to send delegates other than the SEIU International Convention, which is addressed in Article 17.

C. Vice President of Representation - Officer

1. Elected Localwide.

2. Assists in the development of the Member Resource Center (MRC).

3. Tracks best practices.

4. Tracks trends.

5. Works with Regional Vice Presidents to recruit, train and support stewards.

6. The Vice President of Representation shall be reimbursed for reasonable expenses incurred in carrying out his/her duties.

7. Will Co-Chair Arbitration and Appeals Committee.

8. Reports monthly to the Executive Board.

9. The Vice President of Representation shall be responsible for supporting the President and Regional Vice Presidents to ensure that grievances are handled in a

timely manner and aggressively; arbitrations are properly scheduled; and that the interests of the membership as they relate to worksite representation issues are protected.

10. Will oversee effective and transparent tracking of grievances and arbitrations.

11. The Vice President of Representation shall serve as the third delegate to the SEIU State Council.

D. Vice President of Politics - Officer

1. The Vice President of Politics shall be responsible for overseeing the political program of the Local and engaging, educating and training members about the political process and political issues affecting working families at the local, county, state, and national government levels. The duties of the Vice President of Politics shall include: educating the membership on the impact of politics on their daily lives, training and certification of Member Political Organizers (MPO's) throughout the regions, and mobilizing members to take part in community partnerships and comprehensive advocacy and action. The Vice President of Politics is also responsible for increasing and sustaining contributions to the SEIU 1021 COPE fund.

2. The Vice President of Politics shall submit a written quarterly report on the activities and status of SEIU 1021's Political Organizing throughout the regions.

3. The Vice President of Politics shall be reimbursed for his/her reasonable expenses incurred in carrying out his/her duties.

4. The Vice President of Politics shall chair the Local 1021 COPE Committee.

5. The Vice President of Politics shall serve as the second delegate to the SEIU State Council.

E. Vice President of Organizing - Officer

1. The Vice President of Organizing shall be responsible for raising members' awareness of the vital importance of organizing the unorganized workers. The duties of the Vice President of Organizing include: the development and implementation of a comprehensive organizing strategy with measurable goals. The developed strategy shall include member education, motivation, and mobilization. The Vice President of Organizing is also responsible for the training and certification of Member Organizers (MO's) throughout the regions to implement organizing strategies and the member organizing program.

2. The Vice President of Organizing shall submit a written quarterly report to the Executive Board on the activities and status of SEIU 1021's Organizing efforts throughout the regions.

3. The Vice President of Organizing shall be reimbursed for his/her reasonable expenses incurred in carrying out his/her duties.

4. The Vice President of Organizing shall chair the Organizing Committee.

F. Secretary - Officer

1. The Secretary shall keep or cause to be kept, a correct and impartial account of the proceedings of each membership and Executive Board meeting. The Secretary (or her/his designee) must be physically present at the meeting for which they are taking minutes. Minutes shall be based on the written notes of the Secretary or designee, and the person who takes the notes shall produce the minutes. If approved by the Executive Board, tape recordings may be used as adjuncts to the written notes. If the Secretary is absent and fails to appoint a designee, the President shall do so. Minutes of Executive Board meetings shall be submitted to all

members of the Executive Board no later than five (5) days before the next calendared Executive Board meeting.

2. The Secretary shall be reimbursed for her/his reasonable expenses incurred in carrying out her/his duties.

3. The Secretary shall maintain all official documents of the organization, including, but not limited to, important documents, papers, and correspondence, as well as files on contracts and agreements with employers. The Secretary shall assist the Treasurer in maintaining accurate membership records and with notifying the International of all activities of the Local which require reporting to the International.

4. The Secretary shall be one (1) of three (3) persons, along with the Treasurer and President, authorized to countersign all orders on funds after such expenditures of funds have been approved by the Executive Board.

G. Treasurer - Officer

1. The Treasurer shall oversee the finances of the Union and be responsible for all financial records and transactions, receive and collect all dues and other monies due to the Union (which shall be deposited in sound and secure financial institutions), be custodian of all monies received by the Union, keep a correct account of all monies paid out and received by the Union, and be custodian of all property of the Union pertaining to her/his office. In addition the Treasurer shall be responsible for filing all bills and receipts and, on a quarterly basis, shall make a written report of all financial transactions to the Executive Board. Additionally, together with the President, s/he shall furnish a CPA report annually on the financial status of the Union, first to the Executive Board and then to the General Membership. Further, all Union records pertaining to income, disbursements, and financial transactions of any kind shall be kept for a period of six (6) years or longer, if required by law.

2. The Treasurer shall be reimbursed for her/his reasonable expenses incurred in carrying out her/his duties.

3. The Treasurer shall serve as the chair of the Budget and Finance Committee.

4. The Treasurer along with the President shall be authorized to countersign all orders on funds after such expenditures of funds have been approved by the Executive Board. In the absence or inability of the Treasurer to countersign checks, the Secretary as designated by the President may also sign checks.

5. The Treasurer shall communicate the financial position of the Union to the membership.

6. The Treasurer shall be responsible for submitting a regular and complete financial report of the Union to the Executive Board.

7. The Treasurer shall send or cause to be sent to the International Union all annual audit reports and all financial reports setting forth a statement of liabilities and a statement of receipts and disbursements which are required by law.

8. The Treasurer shall insure that all records pertaining to income, disbursements, and financial transactions are maintained and kept in accordance with the law.

9. The Treasurer or her/his designee shall see that an accurate record of all dues payments and other revenue shall be sent to the International Union, and s/he shall send monthly to the International Secretary-Treasurer and any state council with which this Union is affiliated, the correct names and addresses (with zip code and e-mail address and phone number, if available) of all new and readmitted members, along with any changes in names and/or addresses of members, changes in membership status, and names and addresses of any other persons from whom revenue is derived.

10. With the aid of staff, it shall be the duty of the Treasurer to maintain an accurate record of members of the Union, showing: their classification, address and phone number; including Regular, Associate, Retired and Life Members, Laid-off members and Service and Charity Fee-payers; the names of the chapters and bargaining units in which the members are employed; and all initiations, expulsions, suspensions and rejections. S/he shall receive all dues or other monies due and payable to the Union, giving her/his receipts as required, and thereafter s/he shall deposit all such monies. The Treasurer shall maintain records which show the receipts and disbursements pertaining to each fund of the Union and said receipts shall be open for inspection and verification at any time as authorized by the Executive Board.

15.2. Terms of Office: The term of office for all elected Executive Board members shall be three (3) years, with a possible re-election for two (2) additional terms. Executive Board members shall assume office upon taking an oath of office at the first Executive Board meeting held after the Executive Board election.

15.3. Vacancies

A. In the event of a vacancy in the office of President, the Executive Board shall designate a successor to succeed and serve the remainder of the unexpired term or until a special election is held.

B. In the event of a vacancy in the office of any officer position, if more than half a term remains, the Executive Board may call a special election to fill the position. If less than half a term remains, the President shall appoint a successor who shall serve the remainder of the unexpired term, to be approved by a majority vote of the Executive Board.

C. In the event of a vacancy in the office of any other seat of the Executive Board, the President shall appoint a successor who shall serve the remainder of the unexpired term, to be approved by a majority vote of the Executive Board.

15.4. Code of Ethics

A. All members and officers of the Executive Board and employees of SEIU shall comply with applicable state and federal labor law clauses regarding conflict of interest and full disclosure for non-profit organizations, as well as the current SEIU International Code of Ethics.

B. No officer, Executive Board member, staff member, or agent of the Union may have business or financial interests that are in conflict with the fiduciary obligations of such persons to the Union.

C. No two (2) officers on the local signature card shall be permitted to live in the same household.

D. In the case that any officer or Executive Board member of SEIU Local 1021 engages in an official activity that could lead to a possible benefit or gain for her/himself, family or close association, s/he shall inform the other participants in said activity of the relationship prior to any action being taken, in an attempt to provide full disclosure and to prevent the appearance of or actual conflict of interest from taking place, including, but not limited to endorsements for political office, contracts for services with the Union, and any other related matters.

E. No officer, Executive Board member, staff member, or agent of the Union will make work-related decisions or provide input into work-related decisions made by others, involving her/his relative or an employee with whom s/he has a personal relationship, even if s/he does not directly supervise that person. This includes, but is not limited to, decisions about hiring, wages, hours, benefits, assignments, evaluations, training, discipline, promotions, and transfers.

15.5. Recall

A. Executive Board members, including officers, may be recalled by a vote of the constituency that elected them to office.

B. A recall petition for officers elected Localwide must be signed by at least ten percent (10%) of the membership. For non-Localwide offices, a recall petition must be signed by at least fifteen percent (15%) of the membership of the constituency that elected her/him to office.

C. Recall elections shall not be scheduled if a petition is received within one hundred eighty (180) days of a general election.

D. A special election committee shall be designated by the Executive Board to conduct the election, within ninety (90) days of receipt of the recall petition, pursuant to the provisions decided upon by the Executive Board.

E. If an Executive Board member or officer is recalled, her/his office shall be declared vacant and filled in accordance with Article 15.3 (Elected Officials) of these Bylaws.

F. If a recall is not approved by a majority of those voting in the recall election, no new petition regarding this Executive Board member shall be considered valid for the remainder of her/his term.

G. The recall process shall not be used merely to overturn the results of a bona fide election to office.

15.6. Termination: The termination of an officer or member of the Executive Board will take place according to the following:

A. At the end of the term of the office or seat.

B. If an office or seat is declared vacant, pursuant to these Bylaws.

C. Upon submitting a letter of resignation to the President.

ARTICLE 16. ADMINISTRATION

16.1. Definition

The Administration of this Union shall be vested in the Executive Board, through the President, who is bound to act reasonably and in good faith and for the benefit of the members of the Union.

16.2. Powers and Authority

A. Lines of authority, powers, duties, and responsibilities for the Administration of this Union are as follows:

1. The Lead Director shall report to and be subject to the authority of the President. While operating within an approved budget, day-to-day operations of the Field Staff, including hiring, firing, supervising and directing field staff shall be the responsibility of the Lead Director, subject to the authority of the President. The President is subject to the authority of the Executive Board. Any other staffing items shall be subject to the terms of the applicable collective bargaining agreement or employment contract.

2. The Lead Director shall receive all complaints and grievances. S/he shall work with all officers to seek solutions to all complaints and grievances, and delegate authority to seek solutions of same to the appropriate staff or member group. S/he shall report his/her activities to the Executive Board, leadership meetings, membership meetings, and other special meetings. Reports regarding significant activities of, and decisions made by, the Lead Director shall be made to the Executive Board in a timely manner but no later than the next Executive Board meeting.

3. The Head of Operations and Labor Relations (HOLR) shall act as the chief operations staff person of the local, and shall report to and be subject to the authority of the President. The President is subject to the authority of the Executive Board. In the exercise of these functions, the Head of Operations and Labor Relations shall be bound to act reasonably, in good faith and for the benefit of the members, and to utilize sound judgment and discretion.

4. The Head of Operations and Labor Relations shall serve as the chief operations and administrative staff person of the local union. Reports regarding significant activities of, and decisions made by, the Head of Operations and Labor Relations shall be made to the Executive Board in a timely manner but no later than the next Executive Board meeting. While operating in accordance with the approved budget and program adopted by the Executive Board, the Head of Operations and Labor Relations shall be responsible for general supervision and direction of the Support Staff, and for managing, overseeing and directing the day-to-day operations of the Support Staff, which shall be carried out in consultation with and subject to the authority of the Local President. The President is subject to the authority of the Executive Board.

5. Operating in accordance with the approved budget and program adopted by the Executive Board, the Head of Operations and Labor Relations shall have the responsibility to manage the Support Staff, including hiring, firing, supervising, and directing and terminating Support Staff, in whatever manner s/he deems appropriate for the efficient administration of the staff, subject to the authority of the President. The President is subject to the authority of the Executive Board. Any other staff items shall be subject to the terms of the applicable bargaining agreement or employment contract.

6. The Head of Operations and Labor Relations shall send to the International Secretary-Treasurer of the International Union copies of all annual financial reports and LM-2 reports, and the correct names, addresses, and the last 4 digits of social security numbers or identification number of all members initiated or readmitted, and of all other persons from whom income is derived, and of those suspended for non-payment of dues or for any other cause, and a correct list of those who take transfer or withdrawal cards. The proper zip codes shall be included for each address. S/he shall notify the International Union in writing when any collective bargaining negotiations or memoranda of understanding have been concluded and the number of employees covered, and send copies of collective bargaining agreements and contracts entered into by the Local Union to the Research Department of the International Union. The Head of Operations and Labor Relations shall notify the International Union of the newly elected officers within fifteen (15) days of their taking office.

7. At all times, the Head of Operations and Labor Relations shall work to effectuate and implement the policies of the Executive Board.

B. The terms and conditions of employment for the Lead Director, and the Head of Operations and Labor Relations shall be determined by the Executive Board.

ARTICLE 17. INTERNATIONAL CONVENTION DELEGATES: Officers and members of the Executive Board elected in conformity with applicable statutes shall be considered eligible delegates to any convention to which the Union is entitled to send delegates. The President shall serve as the Union's first delegate to the International Union Convention. If the total number of Executive Board members is greater than the number of delegates to which this Local Union is entitled at any International Union Convention, or is greater than the number of delegates that this

Local determines shall represent it at any Convention, all subsequent delegates shall be selected at random from among the Executive Board members by placing names in a hat and drawing names out of the hat until all delegate positions are filled, in accordance with applicable laws.

ARTICLE 18. LOCAL EXECUTIVE BOARD ELECTIONS

18.1. Election Committee

- A. The Executive Board shall make provisions for time, place, and conduct of elections.
- B. The Election Committee shall consist of at least five (5) members and up to three (3) alternates appointed by the President and approved by the Executive Board. Appointments shall be made at least sixty (60) days prior to an election. Only members in good standing shall be eligible for appointment to the Election Committee. No candidate for office shall be a member of the Election Committee.
- C. Nominations and elections shall be conducted and governed by the Election Committee in accordance with these Bylaws. The Election Committee may request assistance of the Executive Board to obtain financial, technical, or other assistance in order to conduct an honest and fair election.
- D. The Executive Board shall have the option to contract with a neutral, third party contractor to conduct an election as deemed necessary. In case of a contractor-run election, the Election Committee shall establish election parameters and regulations that do not conflict with these Bylaws.

18.2. Election Procedures

- A. The Election Committee shall submit election rules, procedures, schedules, contribution limits, and campaign spending limits to the Executive Board for approval.
- B. The Election Committee shall have the authority to determine candidate eligibility and shall inform any nominee not eligible for election as to the reason. The Election Committee may disqualify a candidate due to ineligibility or a violation of election rules, procedures, or regulations. Any candidate disqualified by the Election Committee may appeal that decision to the Executive Board.
- C. The Executive Board shall be elected by the members of this Union by means of a secret ballot in the following manner.
 - 1. All regular members shall have the opportunity to vote on the election of the seats for President, Vice President of Politics, Vice President of Organizing, Vice President of Representation, Secretary, Treasurer, and Committee Chairs (Social and Economic Justice, Retirement Security). Retiree members shall have the opportunity to vote on the election of the Retirement Security Committee Chair and the Retiree Council Chair.
 - 2. Only members based in a particular Industry may nominate or vote for a nominee for the Executive Board seat representing that particular Industry.
 - 3. Only members based in a particular region may nominate or vote for a nominee for the Budget and Finance Committee seats representing that particular region.
 - 4. Only members based in a particular county may nominate or vote for a nominee for the Executive Board seat representing that particular county area.
 - 5. Only retiree members in good standing may nominate or vote for a nominee for Retiree Council chair.
 - 6. Only members based in a particular region may nominate or vote for the Regional Vice President representing that particular region.

D. Notice of election procedures shall be mailed to each member at least thirty (30) days prior to the election. The ballot shall be mailed to the address recorded in the Union office as the last known address of the member.

E. Nominations for elected positions on the Executive Board of the Local Union shall be made by means of a petition furnished by the Election Committee and signed by no less than twenty-five (25) members in good standing. Such petitions shall include the signature of the nominee, and all signatures shall be both printed and signed. Petitions shall be filed with the chair of the Election Committee or contractor by the approved deadline.

F. To be eligible, nominees must have been members in continuous good standing for at least two (2) years immediately preceding the nomination.

1. In the case of members whose chapter has been with this Union for less than two (2) years prior to the deadline for filing of the nomination petition, the candidate must have been a member in continuous good standing for at least one-half (1/2) of the length of time the chapter has been in existence.

2. No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in Canada) shall, in accordance with the provisions of applicable law, be eligible to hold office in this Local Union. In addition, no candidate (including a prospective candidate) for any office in this Union or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of SEIU.

3. Write-in candidates shall not be permitted.

4. No member shall be a candidate for more than one (1) Executive Board office or seat at a time.

5. All eligibility requirements must be complied with in accordance with these Bylaws.

6. In addition to the above requirements, the eligibility requirements for candidates for offices and seats of the Executive Board are as follows:

a. Eligible officeholders for President, Vice President of Politics, Vice President of Representation, Vice President of Organizing, Treasurer, Secretary, Chair of the Social and Economic Justice Committee, and Chair of the Retirement Security Committee must be regular members currently employed in an SEIU 1021 bargaining unit.

b. Eligible officeholders for Regional Vice Presidents and Budget and Finance Committee members must be regular members currently employed in an SEIU 1021 bargaining unit within the region they represent.

c. Eligible county area representatives must be regular members currently employed in an SEIU 1021 bargaining unit based in the county area they represent.

d. Eligible Industry chairs must be regular members currently employed in an SEIU 1021 bargaining unit based in the industry they represent.

e. An eligible Retiree Council chair must be a retiree member in good standing and must be paying the dues rate of a retiree member.

G. Eligible candidates may inspect a list of eligible voters.

H. All candidates shall conduct campaigns in accordance with applicable laws, election rules and these Bylaws. Candidates for office shall disclose contribution sources upon request of the Election Committee.

I. The Union shall refrain from discrimination in favor of or against any candidate. While in the performance of their duties, Union staff shall not endorse or support the campaign of any candidate.

J. The Election Committee or contractor shall prepare secret ballots and voting instructions, which shall be mailed to members in good standing at the member's last known home address. As

part of this mailing, each candidate shall be entitled to submit a candidate statement, not to exceed two hundred (200) words. The Election Committee or contractor shall determine the rules governing such mailings.

1. Only those ballots returned to the Election Committee shall be considered to have been validly cast.
2. Proxy voting shall not be permitted.
3. Any eligible voter may witness the opening and counting of ballots.
4. The candidate receiving the plurality of total votes cast for each office shall be declared elected. If more than one (1) nominee ties for the highest number, all these nominees shall be placed on a run-off ballot. In this case, the nominee receiving the highest number of votes shall be declared elected.
5. Where there is more than one (1) industry in a county and the county has more than 5,000 members, county representative seats shall be held by members of different industries. In this case, the candidate receiving the highest number of votes shall be declared elected to the first county representative seat; the candidate receiving the second highest number of votes from a different industry than the first representative shall be declared elected to the second county area representative seat; the candidate receiving the third highest number of votes from a different industry than the first and second representatives shall be declared elected.
6. Where there is more than one industry or county area within a region the second BFC seat for that region shall go to the candidate receiving the highest number of votes from a different industry or county area.
7. If only one (1) eligible candidate is nominated for an office, s/he shall be elected without further procedures.
8. The Election Committee or contractor shall certify the election results and submit a written report to the Executive Board following the election certification. The report shall include candidate/issue vote totals, any challenges filed, and the names and contact information of the Election Committee members. Election results shall be posted for public viewing.
9. All elected officers and Executive Board members shall assume office upon taking an oath of office at the next Executive Board meeting.

K. Any challenge or protest concerning the conduct of the election or election results must be submitted in writing, with specific facts setting forth the challenge or protest, and must be received by the Election Committee within ten (10) calendar days of the posting of election results. Challenges to the election will be considered only if they cite specific violations of election rules and procedures outlined in these Bylaws or applicable law and if the alleged violation may have affected the outcome of the election. The Election Committee (or Executive Board in case of a contractor-run election) shall decide on the action to be taken, subject to the appellate process of this Union.

ARTICLE 19. COLLECTIVE BARGAINING

19.1. Negotiations teams shall be established to facilitate effective contract negotiations. Bargaining unit members shall elect their negotiations team members. Staff of this Union shall support the negotiations team through participation in bargaining, training, communications, research, and any other activities required for effective negotiations.

19.2. The results of any collective bargaining session shall be subject to ratification by the members within the bargaining unit. Collective bargaining agreements (contracts) shall be ratified

by a secret ballot vote of the members in the bargaining unit. Sufficient notice shall be given to the membership, in accordance with policies and procedures established by this Union.

19.3. Collective bargaining agreements shall be submitted to the Executive Board.

19.4. The International Union shall be notified in writing when any collective bargaining negotiations or memorandum of understanding has been concluded and be advised of the number of employees covered and the expiration date of the contract. Copies of collective bargaining agreements and contracts entered into by this Union shall, after signing, be sent to the Research Department of the International Union. Such notification or filing with the International Union shall not impose any liability on the International Union or its officers or make them parties to any such collective bargaining agreement or memorandum of understanding.

ARTICLE 20. STRIKE: A chapter may not initiate a strike without a majority concurrence of the voting membership by secret ballot. If a strike vote is rendered, the chapter shall obtain a sanction from the Executive Board of this Union. No chapter of this Union shall strike without previous notification of the International President, or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which this Union has stated that it has complied with all applicable notice requirements. If this Union fails to give such notice, the International Union President may withhold sanction for any strike called by the Union.

ARTICLE 21. UNION FUNDS, DUES AND PROPERTY

21.1. Funds of the Union

A. Funds of the Union shall be derived from initiation fees, dues, fines, assessments, and by any other legal means that have been approved by the Executive Board. Records pertaining to Union income, disbursements, and financial transactions shall be kept for a period of at least six (6) years or longer if required by applicable law. This Union shall pay per capita tax to the International Union for any person from whom the union receives revenue, whether called dues or otherwise. This Union shall likewise pay any other obligations due to the International Union and it shall have no right to pay any bills until it pays its full obligations to the International Union for each month.

B. Membership in this Union shall not vest any member any right, title, or interest in or to the funds, property, or other assets of this Union, now owned and possessed or that may hereafter be acquired. Each member hereby expressly waives any rights, title, or interest in or to the property of this Union, including the funds of this Union.

21.2. Dues

A. It is the member's responsibility to pay dues. In order to be a member in good standing, dues must be current and paid on time. Dues are due and payable on or before the last day of the current month. If a member is on lost time, dues will be deducted by the Union to ensure continual membership in good standing.

B. The Executive Board shall continue the process towards dues uniformity. Any changes to the members' dues percentage rates, in working towards dues uniformity, will be subject to a vote of the membership.

ARTICLE 22. BONDING: Each officer and Executive Board member who handles funds or other property of this Union shall be bonded in accordance with the requirements of the International

Constitution and Bylaws and applicable laws and statutes. The amount of bond required shall be determined by the Executive Board and shall be paid out of the general fund of the Union.

ARTICLE 23. TRIALS AND APPEALS: In order to ensure members' protection from the filing of frivolous charges, the following procedures shall apply:

A. This Union, its officers or members may be charged with offenses set forth in Article XVII Section 1 of the SEIU International Constitution and Bylaws. The charges must be specific and in writing. The charges must state which subsection(s) of Section 1 of Article XVII of the International Constitution that the charging party believes has been violated. If the charges are not specific, the committee appointed to hear the charges may dismiss the charges either before or at the hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Section and Article XVII, Section 1. No charges may be filed more than six (6) months after the charging party learned, or could have reasonably learned, of the act or acts which are the basis of the charges.

B. The President shall appoint a committee to hear evidence related to such charges.

C. The charges against any member or officer of this Union shall be filed in duplicate with the Secretary of this Union who shall serve a copy thereof on the accused either personally or by registered or certified mail, directed to the last known address of the accused, at least ten (10) days before the hearing upon the charges.

D. The procedures for trials and appeals shall be those set forth in Article XVII of the SEIU International Constitution and Bylaws, Section 2.

ARTICLE 24. LITIGATION: Subject to applicable law, no member shall bring action against the Union, officers, or employees thereof with respect to any matter unless and until the administrative procedural remedies provided by these Bylaws have been exhausted. Neither the Union, nor its officers or employees shall be responsible or liable for a wrongful or unlawful act, except when the Union, or specific officers or employees have actually authorized such acts, or have ratified such acts after actual knowledge thereof.

ARTICLE 25. AMENDMENTS: Proposed amendments to these Bylaws may be originated by a majority vote of the Executive Board or by a petition signed by at least ten percent (10%) of regular members in good standing. The Executive Board shall review any proposed amendment and may issue a recommendation to the membership. The Executive Board shall refer any such amendments to the membership for a vote. Amendments to the Bylaws shall be approved by a majority of voting members.

SEIU MEMBER BILL OF RIGHTS AND RESPONSIBILITIES IN THE UNION

- The right to have opinions heard and respected, to be informed of union activity, to be educated in union values and union skills.
- The right to choose the leaders of the union in a fair and democratic manner.
- The right to a full accounting of union dues and the proper stewardship over union resources.
- The right to participate in the union's bargaining efforts and to approve union contracts.
- The right to have members' concerns resolved in a fair and expeditious manner.
- The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers.
- The responsibility to be informed about the internal governance of the union and to participate in the conduct of the union's affairs.
- The responsibility to contribute to the support of the union.
- The responsibility to treat all workers and members fairly.
- The responsibility to offer constructive criticism of the union.

SEIU MEMBER BILL OF RIGHTS AND RESPONSIBILITIES ON THE JOB

- The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.
- The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term planning by one's employer as well as the training necessary to take part in such planning.
- The right to fair and equitable treatment on the job.
- The right to share fairly in the gains of the employer.
- The right to participate fully in the work of the union on the scope, content, and structure of one's job.
- The responsibility to participate in the union's efforts to establish and uphold collective principles and values for effective workplace participation.
- The responsibility to recognize and respect the interests of all union members when making decisions about union goals.
- The responsibility to be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry.
- The responsibility to participate fully in the union's efforts to expand the voice of workers on the job.
- The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

APPENDIX A MANUAL OF COMMON PROCEDURE

Debate

The following rules shall be used to govern debate:

Rule 1. The regular order of business may be suspended by a vote of the meeting at any time to dispose of urgent business.

Rule 2. All motions (if required by the chair) or resignations must be submitted in writing.

Rule 3. Any conversation, by whispering or otherwise, or any other activity which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business shall be deemed a violation of order.

Rule 4. Sectarian discussion shall not be permitted in the meetings.

Rule 5. A motion to be entertained by the presiding officer must be seconded, and the mover as well as seconder must rise and be recognized by the chair.

Rule 6. Any member having made a motion can withdraw it with consent of the seconder, but a motion once debated cannot be withdrawn except by a majority vote.

Rule 7. A motion to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted.

Rule 8. A motion shall not be subject to debate until it has been stated by the chair.

Rule 9. A member wishing to speak shall rise and respectfully address the chair, and if recognized by the chair, she or he shall be entitled to proceed.

Rule 10. If two or more members rise to speak, the chair shall decide which is entitled to the floor.

Rule 11. Any member speaking shall be confined to the question under debate and avoid all personal, indecorous, or sarcastic language.

Rule 12. Attending meetings under the influence of liquor or any controlled substance not lawfully prescribed is basis for removal.

Rule 13. No member shall interrupt another while speaking, except to a point of order, and the member shall definitely state the point, and the chair shall decide the same without debate.

Rule 14. Any member who is called to order while speaking shall be seated until the point of order is decided, after which, if decided in order, such member may proceed.

Rule 15. Any member who feels personally aggrieved by a decision of the chair may appeal such decision to the body.

Rule 16. When an appeal is made from the decision of the chair, the Vice President shall act as chairperson; the appeal shall be stated by the chair to the meeting in these words: "Shall the decision of the chair be sustained as the decision of this Union?" The member will then have the right to state the grounds of appeal and the chair will give reasons for its decision; thereupon the members will proceed to vote on the appeal without further debate, and it shall require a majority vote to overrule the chair.

Rule 17. No member shall speak more than once on the same subject until all who wish to speak have spoken, nor more than twice without unanimous consent, nor more than five (5) minutes at any one time without consent of a two-thirds vote of all members present.

Rule 18. The presiding officer shall not speak on any subject unless such officer retires from the chair, except on a point of order or to make an official report or give such advice and counsel as the interests of the organization warrant. In case of a tie the presiding officer shall have the deciding vote.

Rule 19. When a question is before the meeting, no motion shall be in order except:

- To adjourn;
- To lay the question on the table;
- For the previous question;
- To postpone to a given time;
- To refer or commit;
- To amend.

These motions shall have precedence in the above order. The first three of these motions are not debatable.

Rule 20. If a question has been amended, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall be put as follows:

- Amendment to the amendment.
- Amendment.
- Original proposition.

Rule 21. When a question is postponed indefinitely, it shall not come up again except by a two-thirds vote.

Rule 22. A motion to adjourn shall always be in order, except:

- When a member has the floor;
- When members are voting.

Rule 23. Before putting a question to vote, the presiding officer shall ask, "Are you ready for the question?" Then it shall be open for debate. If no member rises to speak or the debate is concluded, the presiding officer shall then put the question in this form: "All in favor of this motion say 'aye'"; and after the affirmative vote is expressed, "Those of the contrary opinion, say 'no.'" After the vote is taken, the presiding officer shall announce the result in this manner: "It is carried [or lost] and so ordered."

Rule 24. Before the presiding officer declares the vote on a question, any member may ask for a division of the house. The chair is required to comply with this request. A standing vote shall thereupon be taken.

Rule 25. When a question has been decided it can be reconsidered only by two-thirds vote of those present.

Rule 26. A motion to reconsider must be made and seconded by two members who voted with the majority.

Rule 27. A member ordered to be seated three (3) times by the chair without complying shall be debarred from participating in any further business at that session.

Rule 28. All questions, unless otherwise provided, shall be decided by a majority vote.

Rule 29. The presiding officer of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.

**APPENDIX B
LIST OF SEIU REGIONS AS OF APRIL 2012**

Region A. North Central (Napa, Solano, Sacramento, Butte, Shasta)

Region B. North Coast (Marin, Mendocino, Del Norte, Sonoma)

Region C. East Bay

Region D. San Francisco

Region E. San Joaquin/Calaveras/Amador

LIST OF SEIU REGIONS AS OF SEPTEMBER 2012

Region A. North Central (Napa, Solano, Sacramento, Butte, Shasta, Yuba)

Region B. North Coast (Marin, Mendocino, Del Norte, Sonoma)

Region C. East Bay

Region D. San Francisco

Region E. San Joaquin/Calaveras/Amador

Approved by the SEIU International Executive Board, June 13, 2009

Approved by the SEIU International Executive Board as revised, January 21, 2016

SEIU CODE OF ETHICS AND CONFLICT OF INTEREST POLICY

PART A: PREAMBLE

The Service Employees International Union (SEIU) believes in the dignity and worth of all workers. We have dedicated ourselves to improving the lives of workers and their families and to creating a more just and humane society. We are committed to pursuing justice for all, and in particular to bringing economic and social justice to those most exploited in our community. To achieve our mission, we must develop highly trained and motivated leaders at every level of the Union who reflect the membership in all of its diversity.

Union members place tremendous trust in their leaders. SEIU elected officers and managers owe not just fiduciary obligations to union members; given the moral purpose of our mission, SEIU leaders owe members the highest level of ethical behavior in the exercise of all leadership decisions and financial dealings on members' behalf. Members have a right to proper stewardship over union funds and transparency in the expenditure of union dues. Misuse and inappropriate use of resources or leadership authority undermine the confidence members have in the Union and weaken it. Corruption in all forms will not be tolerated in SEIU. This *Code of Ethics and Conflict of Interest Policy* (the "Code" or "SEIU Code") strengthens the Union's ethics rules of conduct, organizational practices and enforcement standards and thus enhances the Union's ability to accomplish its important mission.

We recognize that no code of ethics can prevent some individuals from violating ethical standards of behavior. We also know that the SEIU Code is not sufficient in itself to sustain an ethical culture throughout the Union. To accomplish the goals for which this Code has been created, we must establish systems of accountability for all elected leaders and staff. These systems must include appropriate checks and balances and internal operating procedures that minimize the opportunity for misuse or abuse, as well as the perception of either, in spending union funds and exercising decision-making authority. The systems also must include adequate provision for training on understanding and implementing this Code. More broadly, we emphasize the importance of the range of standards, practices, and values described in "A Strong Ethical Culture," Section A of the *SEIU Policies on Ethics and Standards* that were enacted with the Code in 2009.

In particular, SEIU is committed to providing meaningful paths for member involvement and participation in our Union. The SEIU Member Bill of Rights and Responsibilities in the Union is a significant source of SEIU members' rights and obligations. Its exclusive enforcement through the procedures set forth in Article XVII of the SEIU Constitution and Bylaws reflects a commitment to the democratic principles that have always governed SEIU. Article XVII's numerous protections against arbitrary or unlawful discipline of members also form an essential ingredient of the democratic life of the Union. Similarly, the requirement that Affiliates provide for regular meetings of the membership, set forth in Article XV, Section 5 of the Constitution, is another important element in the democratic functioning of SEIU. Finally, the provisions against discrimination and harassment on the basis of race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age and disability contained in Article III, Section 4 of the SEIU Constitution and in the Constitutions and Bylaws of Affiliates, the SEIU Anti-discrimination and Anti-Harassment Policy and Procedure, and similar policies of Affiliates forbid conduct in violation of SEIU's historic belief that our strength comes from our unity and diversity and that we must not be divided by forces of discrimination.

Individuals subject to this Code are expected to comply with State and Federal laws, the Constitution and Bylaws of SEIU and Affiliates, and the anti-discrimination and anti-harassment policies of SEIU and Affiliates as part and parcel of our commitment to sustaining an ethical culture and the highest standards of conduct throughout the Union. Violations of these laws and policies are ethical breaches; however, these violations should be addressed through avenues provided by the applicable laws and policies and not through the Code unless they also allege violations of this Code. In particular, the sole enforcement mechanism for matters covered by the SEIU or Affiliate Constitutions and Bylaws is that which is set forth in those documents, unless violations of this Code are also alleged. Finally, grievances that arise under collective bargaining agreements are excluded from enforcement under this Code unless they also allege violations of this Code.

The scope and standards of this Code are set forth in the following Sections.

SECTION 1. *Applicability to International Union.* The SEIU Code is henceforth applicable in its entirety to all officers, executive board members and employees of SEIU. These individuals are referred to herein as "covered individuals." SEIU shall append or attach the Code in its entirety to its Constitution and Bylaws in its next and all future publications.

SECTION 2. *Applicability to SEIU Affiliates.* By enactment of the SEIU International Executive Board, the SEIU Code is applicable in its entirety to all officers, executive board members and employees of all affiliated bodies and local unions chartered by SEIU ("Affiliates" herein). These individuals are referred to herein as "covered individuals."

- (a) Each Affiliate shall ensure that the Code extends to all employees as soon as practicable but in no event later than the end of 2020.

- (b) Each Affiliate shall append or attach the Code in its entirety to its Constitution and Bylaws at its next and all future publications.
- (c) Wherever reference herein is made to SEIU or an SEIU program, department or position, the corresponding reference is to the particular Affiliate or its equivalent program, department or position.
- (d) Each Affiliate is responsible for enforcing the Code and educating its covered individuals on the Code in a manner consistent with the Code's terms, subject to assistance and oversight from SEIU.
- (e) The Code is not intended to restrain any Affiliate from adopting higher standards and best practices, subject to the approval of the SEIU Ethics Ombudsperson.

PART B: GENERAL OBLIGATIONS

SECTION 3. *Obligations of Covered Individuals.*

- (a) *Commitment to the Code.* SEIU and each Affiliate shall provide a copy of the Code to each covered individual. It is the duty and obligation of covered individuals to acknowledge annually that they have received a copy of this Code, that they have reviewed and understand it, and that they agree to comply with it.
- (b) *Duty of disclosure.* Covered individuals shall disclose to the SEIU Ethics Ombudsperson or the Affiliate Ethics Liaison, described in PART F of this Code, any conflict of interest or appearance of a conflict, which arises when their paramount duty to the interest of members is potentially compromised by a competing interest, including but not limited to an interest, relationship or transaction referenced in this Code. Actual, perceived and potential conflicts should be disclosed at the time that covered individuals become aware of them.
- (c) *Disqualification from service to SEIU or Affiliate.* No person shall serve as an officer or managerial employee of SEIU or any Affiliate who has been convicted of any felony involving the infliction of grievous bodily injury, or the abuse or misuse of such person's position or employment in a labor organization to seek or obtain illegal gain at the expense of the members, except for the limited exceptions set forth in applicable federal law.

PART C: BUSINESS AND FINANCIAL ACTIVITIES

SECTION 4. *General Duty to Protect Members' Funds; Members' Right to Examine Records.*

- (a) The assets and funds of a labor organization are held in trust for the benefit of the membership. Members are entitled to assurance that those assets and funds are expended for proper and appropriate purposes. The Union shall conduct its proprietary functions, including all contracts for purchase or sale or for the provision of significant services, in a manner consistent with this Code. All officers, executive board members and employees of SEIU and SEIU Affiliates, whether elected or appointed, have a trust and high fiduciary duty to honestly and faithfully serve the best interests of the membership.
- (b) Consistent with Section 201 of the Labor-Management Reporting and Disclosure Act, SEIU shall permit a member for just cause to examine any books, records and accounts necessary to verify SEIU's annual financial report under that section to the U.S. Department of Labor.
- (c) Affiliates comprised solely of members employed by government bodies shall permit a member to examine its financial report submitted to a state agency and, consistent with state law and for just cause, to examine any books, records and accounts necessary to verify the Affiliate's financial report.

SECTION 5. *Prohibited Financial Interests and Transactions.* Covered individuals shall not, to the best of their knowledge, have a substantial ownership or financial interest that conflicts with their fiduciary duty.

- (a) For purposes of these rules, a "substantial ownership or financial interest" is one which either contributes significantly to the individual's financial well-being or which enables the individual to significantly affect or influence the course of the business entity's decision-making.
- (b) A "substantial ownership or financial interest" does not include stock in a purchase plan, profit-sharing plan, employee stock ownership plan (ESOP) or blind trust. Nor does it prohibit covered individuals from owning, through a mutual fund or other similar investment vehicle, the publicly traded shares of any employer with which SEIU or an Affiliate engages in collective bargaining or does business or which SEIU or an Affiliate seeks to organize, provided that all transactions affecting such interests are consistent with rates and terms established by the open market.
- (c) It is not permissible for any covered individual to:

- (1) Knowingly have a substantial ownership or financial interest in any entity that engages in collective bargaining with SEIU or any of its Affiliates;
 - (2) Make or attempt to influence or participate in any way in a decision concerning the relations of SEIU or an Affiliate with a vendor, firm or other entity or individual in which the covered individual or his or her relative, spouse or business partner has a substantial ownership or financial interest; or
 - (3) Engage in any self-dealing transactions with SEIU or any of its Affiliates, such as buying property from or selling property to SEIU, without the informed approval of the International Secretary-Treasurer (or Affiliate Secretary-Treasurer, as applicable), obtained after full disclosure, including an independent appraisal of the fair market value of the property to be bought or sold.
- (d) To ensure compliance with this Section, covered individuals are required to disclose any interests, transactions or interests covered by this Section in accordance with Section 3(b) of this Code.

SECTION 6. *Payments and Gifts from Employers, Vendors and Members.*

- (a) Covered individuals shall not knowingly accept any payments, benefits or gifts of more than minimal financial value under the circumstances presented from any employer that engages or seeks to engage in collective bargaining with SEIU or an Affiliate, or from any business or professional firm that does business or seeks to do business with SEIU or an Affiliate.
 - (1) This Section does not extend to payments and benefits that are provided to covered individuals by prohibited employers as compensation for their primary and regular employment.
 - (2) This Section does not extend to work and services that covered individuals perform for prohibited employers or businesses on a part-time basis, through an arm's length transaction and for normal and customary pay for such work or services.
 - (3) This Section does not extend to participation in events hosted by public officials involving discussion of public policy matters.
 - (4) With respect to perishable items that are more than minimal but that are impracticable to return, such as food, it shall be considered compliance with this Section to discard such an item or place it in a common area for members and office staff to enjoy. If the gift is discarded or enjoyed communally, it is recommended that the giver should be advised of this

disposition to dispel the appearance of any conflict of interest on the part of any covered individual and to discourage recurrence.

- (b) Covered individuals shall not knowingly accept personal payments or gifts from any member, absent a personal relationship independent of the relationship between the Union and the member, other than a gift of minimal financial value. This provision does not apply to contributions to campaigns for union office made in accordance with the SEIU Constitution and Bylaws.

SECTION 7. *Conversion of Union Funds and Property.* Covered individuals shall not use, convert or divert any funds or other property belonging to SEIU to such individual's personal benefit or advantage.

SECTION 8. *Applicability to Third Parties.* The principles of this Code apply to those investments and activities of third parties that amount to a subterfuge to conceal the financial interests of SEIU officers or employees or to circumvent the standards of this Code.

SECTION 9. *Certain Loans Prohibited.* SEIU shall not make loans to any officer or employee, or to any of their family members, that at any time exceed \$2,000 in total indebtedness on the part of such officer, employee or family member.

PART D: BENEFIT FUNDS AND RELATED ORGANIZATIONS

SECTION 10. *Obligations of Covered Individuals.*

(a) **Benefit Funds.**

- (1) For purposes of this Section:
 - a. A "benefit fund or plan" means a retirement, health or welfare benefit fund or plan sponsored by SEIU or an Affiliate, or in which SEIU or an Affiliate participates.
 - b. The definition of "substantial ownership or financial interest" provided in Section 5 applies.
- (2) Covered individuals who serve in a fiduciary position with respect to or exercise responsibilities or influence in the administration of a benefit fund or plan shall not:
 - a. Have any substantial financial interest in, or any compromising personal ties to, any investment manager, insurance carrier, broker, consultant or other firm or individual doing business or seeking to do business with the fund or plan;

- b. Accept any personal payment from any business or professional firm that does business or seeks to do business with the fund or plan, other than contractual payment for work performed; or
 - c. Receive compensation of any kind for service as an employee representative or labor-designated trustee for a fund or plan, except for reimbursement of reasonable expenses properly and actually incurred and provided uniformly to such representatives or trustees, with the proviso that it is not a violation of this provision for an officer or managerial employee who is not a full-time employee of SEIU or an Affiliate to be a lawfully paid employee of a fund or plan if such employment is consistent with applicable legal restrictions and fully disclosed through appropriate reports.
- (3) To ensure compliance with this Section, all covered individuals shall disclose any interests, transactions or relationships covered by this Section in accordance with Section 3(b) of this Code.
- (4) No person shall serve in a fiduciary capacity or exercise responsibilities in the administration of a benefit fund or plan who has been convicted of any felony involving the infliction of grievous bodily injury or the abuse or misuse of such person's position or employment in an employee benefit plan to seek or obtain an illegal gain at the expense of the beneficiaries of the employee benefit fund or plan, except for the limited exceptions set forth in applicable federal law.

(b) Related Organizations.

- (1) For purposes of this Section, an organization "related to" SEIU or an Affiliate means an organization
- in which 25 percent or more of the members of the governing board are officers or employees of SEIU or an Affiliate, or
 - for which 50 percent or more of its funding is provided by SEIU or an Affiliate.
- (2) Covered individuals who serve in a fiduciary position with respect to or exercise responsibilities or influence in the administration of an organization related to SEIU shall comply with the provisions and shall hold themselves to the standards of the SEIU Code while they are acting for or on behalf of the related organization.

PART E: FAMILY AND PERSONAL RELATIONSHIPS

SECTION 11. *Purpose of Rules Governing Family and Personal Relationships.* SEIU does not prohibit the employment of qualified relatives of current officers or employees, or of individuals with whom an officer or employee has a romantic or intimate personal relationship. SEIU also does not prohibit the retention of qualified vendors that employ relatives of current SEIU officers or employees or individuals with whom an officer or employee has a personal relationship.

However, SEIU recognizes that the existence of such relationships can lead to problems, including favoritism or the appearance of favoritism toward relatives or those who are involved in a personal relationship. Giving these individuals special treatment – or creating the impression that they receive special treatment – is inconsistent with our principles of stewardship and accountability and with our duty to responsibly conduct the business of SEIU. The provisions of this PART are designed to ensure that family or personal relationships do not influence professional interactions between the employees involved and other officers, employees and third parties.

SECTION 12. *Definitions.* For purposes of this PART:

- (a) “Relative” means parent, spouse, spousal equivalent, daughter, son, grandparent, grandchild, brother, sister, aunt, uncle, niece, nephew, first or second cousin, corresponding in-law, “step” relation, foster parent, foster child, and any member of the employee’s household. Domestic partner relatives are covered to the same extent as spousal relatives.
- (b) “Personal relationship” means an ongoing romantic or intimate personal relationship that can include, but is not limited to, dating, living together or being a partner or significant other. This definition applies regardless of gender, gender identification, or sexual orientation of the individuals in the relationship. This restriction does not extend to friends, acquaintances or former colleagues who are not otherwise encompassed in the scope of “personal relationships.”

SECTION 13. *Prohibited Conduct.* The following general principles will apply:

- (a) Applications for employment by relatives and those who have a personal relationship with a covered individual will be evaluated on the same qualification standards used to assess other applicants. Transmission to the appropriate hiring authority of applications on behalf of individuals who have a family or personal relationship shall not in itself constitute an attempt to influence hiring decisions. Further input into the application process, however, may be deemed improper.
- (b) Covered individuals will not make hiring decisions about their relatives or persons with whom they have a personal relationship, or attempt to influence hiring decisions made by others.

- (c) Supervisory employees shall not directly supervise a relative or a person with whom they have a personal relationship. In the absence of a direct reporting or supervisor-to-subordinate relationship, relatives or employees who have a family or personal relationship generally are permitted to work in the same department, provided that there are no particular operational difficulties.
- (d) Covered individuals shall not make work-related decisions, or participate in or provide input into work-related decisions made by others, involving relatives or employees with whom they have a personal relationship, even if they do not directly supervise that individual. Prohibited decisions include, but are not limited to, decisions about hiring, wages, hours, benefits, assignments, evaluations, training, discipline, promotions, and transfers.
- (e) To ensure compliance with this Section, all covered individuals must disclose to the Ethics Ombudsperson or the Affiliate Ethics Liaison, as appropriate, any relationships covered by this Section in accordance with Section 3(b) of this Code.

PART F: ENFORCEMENT

SECTION 14. *Ethics Officer.* The office of the Ethics Officer is established to provide independent assistance to SEIU in the implementation and enforcement of the Code. The Ethics Officer shall be an individual of unimpeachable integrity and reputation, preferably with experience in ethics, law enforcement and the workings of the labor movement. The Ethics Officer shall provide his or her services under contract and shall not be an employee of the International Union or any of its Affiliates. The Ethics Officer shall be appointed by the International President and confirmed by the International Executive Board. The International President, the International Secretary-Treasurer, and the SEIU International Executive Board may refer matters concerning the Code to the Ethics Officer for review and/or advice, consistent with Sections 22 and 23.

SECTION 15. *Ethics Ombudsperson.* The office of SEIU Ethics Ombudsperson is established to oversee implementation and enforcement of the Code and ongoing efforts to strengthen the ethical culture throughout the Union. The Ethics Ombudsperson is responsible for providing assistance to the International Union and Affiliates on questions and concerns relating to the Code and ethical culture; directing the training of SEIU and Affiliate officers and staff concerning the Code and ethical culture; responding to ethics concerns and complaints consistent with Sections 17-23; receiving and resolving disclosures of conflicts of interest; assisting the Ethics Officer; and providing other support as necessary to the overall SEIU ethics program. The Ethics Ombudsperson, in consultation with the Ethics Officer, shall issue a report to the SEIU International Executive Board annually, summarizing compliance, training, enforcement, culture building and related activities, and making recommendations for modifications to the ethics program that he or she believes would enhance the program's effectiveness. The

Ethics Ombudsperson may also conduct periodic reviews for the purposes of monitoring compliance with this Code and determining whether partnerships, joint ventures, and arrangements with management organizations conform to this Code, are properly recorded, reflect reasonable investment or payment for goods and services, further SEIU's tax-exempt purposes, and do not result in inurement, impermissible private benefit, or excess benefit transactions. The Ethics Ombudsperson shall be employed in the SEIU Legal Department.

SECTION 16. *Affiliate Ethics Liaison.* Each Affiliate shall appoint an Ethics Liaison who will be available for ethics advice or guidance, will serve as an Affiliate's key contact with the International's Ethics Ombudsperson, will assist in enforcement of the Code, will oversee the delivery of ethics-related training, will assist the Affiliate in strengthening its ethical culture, and will serve as an ethical leader in the Affiliate.

- (a) Presidents, chief executive officers, secretary-treasurers, chief financial officers, chiefs of staff, and the equivalent of any of the foregoing are not eligible to serve as Ethics Liaisons.
- (b) Affiliates are encouraged to consider rotating the Ethics Liaison position periodically, barring operational difficulties, to develop ethical leadership broadly in the Affiliate. Affiliates shall advise the SEIU Ethics Ombudsperson as soon as practicable of the appointment of Ethics Liaisons and of any vacancy that occurs in the position.
- (c) Ethics Liaisons will regularly receive training from the International Union specific to the role. Affiliates should make every effort to ensure the participation of their Ethics Liaisons.

SECTION 17. *Complaints.*

- (a) Any covered individual or member may file a written complaint concerning alleged violations of the Code. Oral concerns and complaints shall be reduced to writing for further processing as a complaint. Complaints should be signed or contain the name of the complainant(s), and shall be kept confidential pursuant to Section 24. Complaints alleging violation of the Code shall not be enforced under SEIU or Affiliate constitutions and bylaws unless they also allege violations of the constitutions and bylaws.
- (b) The International Union shall post contact information for submission of ethics complaints on the SEIU website and shall provide that information on request.
- (c) Each Affiliate shall provide its staff and membership with contact information for its Ethics Liaison.

SECTION 18. *Complaints Handled by the International Union.* Complaints alleging violation of the Code that are submitted to the International Union or the Ethics Officer

shall be referred initially to the SEIU Ethics Ombudsperson. The Ethics Ombudsperson shall review ethics complaints submitted to the International Union and shall respond to them in his or her discretion, including but not limited to providing advice or guidance, resolving them informally, directing them to resources outside the ethics office, and referring them to the Ethics Officer or Affiliate for further processing. The individual submitting the complaint shall be notified of the status of the complaint as appropriate in the discretion of the Ethics Ombudsperson but in all events upon its conclusion.

SECTION 19. *Complaints Handled by Affiliate; Notice to Ethics Ombudsperson.*

Ethics complaints that are raised with or referred to an Affiliate shall be investigated by the affected Affiliate and, where appropriate, may form the basis of employee discipline or formal internal union charges to be processed before a trial body in accordance with the requirements set forth in the Affiliate's constitution and bylaws and/or the SEIU Constitution and Bylaws. The Ethics Ombudsperson may advise an Affiliate concerning matters related to the investigation and processing of complaints and charges alleging violation of the Code. Where a complaint involves an Affiliate's president, chief executive officer, chief of staff, secretary-treasurer, chief financial officer, or the equivalent, the Affiliate shall notify the Ethics Ombudsperson as soon as practicable. The Ethics Ombudsperson may consult with the Ethics Officer concerning any question referred by an Affiliate.

SECTION 20. *Failure to Cooperate; Bad Faith Complaints.* Unreasonable failure by a covered individual to fully cooperate with a proceeding or investigation involving an ethics complaint or alleged violation of this Code shall constitute an independent violation of this Code. SEIU reserves the right, subject to notice, investigation and due process, to discipline persons who make bad faith, knowingly false, harassing or malicious complaints, reports or inquiries.

SECTION 21. *Original Jurisdiction.*

- (a) *Requests for Original Jurisdiction.* If an Affiliate or an Affiliate executive board member, officer, or member believes that formal internal union charges against a covered individual that also allege violations of this Code involve a situation which may seriously jeopardize the interests of the Affiliate or the International Union, or that the hearing procedure of the Affiliate will not completely protect the interests of the Affiliate, an officer or member, that individual may request that the International President assume original jurisdiction under Article XVII, Section 2(f) of the SEIU Constitution and Bylaws.
- (b) *Assumption of Original Jurisdiction by International President.* In accordance with Article XVII, Section 2(f) of the SEIU Constitution and Bylaws, the International President may in his or her discretion assume original jurisdiction of formal internal union charges also alleging violation of this Code if as a result of an investigation he or she believes that the charges filed against a covered individual involve a situation which may seriously jeopardize the interests of the

Affiliate or the International Union. In his or her discretion, the International President may refer the matter to the Ethics Officer for a recommendation concerning the possible assumption of original jurisdiction.

SECTION 22. *Referral of Formal Charges to Ethics Officer.* If formal internal union charges filed with the International Union under Article XVII, Section 3 of the SEIU Constitution and Bylaws also allege violation of the Code by an officer or executive board member of the International Union or an Affiliate, such charges may be referred to the Ethics Officer for review and recommendations.

SECTION 23. *Review of Claims by Ethics Officer.*

- (a) If after review of the allegations of violations of the Code in a complaint or formal charge, the Ethics Officer finds that the allegations have merit and/or warrant further investigation, he shall recommend a response or course of action for the International Union to respond to the complaint or charges, including but not limited to the following:
 - (1) Further investigation by SEIU personnel and/or outside investigator(s);
 - (2) Filing of formal charges under Article XVII of the SEIU Constitution and Bylaws;
 - (3) Assumption of original jurisdiction by International President pursuant to Article XVII, Section 2(f) of the SEIU Constitution and Bylaws;
 - (4) Appointment of an outside hearing officer to conduct a trial under Article XVII, Section 3 of the SEIU Constitution and Bylaws;
 - (5) Discipline of covered employees;
 - (6) Sanction of covered officers or members accused in formal proceedings, and
 - (7) Other action deemed appropriate in the discretion of the Ethics Officer.
- (b) If the Ethics Officer concludes, after review of allegations of violations of the Code, that the allegations are without merit or that further investigation is not necessary, he or she shall advise the International Union of his or her findings.

PART G: PROTECTION OF WHISTLEBLOWERS

SECTION 24. *Confidentiality.* SEIU will make all reasonable efforts to keep confidential the identity of any person(s) raising an ethics concern, inquiry, report or complaint under the Code unless disclosure is authorized by the complainant or is required for SEIU to carry out its fiduciary or legal duties. SEIU will also treat

communications concerning ethics complaints or concerns with as much confidentiality and discretion as possible, provided that it remains able to conduct a complete and fair investigation, carry out its fiduciary and legal duties, and review its operations as necessary.

SECTION 25. *No Retaliation.* SEIU encourages all officers and employees to bring ethics concerns and complaints that the Code has been violated to the attention of the Union, as set forth more fully in PART F above.

- (a) SEIU expressly prohibits retaliation against covered individuals and members for:
 - (1) Making good faith complaints, reports or inquiries pursuant to this Code;
 - (2) Opposing any practice prohibited by the Code;
 - (3) Providing evidence, testimony or information relative to, or otherwise cooperating with, any investigation or enforcement process of the Code; and
 - (4) Otherwise participating in the enforcement process set forth in PART F above.
- (b) In particular, SEIU will not tolerate any form of retaliation against Affiliate Ethics Liaisons for performing their responsibilities.
- (c) Any act of alleged retaliation should be reported to the SEIU Ethics Ombudsperson or the Affiliate Ethics Liaison immediately and will be responded to promptly.