

SEIU LOCAL 1021 SOLANO COUNTY CHAPTER BYLAWS

PREAMBLE:

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

Article 1. NAME AND JURISDICTION:

This Chapter will be known as the Solano County Chapter of Local 1021. The jurisdiction of this Chapter shall be all employees in the bargaining unit(s) represented by the Union.

Article 2. AFFILIATION:

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

Article 3. MEMBERSHIP:

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

Article 4. CHAPTER STRUCTURE:

1) The Chapter Executive Board shall consist of seven (7) members. The Chapter membership shall elect, in even-numbered years, a Chapter Executive Board of the following officers:

- President
- Vice President
- Secretary/Treasurer
- Chief Steward
- COPE Coordinator
- One (1) or two (2) Member(s) At Large*

The term of office shall be two (2) years. No member may hold more than one (1) of the above positions during any single election cycle.

Also serving on the Chapter Executive Board shall be:

Solano County Area Representative

This position shall be elected by the membership during the SEIU Local 1021 elections.

*In the event the Solano County Area Representative is already serving on the Chapter Executive Board, a second Member At Large position shall be elected by the membership during Chapter Officer elections.

2) The Chapter Executive Board shall have power to act for the Chapter between General Membership meetings. The Chapter Executive Board shall meet at least once a month or as often as deemed necessary by the Board. Four (4) members shall constitute an Executive Board quorum

3) In the event of the unexcused absence of any elected chapter officer at three (3) consecutively scheduled meetings (i.e. Executive Board, General Membership), such member may be removed from office by a two-thirds (2/3) vote of the Chapter Executive Board.

- 4) The General Membership is the highest authority within the Chapter structure. Any action of the Chapter Executive Board is subject to reversal by the General Membership.
- 5) The Chapter shall hold regularly scheduled General Membership meetings at least once each quarter. Twenty percent (20%) of the General Membership shall constitute a quorum. Special membership meetings may be called by the Chapter Executive Board or by petition of ten percent (10%) of the membership.
- 6) The Chapter shall maintain a file of Chapter minutes and make available a copy thereof to the Secretary of the Local Union upon request.
- 7) The Chapter shall notify the Local 1021 Executive Board of any dissenting action taken on the minutes or action of the Chapter Executive Board.
- 8) The Chapter shall maintain financial records. All Chapter funds, including income and expenditures, shall be recorded and proper financial records shall be maintained in accordance with procedures established by the Local Union. These records shall be transmitted to the Executive Board of the Local Union upon request. All fiscal records shall be kept for a period of at least six (6) years or longer if required by applicable law. Two (2) signatures (of Chapter Officers) shall be required to expend Chapter funds. Chapter financial records shall be regularly audited by a Chapter officer or member of the Chapter Executive Board who is not a signer on the Chapter account.

Article 5. OFFICERS AND DUTIES;

- 1) **President:** The President shall officiate at all meetings and shall be responsible for directing the implementation of directives voted on by the Chapter membership. The President shall appoint members to all committees within the Chapter and the Local Union which require Chapter representation and shall be an ex-officio member of Chapter committees. The President shall be one (1) of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Executive Board and/or General Membership. The President shall be a member of the Contract Negotiations Team.
- 2) **Vice President:** The Vice President shall act as President in the absence of the President. The Vice President shall be one (1) of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Executive Board and/or General Membership.
- 3) **Secretary/Treasurer:** The Secretary/Treasurer shall keep correct record of the proceedings of all Chapter Executive Board and General Membership meetings and shall provide a copy thereof to the Secretary of the Local Union upon request. The Secretary/Treasurer shall receive all correspondence and communications on behalf of the Chapter. The Secretary/Treasurer shall be responsible for Chapter account deposits and dispersals and for carrying out the duties described in Article 4.7. The Secretary/Treasurer shall be one (1) of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Executive Board and/or General Membership. The Secretary/Treasurer shall present the Chapter financial records for audit at the direction of the Treasurer of the Local Union or his/her representative.
- 4) **Chief Steward;** The Chief Steward shall serve as a resource for shop stewards in carrying out their duties at the worksite. The Chief Steward shall preside over the Chapter Stewards Council.
- 5) **COPE Coordinator:** The COPE Coordinator shall be responsible for providing political information and education to the members of the Chapter. She/He shall assist with and coordinate turn-out, COPE cards, and other duties related to political activities of the Chapter and Local Union. The COPE Coordinator will also be the Chapter representative to the Local 1021 County COPE Committee.

Article 6. STEWARDS:

Stewards shall be elected to represent members under the collective bargaining agreement. In lieu of election, the Chapter President may appoint Stewards.

Article 7. WEB SITE STEWARD:

A Web Site Steward shall be elected or appointed to maintain and update the Chapter webpage.

Article 8. Convention Delegates:

Chapter delegates to the SEIU 1021 biennial convention shall be elected by secret ballot by Chapter members in good standing based on the following formula: two (2) delegates for each chapter and two (2) additional delegates for every additional one hundred fifty (150) members in each chapter.

Article 9. RECALL:

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

Article 10. VACANCIES:

Any office shall be declared vacant when the holder of the position terminates employment, takes an extended leave of absence without pay, resigns from the Union, resigns from office in the jurisdiction of this Chapter or is no longer a member in good standing. Any vacancies, with the exception of the Solano County Area Representative, can be filled by an appointment by the Chapter President with the approval of the Chapter Executive Board, or a special election can be called.

Article 11. CHAPTER/BARGAINING UNIT ELECTIONS:

- 1) **Election Schedule:** Chapter elections shall be held biennially in even-numbered years and must be completed by December 31st of such years. Newly elected officers shall take office at the first General membership meeting in odd-numbered years.
- 2) **Election Committee:** The Chapter Executive Board shall appoint three (3) members to an Election Committee. Members of the committee may not be candidates for office in the election. The committee shall adopt all rules and regulations necessary to assure a fair and honest election and nominations procedure and shall provide each candidate with a copy of same. The committee also hears challenges to the conduct of the election. The Election Committee shall submit a written report to the Chapter Executive Board and Local 1021 President within three (3) days following the ballot count. The report shall include the election rules, procedures, schedule, candidate/issue vote totals, any challenges filed, and names and phone numbers of Election Committee members. Election results shall be provided to the membership following the election.
- 3) **Eligibility:** In order to run for and serve as a Chapter officer, candidates shall have been members in good standing for at least one (1) year and employed within a bargaining unit represented by the Chapter. If the Chapter has been in existence for less than one (1) year, the candidate must have been a member in good standing since the Chapter was recognized by Local 1021. Only members in good standing are eligible to participate in chapter elections.
- 4) **Notice:** Notice of the election shall be made available to Chapter members in good standing at least thirty (30) days prior to the date set for the election by written notice and/or Chapter newsletter and/or Chapter General Membership Meeting (notice must be at least thirty (30) days in advance of the deadline for nominations). The notice must include method of nomination *[at a meeting or by petition]*, *deadline for nominations, deadline for submission of candidates'*

statements *[if permitted]*, method of election *[meeting, worksite, mail ballot, polling place]*, date, time and place of voting, procedures for obtaining duplicate ballots *[if appropriate]*, and challenge procedure. All official election materials and communications must be reviewed by the Election Committee and the assigned worksite organizer(s) prior to publication.

- 5) **Nomination for Office:** Nominations for office will be made from the floor at a general membership meeting or submitted in writing to the Election Committee. Nominees must be present or submit written notice of acceptance of nomination within three (3) days of the deadline set for nominations.
- 6) **Voting:** Chapter elections must be conducted by secret ballot. Only members in good standing are eligible to vote. Proxy voting is prohibited. The Election Committee shall determine if voting is conducted by mail, at the worksites, at a General Membership meeting, at polling places or a combination of these methods. In the event voting is conducted by mail then the Election Committee must provide a method for members to obtain duplicate ballots. A plurality of valid ballots cast shall determine the elected candidates. In the event of a tie vote, a run-off election shall be conducted.
- 7) **Ballot count:** the Election Committee shall count ballots at a location, date, and time announced to the membership.
- 8) **Election Materials:** All election ballots and duplicate ballots-marked, unmarked, voided, unused-must be saved for three (3) years (all ballots printed must be accounted for).
- 9) **Challenges:** Challenges to or disputes arising from a Chapter election must be submitted to the Chapter Election Committee within three (3) working days of the submission of the committee's election report to the Chapter Executive Board. Challenges must be submitted in writing and must cite specific violation(s) of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Constitution. Challenges to the election will be considered valid only if they cite specific violations of election rules and procedures or the Local 1021 Constitution and if the alleged violation may have affected the outcome of the election. The Chapter Election Committee shall investigate and resolve challenges within ten (10) working days of receipt of the challenge. The Chapter Election Committee may order a re-run of all or part of the election.
- 10) **Appeals:** Challenges or disputes which are denied or cannot be resolved by the Chapter Election Committee may be appealed in writing to the Local 1021 Executive Board within five (5) working days of receipt of the Chapter Election Committee's decision. The Local 1021 Executive Board shall investigate and respond within fifteen (15) working days of receipt of the challenge. Challenges to the election will be considered valid only if they cite specific violations of the Chapter rules and procedures, Chapter bylaws, or the Local 1021 Constitution and if the alleged violation may have affected the outcome of the election.

Article 12: CONTRACT NEGOTIATIONS: The General Membership shall elect a Contract Negotiations Team following the procedures outlined in Article 10 of these bylaws. The election shall take place no later than eight (8) months prior to the expiration date of the MOU then in effect. The Contract Negotiations Team shall consist of eleven (11) members, in addition to the assigned Worksite Organizer(s). The members of the team shall be as follows:

- One (1) member elected from Unit 2;
- One (1) member elected from Unit 5;
- One (1) member elected from Unit 7;
- One (1) member elected from Unit 8;
- One (1) member elected from Unit 9;
- One (1) member elected from Unit 12;
- One (1) member elected from Unit 15;
- One (1) member elected from Units 82, 87, 89 & 90;
- Two (2) members at large;
- The Chapter President.

Article 12: CONTRACT NEGOTIATIONS: The General Membership shall elect a Contract Negotiations Team following the procedures outlined in Article 10 of these bylaws. The election shall take place no later than eight (8) months prior to the expiration date of the MOU then in effect. The Contract Negotiations Team shall consist of eleven (11) members, in addition to the assigned Worksite Organizer(s). The members of the team shall be as follows:

- One ~~(1)~~ Two (2) members elected from Unit 2;
- One ~~(1)~~ Two (2) members elected from Unit 5;
- One ~~(1)~~ Two (2) members elected from Unit 7;
- One ~~(1)~~ Two (2) members elected from Unit 8;
- One ~~(1)~~ Two (2) members elected from Unit 9;
- ~~One (1) Two (2) members elected from Unit 12;~~
- ~~One (1) member elected from Unit 15;~~
- One ~~(1)~~ Two (2) members elected from Units 82, 87, 89 & 90;
- Two (2) members at large; The Chapter President.

This change will take effect 2/8/13. The initial increase in negotiators will be by appointment. All future bargaining sessions, post 2013, will be by election.

Article 13: CONTRACT RATIFICATION:

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

Article 14. STRIKE:

The Chapter may not initiate a strike without a majority concurrence vote of the total membership by secret ballot in compliance with the International Union Constitution. The strike vote may be conducted at a membership meeting or through a mail ballot or through established polling places. Proxy voting shall not be allowed. At least three (3) days' written notice shall be given prior to a meeting at which a strike vote is in order. If a strike vote is rendered, the Chapter shall obtain a sanction from the Local 1021 Executive Board. The Chapter shall not strike without previous notification to the SEJU President or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which notice the Chapter states that it has complied with all applicable notice requirements. Strike sanction shall also be received from the local central labor council prior to a strike.

Article 15. PROCEDURE AND DEBATE:

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

Article 16. AMENDMENT:

Amendments to these bylaws may be originated by a majority vote of the Chapter Executive Board or by petition signed by at least fifteen percent (15%) of the membership. These bylaws may be amended by a two-thirds (2/3) vote of the members present at a General Membership meeting or a mail ballot. Members must be notified at least thirty (30) days prior to the consideration of any amendment and provided with the proposed amendments and the original sections of the bylaws. Amendments to these bylaws shall be submitted to the Local Union headquarters office (100 Oak St., Oakland, CA 94607) to be reviewed for conformity to the Local 1021 Constitution and Bylaws and to be kept on file. No amendment shall be valid or become effective until approved by the Executive Board of the Local Union. Amendments which are required to bring these bylaws into compliance with the Constitution or guidelines of the Local Union or the International Union may be made by vote of the Chapter Executive Board without submission to the General Membership

