



## SEIU Local 1021 CHAPTER BYLAWS TEMPLATE (REVISED)

*Chapters shall adopt bylaws which provide for election of officers, conduct of meetings, and governance. To the extent that a chapter does not have bylaws or operational guidelines, the provisions below shall be deemed to be the guidelines for the operations of the chapter. Should bylaws be silent on any of the provisions below, the provisions below shall apply.*

*The SEIU 1021 Executive Board has the authority to establish new 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.*

### **PREAMBLE:**

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

### **Article 1. NAME AND JURISDICTION:**

This Chapter will be known as the \_\_\_\_\_ 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 and shall be subject to the Bylaws and Constitution of that Union and all policies adopted pursuant thereto.

### **Article 3. MEMBERSHIP:**

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

### **Article 4. CHAPTER STRUCTURE:**

(1) The Chapter membership shall elect, a Chapter Board of the following officers:

President

Vice President

Secretary or Secretary/Treasurer *[should be determined by whether the chapter is a legacy local chapter that receives a rebate from the local and/or maintains their own funds/bank account]*

Chief Steward

COPE Coordinator

Membership Coordinator

Chapter bylaws may provide for additional at-large or Vice-President Chapter Board seats based on past practice.

The term of office shall be three (3) years. *Chapter bylaws may specify terms of office of no less than two (2) years.*

If a chapter has been in full contract bargaining for three (3) months or more and the officer terms are set to expire and the officers wish to extend their terms through the ratification of the contract or one (1) year, whichever comes first, they may do so by providing written notification to the general membership and to the bylaws committee via the Assistant to the Executive Board and the Special Assistant to the Executive Board. Said positions will be extended in UnionWare. If the chapter officers do not seek to extend their terms, or there is no notification to the general membership and the Local Union, chapter officers will no longer hold chapter office, regardless of when the next election occurs. However, should those officers, by virtue of their position, serve as automatic bargaining committee members, they may continue serving on the bargaining team. For all other purposes, including automatic convention or COPE delegates, those serving in expired officer terms will not be agents of the union and will not have the authority or the responsibility to act on behalf of the union or the members of said chapter.

(2) The Chapter Board shall have power to act for the Chapter between General Membership meetings. The Chapter Board shall meet at least once a month or as often as deemed necessary by the Chapter Board. *[The Chapter Board must meet at least once a quarter.]* A majority of the Chapter Board members shall constitute a Chapter Board quorum. *[Chapter bylaws can specify the Chapter Board quorum as either a specific number or percentage.]*

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

(4) The Chapter shall hold regularly scheduled General Membership meetings at least once each quarter. For chapters with less than 200 members, quorum shall be ten percent (10%) of the general membership. For chapters between 200 and 400 members, quorum shall be six percent (6%) of the general membership. For chapters between 500 – 950 members, quorum shall be five percent (5%) of the general membership. For chapters between 1,000 – 1,799 members, quorum shall be 55 members. For chapters of more than 1,800 members, quorum shall be 55 members, plus 2 for each additional 100 members. Quorum is needed for official chapter business including the expenditure of chapter funds, the approval of appointments, the creation of committees and the calling of strike votes.

(5) Special membership meetings may be called by the Chapter Board or by petition of ten percent (10%) of the membership. *[Chapter bylaws may specify a percentage up to twenty percent (20%) of the membership as the minimum to call a special membership meeting.]*

(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 Executive Board of the Local Union.

(8) The Chapter shall maintain financial records. All funds, including income and expenditures, shall be recorded and proper financial records shall be maintained in accordance with procedures established by the Local Union. These records shall be transmitted to the Executive Board of the Local Union upon request. All fiscal records shall be kept for a period of at least six (6) years or longer if required by applicable law. *[The following language is relevant only to legacy local chapters that receive a rebate from the local or maintain their own funds/bank account.]* Two (2) signatures (of Chapter officers) shall be required to expend Chapter funds. Chapter financial records shall be regularly audited by a Chapter officer or member of the Chapter Board who is not a signer on the Chapter account.

#### **Article 5. OFFICERS AND DUTIES:**

**(1) President:** The President shall officiate at all meetings and shall be responsible for directing the implementation of directives voted on by the Chapter membership. The President shall be an ex-officio member of all committees. The President shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership. The President shall appoint COPE delegates to the County COPE committee, other than the Chapter COPE Coordinator who shall serve as an automatic delegate.

**(2) Vice President:** The Vice President shall act as President in the absence of the President. The Vice President shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership.

**(3) Secretary or Secretary/Treasurer:** The Secretary or Secretary/Treasurer shall keep a correct record of the proceedings of all Chapter Board and General Membership meetings and shall provide a copy thereof to the Secretary of the Local Union upon request. The Secretary or 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, Subsection (7). The Secretary/Treasurer shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Chapter Board and/or General Membership. The Secretary/Treasurer shall present the Chapter financial records for audit at the direction of the Treasurer of the Local Union or their representative. *[This language is relevant only to legacy local chapters that receive a rebate from the local or maintain their own funds/bank account.]*

**(4) Chief Steward:** The Chief Steward shall serve as a resource for shop stewards in carrying out their duties at the worksite.

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

**(6) Membership Coordinator:** The Membership Coordinator shall be responsible for recruiting members. The Membership Coordinators duties include, but are not limited to: presenting at new hire orientations and following up to engage new members in the chapter and local.

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

Stewards may be determined by election *[at large or by worksite]*, petition, or appointment to represent members under the collective bargaining agreement. *[For chapters operating under the template, the chapter board shall determine if stewards are appointed or elected.]* Stewards are the face of the union at the worksite and are critical to building a strong, engaged and active membership. Stewards' roles and responsibilities include, but are not limited to: provide ongoing training; welcome and orient new members; mobilize, educate, and inform members on union activities and other issues; resolve worksite issues; process grievances; provide timely and effective representation of the members.

**Article 7. INDUSTRY COUNCIL REPRESENTATIVES:** The chapter shall elect or appoint representatives to attend meetings of Local 1021 industry councils *(method of selection is subject to industry determination)*.

#### **Article 8. CONVENTION DELEGATES:**

Chapter delegates to the SEIU 1021 biennial convention shall be elected by secret ballot by Chapter members in good standing based on the following formula: two (2) delegates for each chapter and two (2) additional delegates for every additional one hundred fifty (150) members in each chapter. *[Chapter Bylaws may specify that elected chapter officers shall serve as automatic delegates to the convention.]*

**Article 9. CONTRACT NEGOTIATIONS:** The General Membership shall elect a contract negotiations committee of \_\_\_ members consistent with applicable collective bargaining agreements. Upon completion of negotiations, a copy of the collective bargaining agreement shall be forwarded to the SEIU 1021 Executive Board.

## **Article 10. RECALL:**

Recall of officers may be originated by a petition signed by at least twenty-five percent (25%) of the membership. *[Chapter bylaws may specify a lower percentage – with a minimum of fifteen percent (15%) of the membership – to initiate a recall.]* After the recall has been originated, the Chapter Board shall appoint an Election Committee and conduct a secret ballot election of the General Membership within sixty (60) days of the presentation of the recall petition. A majority of votes cast shall determine the recall.

## **Article 11. VACANCIES:**

An elective office shall be declared vacant when the holder of the position resigns from office, resigns from the Union, is no longer a member in good standing, is on an extended leave of absence, or is recalled. Vacancies, with the exception of convention delegate, that occur within one (1) year of the expiration of the term may be filled by appointment of the Chapter President; otherwise, vacancies shall be filled by election of the General Membership. Should said vacancy of <1 year occur within the Chapter President position, one of the VPs shall serve as President. *Delegates to the Local 1021 convention must be elected by the general membership in a secret ballot election (they may not be appointed). Convention delegates who are appointed will not be eligible to vote.*

## **Article 12. CHAPTER ELECTIONS:**

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

- (a) Election Committee:** The President in concurrence with the Chapter Board shall appoint three (3) members in good standing to an Election Committee. Members of the committee may not be candidates for office in the election and must function independently from chapter officers and/or candidates. 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 Election Committee may request assistance from the assigned field rep and the Special Assistant to the Executive Board to obtain financial, technical, or other support in order to conduct an honest and fair election. The committee also hears challenges to the conduct of the election. The Election Committee shall submit a written report to the Chapter Board and Local 1021 President within three working (3) days following the ballot count. The report shall include the election rules, procedures, schedule, candidate/issue vote totals, any challenges filed, and names and phone numbers of Election Committee members. Election results shall be provided to the membership following the election.
- (b) Eligibility:** In order to run for and serve as any Chapter officer other than Chief Steward, candidates shall have been members in good standing for at least one (1) continuous year immediately preceding the nomination and be employed within a bargaining unit represented by the Chapter. Should a member serve in a classification whose annual work year is between nine (9) months and eleven (11) months, they may aggregate their prior year's service to total the one (1) year of continuous membership. 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. In order to run for and serve as a Chief Steward, in addition to having been a member in good standing for at least one (1) continuous year immediately preceding the nomination and employed within a bargaining unit represented by the Chapter, candidates shall also either have served as a steward previously, or agree to take all steward classes offered by the local as soon as practicable upon accepting said nomination.
- (c) Notice:** Notice of the election shall be given to each Chapter member in good standing at least forty (40) days prior to the date set for the election by written notice. The nomination deadline must be no less than ten (10) days prior to the election. The notice must include: method of nomination [*at a meeting or by petition*], deadline for nominations (at least ten (10) days before the election), deadline for submission of candidates' statements [*if appropriate and permitted*], method of election [*meeting, worksite, electronic ballot—if electronic ballot, notice must indicate that the member must provide a valid, current cell number or email address to obtain a ballot*], date, time, and place of voting, procedures for obtaining duplicate ballots, challenge procedure,

as well as an email address for communication to the election committee. All official election materials and communications must be reviewed by the Election Committee and the assigned field representative prior to publication.

- (d) 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. *[Chapter bylaws can also state that nominations may be made by petition.]*
- (e) Voting:** Chapter elections must be conducted by secret ballot. Only members in good standing are eligible to vote. Proxy voting and write-in candidates are prohibited. The Chapter must provide a method for members to obtain duplicate ballots. *[The Election Committee shall determine if voting is conducted, at the worksites, at the Union Hall, at a General Membership meeting, or electronically.]* 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.
- (f) Ballot count:** The Election Committee shall count ballots at a location, date, and time announced to the membership when applicable (e.g., when voting is done at worksites or a general membership meeting).
- (g) Election Materials:** All election ballots and duplicate ballots—marked, unmarked, voided, unused—must be saved for one (1) year (all ballots printed must be accounted for).
- (h) Challenges:** Challenges to or disputes arising from a Chapter election must be submitted to the Chapter Election Committee within three (3) working days of the submission of the committee's election report to the Chapter Board. Challenges must be submitted in writing and must cite specific violation(s) of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Bylaws and Constitution. Challenges to the election will be considered valid only if they cite specific violations of election rules and procedures, Chapter bylaws, or the Local 1021 Bylaws and Constitution and if the alleged violation may have affected the outcome of the election. The Chapter Election Committee shall investigate and resolve challenges within ten (10) working days of receipt of the challenge. The Election Committee may order a re-run of all or part of the election.
- (i) Appeals:** Challenges or disputes which are denied or cannot be resolved by the Chapter Election Committee may be appealed in writing to the Local 1021 Executive Board within five (5) working days of receipt of the Chapter Election Committee's decision. The Local 1021 Executive Board shall investigate and respond within fifteen (15) working days of receipt of the challenge. Challenges to the election will be considered valid only if they cite specific violations of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Bylaws and Constitution and if the alleged violation may have affected the outcome of the election.

#### **Article 13. CONTRACT RATIFICATION:**

Ratification or rejection of a tentative agreement shall be referred to the General Membership at a membership meeting(s) called for that purpose or via worksite voting locations or through an electronic ballot. The ratification vote shall be by written, secret ballot. Proxy voting shall not be allowed. At least three (3) days' notice must be given prior to a contract ratification vote. Where voting is done exclusively electronically, the notice must indicate that the member must provide a valid, current cell number or email address to obtain a ballot.

#### **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 worksite balloting or electronic ballot. Proxy voting shall not be allowed. At least three (3) days' written notice shall be given prior to a meeting at which a strike vote is in order. Where voting is done exclusively electronically, the notice must indicate that the member must provide a valid, current cell number or email address to obtain a ballot. If a strike vote is rendered, the Chapter shall obtain a sanction from the Local 1021 Executive Board. The Chapter shall not strike without previous notification to the SEIU President or, where prior notice is not practicable, without notification as soon as possible after

commencement of the strike, in which notice the Chapter states that it has complied with all applicable notice requirements. Strike sanction shall also be received from the local central labor council prior to a strike. *[This section is not relevant to chapters/bargaining units that are prohibited from striking.]*

**Article 15. PROCEDURE AND DEBATE:**

Chapter meetings shall be governed by the Manual of Common Procedure, Rules of Debate, and Order of Business set forth in the Constitution of the International Union. Every member shall follow and be subject to such rules governing debate at all meetings of the Chapter. *[Chapter bylaws may also provide that Robert's Rules of Order shall govern. Chapters operating under the template shall be governed by the Manual of Common Procedure.]*

**Article 16. AMENDMENT:**

Amendments to these bylaws may be originated by a majority vote of the Chapter Board or by petition signed by at least fifteen percent (15%) of the membership. These bylaws may be amended by majority vote of the General Membership at a membership meeting or worksite balloting or electronic 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. Where voting is done exclusively electronically, the notice must indicate that the member must provide a valid, current cell number or email address to obtain a ballot. Amendments to these bylaws shall be submitted to the Local Union headquarters office (100 Oak St., Oakland, CA 94607) to be reviewed for conformity to the Local 1021 Constitution and to be kept on file. No amendment shall be valid or become effective until approved by the Executive Board of the Local Union. Amendments required to bring these bylaws into compliance with the Constitution or bylaws of the Local Union or the International Union may be made by vote of the Chapter Board without submission to the General Membership.

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Rev.3/12mfk:seiu1021  
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Rev: 2/15mkf/ss:Adopted by 1021 E-Board 2015-02-21  
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