

## Proposed Amendments to 2012 Constitution and Bylaws

### ARTICLE 4 – MEMBERSHIP ELIGIBILITY AND REPRESENTATIONAL CATEGORIES

#### Section 1

##### E. Staff Member

A staff member is a person on the Local Union staff who maintains membership in the Local Union. *With the exception of the Office of Executive Director*, staff members are not eligible for nomination as an Officer or Industry Delegate to the Executive Board. Staff members are not eligible to vote for *in any Local Union election*. To be eligible to serve as a delegate at any Central Labor Councils, State or County Federations, SEIU State Councils, Division or Service Councils or Conventions, staff members must maintain their membership at the maximum rate of a regular active member and meet all other criteria of this Constitution and Bylaws.

### ARTICLE 5 – STRUCTURE

The structure of this Local Union shall consist of a General Membership, ~~a Leadership Assembly~~, an Executive Board and the Industry Divisions. ~~The Local Union shall hire an Executive Director.~~

#### ~~Section 3 - Leadership Assembly~~

~~The Leadership Assembly shall be the body of this Local Union entrusted with reviewing and approving programs and budgets recommended by the Executive Board.~~

### ARTICLE 6 – EXECUTIVE BOARD

#### Section 1 - Executive Board

##### A. Composition

The Executive Board shall consist of the *Executive Director*, President, Vice President, Secretary and Treasurer, and the elected delegates from each Industry Division. *With the exception of the Executive Director, who shall serve on a full-time basis for the Local Union*, Executive Board members shall not receive compensation of any kind for their service on the Executive Board.

##### B. Industry Division Executive Board Delegates

Each Industry Division shall be entitled to *three (3) four (4)* delegates, subject to the following limitations:

- 1) Where there are multiple bargaining units with the same employer within the same Industry Division, no bargaining unit may hold more than *two (2) one (1)* of the Division's *three (3) four (4)* seats;
- 2) Where there are multiple bargaining units with different employers within the same Industry, no bargaining unit may hold more than two (2) of the Division's *three (3) four (4)* seats; and
- 3) **The LAUSD Industry Division [to be renamed from Large Public K-12] shall also be entitled to an additional seven (7) delegates, one elected from each of the LAUSD Board Districts. Candidates must be assigned to a work location within the District whose seat they seek by the**

*voting members employed within that District.*

## Section 2 – Meetings

### A. Regular Meetings

The Executive Board shall hold *its meetings once quarterly* ~~at least ten (10) meetings per year,~~ on a regular schedule that is known generally to the membership. Members shall have the right to address the Executive Board on issues or unresolved problems in accordance with reasonable procedural guidelines established by the Board. All Executive Board meetings shall be open to all members in good standing except for matters referred to closed session.

*In addition, the Executive Board shall host two (2) Regional Membership meetings per year providing Board members the opportunity to inform the members of union programs and issues, listen to concerns, and gather information to assist in the proper representation of members. The location of the Regional Membership meetings shall be rotated in order to allow maximum access and participation by the members.*

### F. Attendance

In the event that any member of the Executive Board *attends fewer than 75% of the six (6) has an unexcused absence for three (3) consecutive regular meetings and regionally hosted membership meetings held in a given calendar year, without a reason approved by the Executive Board,* that member's seat shall be declared vacant, subject to the procedures set forth in Article 14.

### ~~G. Order of Business~~

#### ~~1. Opening~~

#### ~~2. Roll Call of Executive Board~~

#### ~~3. Reading of Minutes from the preceding meeting~~

#### ~~4. Initiation of New Officers~~

#### ~~5. Reports of Executive Director, Committees, Industry Divisions etc.~~

#### ~~6. Old Business~~

#### ~~7. New Business~~

#### ~~8. Good and Welfare~~

#### ~~9. Adjournment~~

## Section 3 – Authority

H. *Determine the compensation of the* ~~Hire and negotiate a contract with an~~ Executive Director;

## ARTICLE 7 – OFFICERS

### Section 1 - Officers

The Officers of the Local Union shall be *an Executive Director, a President, a Vice President, a Secretary and a Treasurer.* ~~All officers shall be required to serve actively on at least one Local~~

~~Union committee.~~

Section 3 – *Duties of the Executive Director* [Taken from existing Article 11, Section 2. With this change, Article 11 will be deleted.]

The Executive Director shall act as the Local Union's Chief ~~Executive~~Administrative Officer, ~~subject to the direction of the Executive Board.~~ In the exercise of ~~executive~~administrative functions, the Executive Director is required to utilize sound judgment and independent discretion and is responsible for the implementation of Local Union policy, usually including:

- A. Manage and direct the day-to-day staffing, plant facility and office affairs of the Union;
- B. Develop procedures as it relates to day to day affairs to facilitate the implementation of the programs and goals of this Local Union;
- C. S/he shall be one of the persons authorized to countersign checks, as well as co-signing all contracts and warrants;
- D. Direct and manage the negotiations of wages, benefits and other terms and conditions of employment in collective bargaining agreements as well as handling of grievances and arbitrations;
- E. Collecting all dues and such other monies as may be due to the Local Union and, in cooperation with the Treasurer, depositing the funds to the accounts of the Local Union, as well as notifying by letter any or all of the membership who may be in arrears in the payment of their dues, if possible;
- F. Submitting for each fiscal year a proposed budget with all revenues and expenditures of the Local Union;
- G. Notify the International Union in writing when any collective bargaining negotiations or memorandums of understanding have been concluded, together with the number of employees covered and the expiration date of the contract;
- H. Notify the International Union of all those elected to office within 15 days of the Executive Board election;
- I. Turning over all records to a successor at the time a successor is selected and Executive Board or its designee has audited such records;
- J. Performing such additional duties as the Executive Board or the membership may direct.

The Executive Director may delegate any of the functions of the position, except the power of acting as Chief ~~Executive~~Administrative Officer of the Union, or co-signing all contracts, checks and warrants, to any members of the Local Union staff as may be deemed necessary and in the best interests of the Local Union.

~~ARTICLE 8 – LEADERSHIP ASSEMBLY~~

~~Section 1 – Definition~~

~~The Leadership Assembly shall be comprised of active stewards, alternate stewards, Executive Board members and active committee members pursuant to Articles 10 and 15. Executive Board~~

~~members may participate in presentations and discussions at the Leadership Assembly but shall not be afforded voting rights. The President shall chair the Leadership Assembly.~~

~~Section 2 – Purpose~~

~~The purpose of the Leadership Assembly shall be for all current, active stewards, active alternate stewards, and active committee members to discuss and make decisions regarding issues, policies, and programs of concern to the membership, as well as adopt the Local Union budget.~~

### ~~Section 3 – Regular Meetings~~

~~The Leadership Assembly shall meet a minimum of two (2) times per calendar year with not more than six (6) months occurring between meetings. Members eligible to attend the Leadership Assembly shall be notified of the upcoming Assembly thirty (30) days prior to the meeting. A copy of the proposed budget and program will be made available prior to the scheduled Leadership assembly.~~

#### ~~A. Year-end Meeting~~

~~The year-end Leadership Assembly shall review the work of the union during the preceding year and adopt goals and a budget for the coming year. A simple majority vote of the Leadership Assembly shall be required to sustain the recommendations of the Executive Board. If the Leadership Assembly does not pass the recommended budget, the previous year's budget will be extended for ninety (90) day intervals until a budget is passed.~~

#### ~~B. Mid-year Meeting~~

~~The Mid-year assembly's purpose is to review progress toward reaching goals set for the year and possible adjustments to the budget.~~

### ~~Section 4 – Special Meetings~~

~~Special meetings of the Leadership Assembly may be called by the Executive Board or by petition. The petition calling a Special Leadership Assembly meeting may only be signed by members eligible to attend the Leadership Assembly and must be signed by at least one fourth (1/4) of the total number of members attending the most recent regularly scheduled Leadership Assembly.~~

## ARTICLE 10, SECTION 2

### ~~C. Leadership Assembly~~

~~Active stewards and active alternates are expected to attend the biannual Leadership Assembly.~~

## ARTICLE 12 – ELECTIONS

### Section 1 – Nominations

#### A. Local-wide Officer Petitions

Any member who wishes to be a candidate for the Office of *Executive Director*, President, Vice

President, Secretary or Treasurer may be nominated by submitting to the Chairperson of the Elections Committee, a nominating petition signed by 100 Members in good standing.

## B. Industry Division Executive Board Delegate Petitions

Any member who wishes to be a candidate for the Office of Industry Delegate may be nominated by submitting to the Chairperson of the Elections Committee, a nominating petition signed by 25 Members in good standing within the Nominee's Industry Division, *or in the case of the seven (7) LAUSD Board District seats, number 1 through 7 per the LAUSD Board District map, twenty-five (25) Members in good standing assigned to a work location within the Board District of the Nominee for that District.* Any member who wishes to be a candidate for the Office of Retiree Delegate may be nominated by submitting to the Chairperson of the Elections Committee, a nominating petition signed by 10 Members in good standing within the Retiree Division.

## Section 3 - Industry Division Executive Board Delegates Election

Only members in good standing within each Division shall be allowed to vote for the delegates to represent that Division on the Executive Board. Members in good standing within each Industry Divisions will have the right to vote for the number of candidates that corresponds to the overall number of delegate seats reserved for the Industry Division on the Executive Board. Seats will be filled pursuant to the election procedures in Section 11, below.

*For the seven (7) LAUSD Board District seats, only members in good standing within the District in which they are assigned to a work location shall be allowed to vote for the delegate to represent that Board District.*

## Section 11 - Declaration of Election

The candidate receiving the greatest number of all votes cast for the position for which s/he is a candidate shall be declared elected. With regard to the *non-LAUSD* Industry Division Delegate elections, the candidate receiving the greatest number of votes will win the first seat, the candidate receiving the second greatest number of votes will win the second seat, the candidate receiving the third greatest number of votes will win the third seat, and the candidate receiving the fourth greatest number of votes will win the fourth seat, pursuant to the limitation in Article 6, Section 1B.

## Section 13 - Union Staff

Local Union staff shall maintain neutrality concerning internal elections for Local Union office while in the performance of their duties. ~~Local Union employees shall remain uninvolved and neutral in relation to candidate endorsements.~~ It is to be understood and expected that Local Union staff assist with *procedural questions members may have and preparations necessary to ensure* in the proper administration of the election.

## ARTICLE 14 – VACANCY IN BOARD POSITIONS

### *New Section 1 – Definition of Vacancy*

*Vacancy includes any circumstance that results in no member holding a particular office, including, but not limited to, resignation, retirement, disqualifying promotion or transfer, death,*

*or the seat went uncontested in a regular election because no eligible candidates were nominated.*

#### Section 1 – Local wide Officer Vacancies

In the event a Local-wide Office is vacated, the Executive Board shall have the authority to appoint, by simple majority vote, a successor who shall serve the remainder of the unexpired term. In the event of the Presidency being vacated, the Vice-President shall succeed to the unexpired term.

#### Section 2 - Industry Division Executive Board Delegates

Vacancies, which would *not* be filled by a naturally occurring election in less than ~~six (6)~~ ~~nine (9)~~ months, ~~shall~~ ~~will~~ be filled by an appointment of the Executive Board, by simple majority vote. ~~The Industry Division affected by the vacancy will make a recommendation to the Executive Board, for approval by a majority vote. The newly elected Industry Division Delegate's term of office would be until the next regularly scheduled Local-wide election. If the vacated office would not be filled by a naturally occurring election in less than six (6) nine (9) months, the vacancy will not be filled by appointment an election will be held. The newly elected Industry Division delegate's term of office would be until the next regularly scheduled Local-wide election.~~

### ARTICLE 15 – COMMITTEES

#### Section 1 – ~~Definition~~ *Standing, Special, and Ad Hoc Committees*

Committees are vitally important to develop the policies, positions and programs of the Union. Committees are intended to develop leadership and maximize membership participation and input in the decisionmaking process and the work of the union. *The Executive Board shall have the power to appoint standing, special and ad hoc committees and determine their functions, duration, make up, and operating guidelines. All Committees shall work in coordination with Local Union staff as assigned.*

#### ~~A. Standing Committees~~

~~Committees that have an ongoing or permanent necessity to develop positions, policies and programs that guide, advise and provide direction to the Executive Board shall be known as Standing Committees. All Standing Committees are sub-committees of the Executive Board.~~

#### ~~B. Special Committees~~

~~Committees that deal with specific subject, project issue and/or problem and are temporary in duration, based on the needs of the particular situation, shall be known as Special Committees. The Standing Committees will make recommendations for membership on any Special Committee convened, subject to Executive Board approval.~~

#### ~~C. Committee Operations~~

~~The Executive Board of the union shall establish policies and procedures for Committee operations that enhance membership participation and involvement in the day to day activities of~~

the Union. Factors such as committee size, chairpersons, shift representation and frequency of meetings, shall all be considered in establishing the operating guidelines. All Committees shall work in coordination with Local Union staff as assigned.

#### ~~D. Committee Membership~~

~~Committee membership shall be the right of any member in good standing subject to the following limitations:~~

~~Active Committee members must attend regular meetings of the Committee. In addition, Active Committee Members must engage in some or all of the work of the committee. This work is generally defined as the typical responsibilities listed in the definition of the committee on a quarterly basis. Any committee member who has an unexcused absence for three (3) consecutive meetings shall be subject to removal from the committee by the committee chair, upon a majority vote committee members present.~~

#### ~~E. Committee Chair~~

~~Committee Chairs shall be elected by committee members in good standing except where otherwise specified in this Local Union Constitution and Bylaws.~~

#### ~~F. Inactive Committee Members~~

~~Committee members who are inactive will be notified of their inactive status and shall have an opportunity to become active.~~

### ~~Section 2 - Standing Committees~~

#### ~~A. Strategic Planning Committee~~

~~The Strategic Planning Committee will be comprised of the Chairperson of each Standing Committee and the President of the Local Union. In coordination with staff, this Committee will make strategic plans for the Local Union for Executive Board approval. The Committee will prepare reports for the Executive Board detailing results per their plans. The Strategic Planning Committee will develop a comprehensive yearly and/or multi-year plan to submit to the Executive Board in a timeframe that will allow the Executive Board to review and approve or make alterations before the Year-end Leadership Assembly.~~

#### ~~B. Budget and Finance Committee~~

~~The Budget and Finance Committee assists the Executive Board with the budget and finances of the Local Union. The Budget and Finance Committee shall be comprised of the Officers of the Union. Members in good standing may also become members of the Budget and Finance Committee subject to the following restriction: there shall be no more than one member from each Industry Division, who shall be the person receiving recommendation from the Industry Division. The Chairperson of this committee shall be the Treasurer. Typical responsibilities include but are not limited to:~~

~~A. Studying revenues and expenditures;~~

~~B. Drawing up a preliminary budget;~~

~~C. Recommending action on the financial condition of the Union.~~

~~C. Member Organizing Committee~~

~~A primary function of our Local Union is to organize and unite all workers within our assigned jurisdiction. The Organizing Committee assists the Executive Board and President in developing and carrying out a sound organizing program. Typical responsibilities include but are not limited to:~~

~~Assessing potential organizing targets;~~

~~A. Assisting in the implementation of the organizing program;~~

~~B. Doing house calls, meetings, leafleting, etc. when needed;~~

~~C. Promoting the organizing program of the Local Union to members.~~

~~D. Committee on Political Action~~

~~The Committee assists the Executive Board in developing and carrying out the political programs of the Local and the International Union. Typical responsibilities include but are not limited to:~~

~~A. Voter Registration programs and “Get out the Vote” activities;~~

~~B. Reviewing and monitoring legislation of interest to SEIU Local 99’s member and making recommendations to the Executive Board on the Local Union’s position;~~

~~C. Interviewing candidates for political office;~~

~~D. Reviewing requests for campaign contributions for endorsed candidates;~~

~~E. Developing fund raising and other support activities or events;~~

~~F. Developing and maintaining coalition relationship with community and other organizations that benefit and help advance our Local’s mission~~

~~Neither the Local Union, nor the Committee on Political Action, shall establish its own registered federal political committee nor make contributions in connection with federal elections.~~

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~~The Local Union shall affiliate with the appropriate Central Labor Councils and State or County Federations of Labor, where these exist, and with the appropriate SEIU State Councils, Division, or Service Council, as determined by the International and shall strive to maintain an active compliment of delegates who shall represent the positions and policies of the Local Union. The Executive Board shall receive all recommendations for delegate appointments for the Central Labor Council and State or County Federation of Labor and shall make final approval consistent with the policies of the Union.~~

~~E. Education and Training Committee~~

~~The Committee assists the Executive Board in developing and carrying out the education and training programs of the Local Union and the International Union. Typical responsibilities include but are not limited to:~~

~~A. Formulate programs to educate and train our members, stewards and leadership on a wide variety of issues and skills;~~

~~B. Participate in running the Local Union’s Steward Training program;~~

~~C. Assist our members with identifying opportunities for career advancement and/or retraining.~~

~~F. Communications Committee~~

~~The Communications Committee assists the Executive Board in developing and carrying out the communications of the Local and the International Union. Typical responsibilities include but~~



are not limited to:

A. Formulate communications programs for our members and leaders that further the mission and goals of SEIU Local 99;

B. Participate in the creation of Local Union communications materials;

C. Participate in the creation of the Local Union's yearly report to the membership.

#### G. Social, Economic and Global Justice Committee

The Social and Economic Justice Committee assists the Executive Board in developing and carrying out social and economic justice programs for the Local Union. The Social and Economic Justice Committee shall be comprised of volunteers as diverse as the membership of SEIU Local 99 and shall be convened on a Local-wide basis. Typical responsibilities include but are not limited to:

A. Foster a respect for cultural diversity and promote Local-wide unity around that concept;

B. Wage campaigns for equal and fair treatment of workers wherever discrimination is found;

C. Participate in conducting community relations and building long term alliances with Social and Economic Justice organizations, religious and other community and social entities;

D. Sponsor events and training opportunities to promote greater understanding between communities and caucuses within SEIU Local 99;

E. Promote equality of economic, social and political opportunities within the Union, with employers and in the community;

F. Organize activities that will advance the interests of the membership of the Union, the International Union, and of workers everywhere in the improvement of general economic, social and political conditions;

G. Work with other Unions and community organizations whose goals and purposes are similar and consistent with those of SEIU Local 99.

#### H. Grievance and Arbitration Committee

The Executive Board shall appoint a committee on Grievance and Arbitration to assist in the processing of grievances that have reached an impasse between a member or members and the employer, as well as monitoring all grievances of the Local Union. Typical responsibilities include but are not limited to:

A. Meeting monthly;

B. Review a report on all pending grievances in coordination with Local Union staff.

#### I. Member Services Committee

The Member Services Committee assists the Executive Board in developing and carrying out plan for specific events and activities in which the General Membership can participate. Typical responsibilities include but are not limited to:

A. Developing member benefits programs other than benefits typically negotiated in collective bargaining agreements.

#### J. Retired Members Committee

The Committee assists the Executive Board in developing and carrying out a program that meets the needs of Senior and Retired members of the Union. The Committee comprises former members of SEIU Local 99 who pay the prescribed dues to the Local Union. Typical

responsibilities include but are not limited to:

- A. ~~Providing a vehicle for the continuing involvement of Senior and Retired members in the activities of the union;~~
- B. ~~Recommending, monitoring and organizing for legislation that will improve areas of concern such as: pensions, housing, health care, taxes, consumer concerns and other issues;~~
- C. ~~Informing Senior and Retired Members of the benefits and services that are available to them through the union, community groups, government, and other appropriate agencies;~~
- D. ~~Developing social and cultural programs that enhance the quality of life of Senior and Retired members.~~

### *Section 2 – Bylaws Committee*

A Bylaws Committee may be formed by a three fourths (3/4) vote of the Executive Board. The Bylaws Committee shall be comprised of 2 members elected from each Industry Division. Each Industry Divisions shall elect the two members from different bargaining units, unless there is only one bargaining unit within that Industry Division. The Bylaws Committee shall review the Bylaws of this Union and present their findings to the Executive Board. The Chairperson of this Committee shall be elected by the members of the Committee.

### *Section 3 – Elections Committee*

Prior to February 1, in any election year, the Executive Board shall appoint an Elections Committee consisting of a Chairperson and at least five (5) additional members. There shall be at least one member from each Industry Division on the Elections Committee. No member may serve on the Elections Committee if s/he is a candidate for office. If a neutral third party administrator is not engaged, the Elections Committee shall determine all questions of candidate eligibility, be in charge of the election process and the counting of ballots, the certification of results and decide any election protests. In the case of a membership referendum vote, the Elections Committee shall be appointed prior to the mailing of the ballots.

## ARTICLE 17 – GENERAL MEMBERSHIP MEETING

### Section 1 - Meetings

A General Membership meeting of all the members of the Local Union together at the same time shall take place at least ~~once 2 times~~ annually at such time and place as the Executive Board may designate. The General Membership shall be notified of such meeting time and place fifteen (15) working days prior to such meeting. Such notice shall include the agenda of the meetings, including the Order of Business. The Order of Business at membership meetings shall be set by the *Executive Director in consultation with the President*, ~~in accordance with these Bylaws~~. Members who wish to discuss areas of concern will have their issue or concern forwarded to the Executive Board. The Executive Board will provide members with a response to his/her issue or concern within sixty (60) days after the next regularly scheduled Board Meeting.

ARTICLE 17, § 2

Order of business

1. Opening
2. Roll Call of Executive Board
3. Reading of Minutes from the preceding meeting
4. Initiation of new members
5. Reports of Executive Board, Executive Director and Committees
6. Good and Welfare
7. Adjournment

ARTICLE 17, § 3

Special Meetings *or Referenda*

Special meetings *or referenda* of the general membership shall be called by the President and/or the Executive Board by a three-fourth (3/4) vote of the Executive Board as specified in this Local Union Constitution and Bylaws, *or may be initiated by petition signed by ten percent (10%) of the members in good standing. All petitions for referenda must be submitted on a form approved by the Executive Board. All signatures must be dated and shall be no more than ninety (90) days old at the time of submission in order to be considered a valid signature.*

*A Special Meeting may involve either on site meeting(s) or the conduct of a mail ballot. If the Special meeting is called for the purpose of voting on a change in the Local Union dues, or a general or special assessment, or to vote on an amendment to the Local Union Constitution and Bylaws, members in good standing will be afforded voting rights. Special meetings or referenda shall state the nature of the business to come before the meeting/referendum, and only that business may be acted upon. The quorum for any Special meeting or referendum of the General Membership shall be ten percent-1,000 members (10%). When a Special meeting of the General Membership or referendum is called and such meeting involves mail ballots or on site voting, a minimum of ten percent (10%) ballots must be cast in order for the quorum to be considered met.*

*For on site voting, the Local Union may conduct balloting at multiple sites, times, and days, so as to facilitate voting in all geographic areas served by the Local Union; provided, however, that the total number of voting opportunities shall not exceed twenty (20).*

*For adoption of any measure, whether by mail ballot or on site voting, a majority of ballots cast is required.*

~~ARTICLE 18 — INITIATIVES AND REFERENDUM~~

~~After an issue has been brought before the Executive Board and a response received, if an~~

~~objection to the response or the original issue still remains unresolved, members have the right to begin the initiative process.~~

~~The initiative process is as follows:~~

~~An initiative or referendum may be initiated by petitions signed by ten percent (10%) of members in good standing in this Local Union.~~

~~After an initiative or referendum has been initiated and certified as valid it will automatically be referred to the Leadership Assembly to be addressed at the next Leadership Assembly.~~

~~The Leadership Assembly may call a special meeting to address the initiative or referendum pursuant to Article 8.~~

~~All petitions for initiative or referendum must be submitted on a form approved by the Executive Board. All signatures must be dated and shall be no more than ninety (90) days old at the time of submission in order to be considered a valid signature.~~

## ARTICLE 19 – AMENDMENTS

### Section 2 – Voting Procedures

#### A. Mail Ballot

In the event there is a referral to the membership by mail ballot, the amendment(s) shall require a majority vote of those voting for approval. *The quorum requirement shall be 1,000 members.*

#### B. Special General Membership Meeting

In the event a Special General Membership Meeting is called, the meeting may approve or reject the proposed amendment(s) by a ~~majority two-thirds (2/3) vote or may, by a majority~~ of the members voting, ~~whether the vote is conducted by mail ballot or on site. refer the proposed amendment(s) to a mail ballot vote, in which case the amendment(s) shall require a majority vote for approval.~~ *The quorum requirement shall be 1,000 members.*

*For on site voting, the Local Union may conduct balloting at multiple sites, times, and days, so as to facilitate voting in all geographic areas served by the Local Union; provided, however, that the total number of voting opportunities shall not exceed twenty (20).*