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SERVICE EMPLOYEES INTERNATIONAL UNION  
CHANGE TO WIN (CTW)/CANADIAN LABOR CONGRESS (CLC)

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# **KINGS COUNTY CHAPTER BYLAWS**

Adopted August 1, 2012

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## **ARTICLE 1 – PURPOSE AND VALUES**

The Purpose of the Kings County Chapter of SEIU 521 is to improve the lives of Kings County employees and their families by working together to negotiate contracts and represent workers in the workplace and to develop political power which supports officials who provide quality public services and support the public workers who provide them. We will do this by building a strong and effective communications system, educating ourselves as leaders, and building our membership.

### **Trust and Honesty**

The members of the Kings County Chapter deserve the highest standards of honesty, transparency and inclusion in all activities. To that end we have established these by laws for self governance. We also commit that no decision affecting the members of the chapter will be made by union leaders without input and majority approval by the appropriate group of affected members.

### **No Discrimination**

There shall be no discrimination against any member or applicant for membership for reason of race, color, sex, age, sexual orientation, creed, religion, national origin, disability, first language spoken, political opinion or affiliation.

## **ARTICLE 2 – STRUCTURE**

### **A. GENERAL MEMBERSHIP**

The Chapter's highest level of decision making shall be the general membership. The membership shall have the right and responsibility to elect individuals to represent them in master contract negotiations (Bargaining Teams), on Labor-Management Committees (either county wide or in appropriate departments/areas), and as Leaders in the Chapter. The general membership shall also have the right to vote on contract extensions and tentative settlements and on openings for contract proposals. They shall also be qualified to participate in Local wide election for delegates and officers of the Union.

#### **1. General Membership Meetings**

##### **a) Progress Training Meetings**

There shall be an annual Kings County Chapter Progress Training Meeting. These meetings will serve as a way for members to offer mutual supports and experiences since the last meetings and to update each other on issues of interest to members, including but no limited to, progress of membership and steward recruitment, training of leaders and members, political and electoral issues, the local union activities, communications within the departments and chapter and social and cultural activities. Each meeting shall have at least one

training module for members concerning an issue or skill of general interest. There shall also be a section set aside for member reports from the floor. Any actions taken at these meetings will be advisory to the General Membership through a special meeting called for that purpose or through Chapter Leadership Council.

**b) Special General Membership Meetings**

In addition to the annual Progress and Training meeting, specific actions and issues shall be discussed and decided upon at Special General Membership meetings called for specific issues, including but not limited to:

1. Discussions and decisions of opening proposals for contract negotiations;
2. Interviews with candidates for political office and recommendations to endorse or not;
3. Recall of an Officer or Bargaining Team of the Chapter;
4. Other matters for which the Leadership Council recommends a meeting to discuss and seeks approval for action if necessary; or,
5. Any time the Chapter Chair receives a request to call a meeting signed by at least 50 members.

At such special meetings (except Recall meetings) the membership shall vote on items or as an alternative the Leadership Council or the members at the special meeting may recommend that the final vote on an item discussed shall be taken in an alternative voting method, including worksite votes or several evening votes, or other democratic means.

All actions will require 50% plus one votes, except that recall shall require 66 and 2/3 vote to recall.

More than one item may be discussed at each special meeting except at a recall meeting, which shall have no other items on the agenda and shall allow equal time for the individual(s) being recalled, as well as the representatives of the recall action.

**Quorum**

A quorum for special membership meetings shall be 25, except for recall, where the quorum shall be 40 for recalling an at large officer and 10% of the group, which is represented by the Chief Steward or Steward who is being recalled.

**2. Approval or Rejection of Tentative Contract Settlements**

A general membership vote shall be scheduled for any tentative agreements or when the Bargaining team recommends extension or rejection or strike action. The vote shall be scheduled in a way that allows for the greatest participation possible. This meeting may be divided into 2 or 3 meetings to accommodate geographic and/or shift and weekend workers, but shall always include a meeting to discuss the

offer and recommendations from the Bargaining team. Votes shall be by secret ballot and shall be counted and reported after the last meeting. All actions require 50 % +1 vote, except rejection of a tentative agreement, which shall include a strike vote and require at least 60% to reject.

### **3. Notice for General Membership Meetings**

Notice for Special General Membership and Developmental Progress meetings shall be distributed at least 15 days in advance at workplaces, augmented by voice mail notice and email notice if necessary and advisable. Contract Approval or Rejection notices may, in an emergency be announce in less than 15 days, but in no way less than 3 workdays.

### **4. Full Information to all Members**

As the General Membership is the highest body in the chapter, there shall be no union meetings at which official actions are taken without sufficient notice to the membership to attend and accurate reporting of actions taken at the next meeting.

## **B. CHAPTER LEADERSHIP**

Between General and Special membership meetings, the actions of the chapter shall be managed by three elected Leadership Council members, all the Stewards and two Chief Stewards of the chapter, meeting as the Leadership Council.

The Leadership Council shall generally meet at least monthly, to consider timely issues, review progress toward goals, such as steward recruitment and progress of contract campaign participation, reports from Management /Labor meetings, Industry Councils or other Committees and issues at the Local Union level. In addition a written listing of all pending legal issues, grievances, disciplines and meet and confers prepared by staff will be available for review. If one or both of the Chief Stewards calls a Group A or B steward meeting in place of or between Leadership Council meetings, this review may be done at that level. Staff shall prepare this report and be available for questions. Privacy of grievant and /or person appealing discipline, with names redacted unless the worker agrees to be named, will be honored.

The three elected Leadership Council members will be elected at large from the membership and the two Chief Stewards will be elected from the membership of a section of the County membership in County Departments which have been divided approximately in half, with departments having communities of interest in the same section if possible.

The responsibilities of chairing the Leadership Council and the General Membership meetings will be rotated every 6 months from amongst the three Council members. One of the remaining two members will serve as Secretary for those 6 months and the other will serve as the alternate to either one of them during that period. The rotation may begin with a toss of the coin for each office.

## 1. Requirements to hold official positions in the Chapter

To run for a particular position in the chapter, members must be members in good standing, which means they have paid full dues for a certain period of time. These are the times required:

**Steward:** Member in good standing of any chapter of SEIU 521 for at least 6 months, or passed initial probation, whichever is longer.

**Officer:** Member in good standing at least 2 years in the County of Kings. However, for the years 2012 and 2013, this requirement shall be 6 months.

**Bargaining Team Member:** Member in good standing at least one year in County of Kings. However, for the years 2012 and 2013, this requirement shall be 6 months.

**Committee Member:** Member in good standing at least 6 months, or passed initial probation with County of Kings.

## 2. Who votes for Leadership Council Members

All the general membership may vote for Chair, Vice Chair, and Secretary. There is no requirement that the 3 Officers come from different departments or classifications, but it will be appropriate to include a notation on the ballot that members are urged to consider that a diversity in classification and department are helpful in having a well rounded team.

Members in the Departments represented by Chief Steward A shall be eligible to vote for Chief Steward A who must also come from one of those departments and members in departments represented by B shall elect Chief Steward B who must also come from one of those departments.

Stewards shall be elected by the workers in the areas he/ she represents. These areas shall be developed and approved by the leadership council from recommendations by members, other stewards and leaders. Stewards should normally represent between ten and fifty people in their departments.

## 3. Terms of Office for Leadership Council

The officers may hold office for 2 terms of 2 years each. When they are "termed out," they may run for another officer position if they wish. They are free to run again after one term of not holding that office.

Chief Steward Terms are 2 years with no term limits.

Steward terms are two years with no term limits.

Elections for officers and chief stewards shall be held during February of even number years. In 2012 the initial elections will be held within 60 days of the approval of these bylaws.

Elections of steward for a two year term shall be held every May, September and January. If a person wishes to serve as a steward before the next official election period, he/she may present a petition of at least 10 people in the department/unit and be approved by the Officers as a Provisional steward until the next election. Provisional stewards shall not vote on the leadership council and should attend the first available steward orientation or training.

Lead/Supervisor Persons holding steward positions

Stewards who have lead or supervisory responsibility in their job classification or who have responsibility to evaluate discipline, set schedules, recommend hiring or firing shall not be allowed to serve as steward for any subordinate of theirs. They may, if requested serve as steward to other non supervisory or lead workers. If a specific department's membership wishes to modify this prohibition they should present their reasons and to Leadership council for possible waiver or modification of this rule.

#### **4. Rights and Responsibilities of the Steward**

The Steward has no greater rights than any of the members of his/her unit. The responsibilities of stewardship, however, do outweigh those of ordinary membership.

- a) In the absence of the members, the Steward represents her/his unit in all meetings of the Union.
- b) Subject to these Bylaws, the first line of contact with management and the membership is Steward.
- c) The Steward is responsible for the enforcement of all the applicable collective bargaining agreements of her/his unit.
- d) Stewardship requires complete subordination of all interests to those interests that represent the highest good to the members of her/his unit.
- e) The Steward is responsible to attend all Steward Council meetings in her/his stewardship area.
- f) The Steward shall work to advance the vision and the programs of the Local Union among the membership.

### **ARTICLE 3 – CONTRACT NEGOTIATIONS**

Four months before the expiration of the Contract, a union Bargaining Team shall be elected. The best teams come from a variety of classifications, work schedules and departments. The Leadership Council shall confirm the number of persons given release time to participate in the negotiations, and initiate the staff work responsible to elect the team.

The negotiation team shall be seated no less than 3 months before the contract expiration. They shall assure that a survey of the membership takes place to determine the priorities for the negotiations. They shall present opening proposals to the membership at a general membership meeting and shall confirm with a vote the priorities.

The team shall attend or send a delegate to attend each Leadership Council meeting which occurs during negotiating period to update them and get input and ideas. They shall see to it that regular written updates are made available to all members about the progress of negotiations. They shall work with the leadership team to develop communications and visibility activities to support the negotiating priorities.

They are responsible to recommend to reject or accept a settlement or last best and final offer and to recommend future action if rejection is recommended. Their recommendation must be unified, a result of consensus among them or an internal vote if necessary.

## **ARTICLE 4 – ELECTION PROCEDURES**

### **1. General Conditions**

- a) All elections shall be held with sufficient notice to voters (at least 10 days and no more than 21 days).
- b) Appropriate notice includes written leaflets; in addition, email to home emails and phone texts or calls in addition to web page notice is encouraged for complete coverage.
- c) All Elections (except for steward elections) shall be monitored by an Election Committee of 3 or 5 members who agree not to run for the office being monitored.
- d) Election Committees for Contract votes shall not be members of the negotiating team and for Bylaws and similar documents shall not be authors of the documents in question.
- e) Election Committee shall be appointed by the 3 Council Leaders (except for these bylaws and first election which will be monitored by volunteers appointed by the organizing committee).
- f) There shall be no proxy or absentee ballots
- g) The Election Committee will be responsible to recommend appropriate procedures to ensure the seated bargaining team includes a wide variety of classifications and departments, and give that recommendation to the Leadership Council. In 2012 the Election Committee will present this recommendation to a special membership meeting for review and approval.
- h) The Election Committee may set dates, practices, ballot pamphlets, announcement and ballot formats for any election and shall take any recommendations to the Leadership Council.

- i) Decisions of the Election committee or complaints about their activities shall be referred to the Local Union Trustees.
- j) The Election Committee shall decide on eligibility if a question arises of time as a member etc.
- k) Votes shall be by secret ballot, counted by volunteers monitored by the election committee. Candidates or their appointees may be present at the vote count.

## **2. Filling Vacancies**

- a) Permanent Vacancies for 6 months or less of a term for one of the 3 Leadership Council or a Chief Steward shall be filled by a vote of the Chapter Leadership Council when announce to all such members at least 10 days in advance. Longer vacancies shall be filled by a new election among the appropriate membership for that position within 40 days of the position becoming vacant.
- b) Negotiating Team members who are not able to complete their work on a bargaining period will be replaced by a qualified member appointed by the Leadership Council at a meeting when announced at least ten days in advance. The council should bear in mind that the best teams come from a variety of classifications, work schedules and departments when making a decision. If the bargaining is nearing completion, there is no need to fill a vacant position, if at least  $\frac{3}{4}$  of the team remains in tact.

## **ARTICLE 5 – CONDITIONS OF THIS CHAPTER**

### **1. Incorporating of Bylaws**

These bylaws will be approved by the Local Union Executive Board and incorporate the Local Union Bylaws and the International Constitution within these rules.

### **2. Amending of Bylaws**

If a worker wants to amend these bylaws, they shall present a draft change or changes and the three top officers shall appoint a Bylaw Committee from the elected steward members of the Council to review the pros and cons and recommend to the next Leadership Council meeting whether to accept the change or if there is another option to make the improvements suggested.

This committee may also suggest changes not related to the initial request. The change(s) will be presented to the Leadership Council for recommendation to go forward with the vote or not. If so, there shall be a special general membership meeting convened within 30 days discuss and vote for or against the recommendations. If the suggestions for change are rejected by the Leadership Council the matter shall be dropped unless a petition signed by 75 members requesting a vote on the matter is received by the Chapter Chair, in which case the discussion meeting and vote will be held within 30 days of receipt of the valid petition. All changes to the bylaws require a  $\frac{2}{3}$  vote of those voting.

### **3. Jurisdiction**

This chapter shall include all people working for the County of Kings who are covered by a contract with SEIU 521, including extra help and people with other status than regular, if they choose to become represented by our Union.

**APPENDIX 1 - RULES TO GOVERN DEBATE**  
From SEIU International Bylaws

The following rules shall be used to govern debate unless the Local Union has adopted its own rules or regulations:

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

**Rule2.** 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.

**Rule6.** 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, he or she 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 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:

1. To adjourn;
2. To lay the question on the table;
3. For the previous question;
4. To postpone to a given time;
5. To refer or commit;
6. 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:

1. Amendment to the amendment.
2. Amendment.
3. 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:

1. When a member has the floor;
2. 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 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.

## **ORDER OF BUSINESS**

1. **Opening.**
2. **Roll call of officers.**
3. **Reading of minutes of the previous meeting.**
4. **Applications for membership.**
5. **Initiation of new members.**
6. **Communications and bills.**
7. **Report of officers, executive board and committees.**
8. **Unfinished business.**
9. **New business**
10. **Good and Welfare**
11. **Adjournment**