

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

FRESNO COUNTY  
CHAPTER OF SEIU LOCAL 521 BYLAWS



MAY 9, 2012 FINAL DRAFT

## TABLE OF CONTENTS

<b>CHAPTER PREAMBLE</b> .....	<b>1</b>
<b>SEIU LOCAL 521 VISION AND CORE PRINCIPLE STATEMENT</b> .....	<b>1</b>
<b>ARTICLE 1 – NAME</b> .....	<b>1</b>
<b>ARTICLE 2 – JURISDICTION/MEMBERSHIP</b> .....	<b>1</b>
Section 1 – Jurisdiction .....	1
Section 2 – Membership .....	1
Section 3 – No Discrimination .....	2
Section 4 – Agency Shop .....	2
Section 5 – Change of Membership Status .....	2
<b>ARTICLE 3 – OBJECTIVES</b> .....	<b>2</b>
Section 1 – Objectives of the Chapter .....	2
Section 2 – Objective of the Bylaws .....	3
<b>ARTICLE 4 – STRUCTURE &amp; AUTHORITY</b> .....	<b>3</b>
Section 1 – Structure of the Chapter .....	3
Section 2 – Adding/Deleting Divisions .....	3
Section 3 – Authority .....	3
<b>ARTICLE 5 – OFFICERS &amp; EXECUTIVE BOARD</b> .....	<b>4</b>
Section 1 – Officers .....	4
Section 2 – Concurrent Offices .....	4
<b>ARTICLE 6 – DUTIES OF CHAPTER OFFICERS</b> .....	<b>4</b>
Section 1 – Duties of the President .....	4
Section 2 – Duties of the First Vice President .....	5
Section 3 – Duties of the Secretary .....	5
Section 4 – Duties of the Treasurer .....	5
Section 5 – Duties of the Chapter Chief Shop Steward .....	6
Section 6 – Duties of the Division Vice Presidents .....	6
Section 7 – Duties of Division Senior Shop Steward .....	6
Section 8 – Duties of Division Recorder Non-Voting .....	7
<b>ARTICLE 7 – SUCCESSION OF CHAPTER AND DIVISION OFFICERS</b> .....	<b>8</b>
Section 1 – At-Large Officers .....	7
Section 2 – Division Officers .....	8
<b>ARTICLE 8 – CHAPTER EXECUTIVE BOARD MEETINGS</b> .....	<b>8</b>
Section 1 – Meeting Frequency and Notification .....	8
Section 2 – Quorum .....	8
Section 3 – Authority to Act .....	8
Section 4 – Regular Order of Business .....	8
Section 5 – Special Chapter Executive Board Meetings .....	9
Section 6 – Official Minutes .....	9
Section 7 – Voting .....	9
<b>ARTICLE 9 – CHAPTER GENERAL MEMBERSHIP MEETINGS</b> .....	<b>9</b>
Section 1 – Frequency and Notification .....	9
Section 2 – Official Directives .....	10
Section 3 – Quorum .....	10
Section 4 – Special General Membership Meetings .....	10
Section 5 – Member Request for a General Membership Meeting .....	10

Section 6 – Regular Order of Business.....	10
Section 7 – Voting.....	11
<b>ARTICLE 10 – DIVISION GENERAL MEMBERSHIP MEETINGS.....</b>	<b>11</b>
<b>ARTICLE 11 – DIVISION FUNDS .....</b>	<b>11</b>
<b>ARTICLE 12 – OFFICER ELECTIONS.....</b>	<b>11</b>
Section 1 – Term of Office .....	11
Section 2 – Nominations.....	11
Section 3 – Eligibility.....	12
Section 4 – Voting.....	12
Section 5 – Declaration of Election .....	12
Section 6 – Fair Election.....	12
<b>ARTICLE 13 – CHAPTER ELECTION COMMITTEE .....</b>	<b>12</b>
Section 1 – Term and Purpose .....	12
Section 2 – Duties.....	13
Section 3 – Ineligibility to Run or Hold Office .....	13
<b>ARTICLE 14 – RECALL OF CHAPTER OFFICERS.....</b>	<b>13</b>
Section 1 – Procedures/Officers .....	13
Section 2 – The Petition.....	13
Section 3 – Recall Meeting.....	14
Section 4 – Opportunity to Address .....	14
<b>ARTICLE 15 – RECALL OF DIVISION OFFICERS .....</b>	<b>14</b>
Section 1 – Procedures/Officers .....	14
Section 2 – The Petition.....	14
Section 3 – Recall Meeting.....	14
Section 4 – Opportunity to Address .....	14
<b>ARTICLE 16 – STEWARDS .....</b>	<b>14</b>
Section 1 – Rights and Responsibilities of the Steward.....	15
Section 2 – Duties of a Steward .....	15
Section 3 – Steward Elections .....	15
Section 4 – Steward Preparedness .....	16
Section 5 – Steward Council.....	16
Section 6 – Determination of Steward Allocations .....	16
Section 7 – Member Requests to Review Allocations.....	16
Section 8 – Recall of a Steward.....	16
<b>ARTICLE 17 – COLLECTIVE BARGAINING .....</b>	<b>17</b>
Section 1 – Authority.....	17
Section 2 – Structure of the Negotiation Committee .....	17
Section 3 - At-Large Negotiation Committee Members .....	17
Section 4 - Ratification of Opening Proposals .....	17
Section 5 - Ratification or Rejection Votes.....	17
Section 6 – Strike Votes .....	18
Section 7 – Vote To Extend Expired Work Agreement .....	18
<b>ARTICLE 18 – AMENDMENTS AND CONTRAVENTION.....</b>	<b>18</b>
<b>ARTICLE 19 – PARLIAMENTARY AUTHORITY .....</b>	<b>19</b>
<b>APPENDIX 2 – DEBATE from SEIU International Bylaws</b>	
.....	19
<b>FRESNO COUNTY CHAPTER ORGANIZATIONAL STRUCTURE DIAGRAM .....</b>	<b>23</b>

## **CHAPTER PREAMBLE**

It is the purpose of SEIU, Local 521, the Fresno County Chapter, to improve the hours, wages, working conditions and quality of life of its members. In order to do that, we must contribute in every way possible, to energizing the labor movement in Fresno County. We will maximize unionism to achieve a powerful voice at work. We will empower our members to improve their quality of life in the work place. Our union will support and encourage organizing which will reflect the diversity of its membership. Fight for social justice through community alliances, electoral politics and by promoting solidarity among all working people.

## **SEIU LOCAL 521 VISION AND CORE PRINCIPLE STATEMENT**

- Quality, lifelong Health Care
- Safe, secure, and meaningful employment
- A powerful voice at work
- Access to lifetime learning
- A healthy, sustainable environment
- Safe, affordable housing, and
- A dignified retirement

We make this our future by building a powerful democratic union that champions quality community services, and empowers the people who provide them.

## **ARTICLE 1 – NAME**

Fresno County Chapter of SEIU Local 521, hereafter called the Chapter, is a recognized Chapter of Local 521, Service Employees International Union, Change to Win-Canadian Labor Congress, complies with all bylaws of Local 521 and SEIU International and hereby incorporates such bylaws as its own.

## **ARTICLE 2 – JURISDICTION/MEMBERSHIP**

### **Section 1 – Jurisdiction**

The jurisdiction of the Chapter shall be all workers employed within the bargaining units represented by SEIU Local 521 within the County of Fresno.

### **Section 2 – Membership**

Any person employed within the jurisdiction of the Chapter shall be eligible for membership in accordance with these Bylaws and shall become a member or pay a fee in accordance with the bargaining unit contract.

Dues must be current and paid on time in order to be a member in good standing with the Chapter and the Local Union. A member is eligible to vote upon signing and submitting a union membership form.

### **Section 3 – 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.

### **Section 4 – Agency Shop**

Workers who choose not to become members of Local 521 shall become service fee payers. They shall be entitled to representation rights such as grievance, negotiation and appeal services, but shall not be entitled to run for office, or have a voice and vote in Chapter, Local or International Union elections. Service fee payers are not entitled to participate in the benefits programs offered by the Local or International Union, including, but not limited to, the scholarship programs, various discounts through SEIU and/or the Change To Win-Canadian Labor Congress' benefits packages and legal referral for personal matters.

### **Section 5 – Change of Membership Status**

A person may discontinue regular membership, if not otherwise described in the operative bargaining agreement, and become a service fee payer in the last year before the end of the existing contract, during the last five workdays in December. Notification to the Union must be by U.S. mail or hand delivered to the Union office and received within the days listed above.

## **ARTICLE 3 – OBJECTIVES**

### **Section 1 – Objectives of the Chapter**

The objectives of this Chapter shall be to improve the wages, hours and working conditions of its members, to promote active participation of its members in the decision-making processes of the county, to promote quality public services and the economic, political, intellectual and social welfare of its members and to represent them in negotiations and disputes with the employer.

## **Section 2 – Objective of the Bylaws**

The objective of these Bylaws is to provide rules of acceptable self-government, not in conflict with any higher authority and to allow for free, respectful and professional participation of every member of the chapter.

## **ARTICLE 4 – STRUCTURE & AUTHORITY**

### **Section 1 – Structure of the Chapter**

The structure of this Chapter shall consist of a General Membership, a Chapter Executive Board, ten (10) Divisions of the Chapter, an elected bargaining team and a Chapter Steward Council. The divisions will consist of:

- Unit 2, Child Support.
- Unit 2, Correctional Officers.
- Unit 2, Juvenile Corrections.
- Unit 2, At-Large: Security, Program Techs, Probation Techs, Process Servers Collections Officers, and Investigative Assistants.
- Unit 3, Mental Health Professionals & Social Workers.
- Unit 4, Eligibility Workers.
- Unit 4, Job Specialists.
- Unit 12, Clerical, Paramedical, Technical, Building & Service Employees.
- Unit 22, Professional, Para-Professional & Technical Employees.
- Unit 36, Supervisory Employees.

The General Membership consists of all regular members in good standing. It does not include those who pay a service fee or donate to a charity in lieu of paying dues.

### **Section 2 – Adding/Deleting Divisions**

Should additional Divisions/Units be developed or current ones merged or divided, the Chapter Executive Board shall determine their position within the Chapter structure.

### **Section 3 – Authority**

The membership shall be the highest authority of this chapter and shall be empowered to take direct or indirect action that is consistent with these Bylaws.

The affairs of the Chapter shall be conducted through the authority vested in the Chapter Executive Board and the general membership pursuant to these Bylaws. The Chapter Executive Board is authorized and empowered to take all lawful action consistent with these Bylaws and to act on behalf of the Chapter.

The actions taken by the Chapter Executive Board shall become effective immediately and shall be considered the actions of the Chapter.

## **ARTICLE 5 – OFFICERS & EXECUTIVE BOARD**

### **Section 1 – Officers**

The Officers of this Chapter shall be one (1) President, one (1) First Vice President, one (1) Secretary, one (1) Treasurer, one (1) Chapter Chief Shop Steward, ten (10) Division Vice Presidents (VP), ten (10) Division Senior Shop Stewards and ten (10) Division Recorders.

The Chapter President, First Vice President, Secretary, Treasurer and Chief Shop Steward shall be voted at-large. All Division Vice Presidents, Division Senior Shop Stewards and Division Recorders shall be voted by their respective divisions. Division Recorders are non-voting members.

### **Section 2 - Concurrent Offices**

No member shall hold more than one Chapter Executive Board position at a time.

## **ARTICLE 6 – DUTIES OF CHAPTER OFFICERS**

### **Section 1 – Duties of the President**

The President shall be the presiding officer of the Chapter and shall preside over all General Membership meetings; shall have general supervision with the consent of the Chapter Executive Board of the work of the Chapter in accordance with the Bylaws, and, in coordination with Local Union staff, shall have authority to act in all matters not otherwise delegated. The President shall be one of the persons authorized to sign and counter-sign all appropriate orders on funds, contracts and agreements. The President, with the consent of the Chapter Executive Board, shall appoint Committee Chairpersons and may create or disband special committees and define their tasks. The President shall give a full report of activities at each regular Chapter Executive Board meeting and General Membership meeting.

The President is required to attend all chapter meetings. If for any reason, the President is unable to attend a Chapter meeting, the President will notify a member of the Chapter Executive Board.

The President shall be an ex officio member of all committees. S/he shall not have the right to vote on any committee.

## **Section 2 – Duties of the First Vice President**

In the temporary absence of the President, the First Vice President shall assume the duties of the President. The First Vice President shall be one of the three (3) officers with the authority to authorize the disbursement of funds of the Chapter, which shall include the payment of all bills, revolving funds, and other special purpose funds, in accordance with the policies of the Local 521 Executive Board.

The First Vice President shall coordinate with the Chief Shop Steward in preparing informational packages for all Stewards to assist them in recruiting members and keeping members informed. The First Vice President shall be a member of the Steward Council. The First Vice President is required to attend all chapter meetings. If for any reason, the First Vice President is unable to attend a Chapter meeting, the First Vice President will notify another at-large officer of the Chapter.

## **Section 3 – Duties of the Secretary**

The Secretary shall keep a correct record of the proceedings (minutes) of all Chapter Executive Board and general membership meetings. The Secretary will be responsible for distributing a copy to all members present at the next scheduled meeting. The Secretary shall make the minutes available to any Chapter member. The Secretary shall also provide a copy of the minutes to Local 521 in accordance with these bylaws so that they may be archived. On direction from the Chapter Executive Board, the Secretary shall answer correspondence and communications in a timely manner. The minutes will be posted on the Local's web site no later than five (5) business days after they are approved by majority vote at the proceeding Chapter meeting.

The Secretary shall file a copy of the minutes on the Local 521/Fresno Chapter webpage. The Secretary is required to attend all chapter meetings. If for any reason, the Secretary is unable to attend a Chapter meeting, the Secretary will notify another at-large officer of the Chapter Executive Board. If the Secretary fails to appear, the President will designate an attendee to accomplish that task for the duration of that meeting. The Secretary shall assist and coordinate services with the Division Recorders.

## **Section 4 – Duties of the Treasurer**

The Treasurer shall be responsible for reporting on and monitoring the legacy Fresno County Chapter (Divisions) funds in accordance with the Local's policies and procedures. The funds of any such account or accounts can be drawn out only by an authorization signed by two (2) of the three (3) designated officers. The Treasurer shall be one of three (3) officers with the authority to authorize the disbursement of funds of the Chapter and division funds, which shall include the payment of all bills, revolving funds, and other special purpose funds, in accordance with the policies of the Local 521



Executive Board. The Treasurer shall coordinate the legacy chapter's financial records, including a record of all income and expenditures, in a manner prescribed by the Local 521 Executive Board.

### **Section 5 – Duties of the Chapter Chief Shop Steward**

There will be one (1) Chief Shop Steward position. The Chief Shop Steward, shall recruit new members, attend the Chapter Executive Board meetings and report the proceedings to their constituents, conduct office meetings, attend and participate in the Shop Steward Council. The Chief Shop Steward shall coordinate the activities of the Shop Stewards. The Chief Shop Steward shall coordinate training to Shop Stewards, as directed by the Chapter Executive Board.

The Chief Shop Steward in coordination with the First Vice President shall develop informational packets consisting of materials to assist the Shop Stewards in their duties. The Chief Shop Steward shall be required to attend all General and Chapter Executive Board meetings and other duties as assigned by the Chapter Executive Board. If for any reason, the Chief Shop Steward is unable to attend a required meeting, s/he must notify another at-large officer of the Chapter Executive Board.

### **Section 6 – Duties of the Division Vice Presidents**

Division Vice Presidents shall be the presiding officers of the respective divisions and shall preside over their respective division meetings; shall have general supervision with the consent of the Chapter Executive Board. Division Vice Presidents shall give a written report of her/his activities at each regular Chapter Executive Board meeting and General Membership meeting.

Division Vice Presidents are required to attend all Chapter Executive Board meetings and their respective division meetings. If for any reason, the Division Vice President is unable to attend a Chapter meeting, the Division Vice President will notify an at-large officer of the Chapter Executive Board.

Division Vice Presidents, with the consent of the Chapter Executive Board, shall appoint Committee Chairpersons and may create or disband special committees within their respective divisions and define their tasks. Division Vice Presidents shall be an ex officio member of all division committees. The ex officio member shall only have a vote in the event of a tie.

### **Section 7 – Duties of Division Senior Shop Steward**

Division Senior Shop Steward shall be responsible for ensuring that worksite issues are addressed properly.

They shall work with and make certain that all division shop stewards properly investigate and present worksite grievances within the timelines set by their employer. They shall also coordinate the efforts of other shop stewards within their respective division as it pertains to the enforcement of memorandums of understanding, policies, past practices and law. They shall have the responsibility to report all worksite issues to the Chief Shop Steward.

### **Section 8 – Duties of Division Recorder Non-Voting**

The Division Recorder shall keep a correct record of the proceedings (minutes) of all division meetings. The Division Recorder shall be responsible for distributing a copy to all members present at the next scheduled Division meeting. The Division Recorder shall make copies of the minutes available to any member who requests it. The Division Recorder shall provide a copy of the minutes to Local 521 within fifteen (15) days of the meeting(s) so they may be posted to the chapter's web page and archived.

The Division Recorder shall be the alternate to the Chapter Executive Board for their Division in the event that the Division Vice President or the Division Senior Steward is not available for a chapter meeting. The Division Recorder is not a voting member of the Chapter Executive Board.

## **ARTICLE 7 - SUCCESSION OF CHAPTER AND DIVISION OFFICERS**

### **Section 1 – At-Large Officers**

In the event of a vacancy, at-large officers will succeed each other in the following order:

Chapter First Vice President shall succeed Chapter President, Chapter Secretary shall succeed Chapter First Vice President, Chapter Treasurer shall succeed Chapter Secretary, Chapter Chief Shop Steward shall succeed Chapter Treasurer.

### **Section 2 – Division Officers**

In the event of a vacancy, Division Officers will succeed each other in the following order:

Division Shop Steward shall succeed Division Vice President, Division Recorder shall succeed Division Shop Steward.

## **ARTICLE 8 – CHAPTER EXECUTIVE BOARD MEETINGS**

### **Section 1 – Meeting Frequency and Notification**

The Chapter Executive Board shall meet every other month. With proper notice to the General Membership, General Membership meetings and Chapter Executive Board meetings may be combined. At the beginning of each calendar year, the Chapter Executive Board will schedule General Membership and Chapter Executive Board meetings one year of meetings in advance. At the beginning of each calendar year all Divisions shall notify the Chapter Executive Board of their meetings one year in advance.

### **Section 2 – Quorum**

A quorum for the Chapter Executive Board meetings shall be fifty-percent plus one (50%+1) of the number of Chapter Executive Board members seats filled at that time, with at least two (2) of those who make up the quorum being at-large Chapter Officers.

If a quorum is not reached within thirty (30) minutes of the meeting being called to order, the meeting shall be re-scheduled or canceled at the direction of the Chapter President.

### **Section 3 – Authority to Act**

In the absence of a quorum at the General Membership meeting, the actions of the Chapter Executive Board as reported in the minutes shall be deemed accepted, and the Chapter Executive Board shall be authorized to act in the name of the Chapter. However, on matters of policy, members at the next regular meeting, by majority vote, may agendize any subject matter for discussion and possible action.

### **Section 4 – Regular Order of Business**

The regular order of business for the Chapter Executive Board meetings may include:

1. Roll Call/Determination of Quorum
2. Open Forum
3. Approval of Minutes and Agenda
4. Officer Reports (President, First Vice President, Treasurer and Chief Shop Steward)
5. Old Business
6. New Business
7. Workplace/Member Reports
8. Local Union Executive Board Delegate Report
9. Committee & Political Reports
10. Staff Reports

- 11. Good and Welfare
- 12. Adjournment

Staff may report on agenda items, as well as special speakers. Committee reports or other reports should generally be in writing.

### **Section 5 – Special Chapter Executive Board Meetings**

The Chapter President shall be able to call Special Chapter Executive Board meetings without prior written notice in such cases where s/he deems the time factor is of urgency and the issue demands immediate attention, or when s/he feels a strategic position of the Chapter would be lost by hesitation. S/he shall make a reasonable effort, i.e. email, telephone, to contact all Chapter Executive Board members. Minutes shall be presented for review at the following Chapter Executive Board meeting.

A quorum for a Special Chapter Executive Board Meeting shall be the same as a quorum for a Chapter Executive Board meeting. This shall be fifty-percent, plus one (50%+1) of the number of Chapter Executive Board members seats filled at that time. Two of these must be at-large officers of the chapter. If a quorum is not reached within thirty (30) minutes of the meeting being called to order, the meeting shall be re-scheduled or canceled at the direction of the Chapter President.

### **Section 6 – Official Minutes**

The Secretary shall take the official minutes of the Chapter Executive Board and sufficient copies shall be made available for a vote of acceptance at the next General Membership meeting.

### **Section 7 – Voting**

A person holding both a Chapter office and any other Chapter Executive Board position shall have only one vote on items before the Chapter Executive Board. There shall be no proxy, write in or absentee votes at any meeting. All votes shall be cast in person.

## **ARTICLE 9 – CHAPTER GENERAL MEMBERSHIP MEETINGS**

### **Section 1 – Frequency and Notification**

A General Membership meeting shall take place at least four (4) times annually, excluding the months of July and August at such time and place as the Chapter Executive Board may designate. The General Membership shall be notified of such meeting time and place at least fifteen (15) working days prior to such meeting.

## **Section 2 – Official Directives**

Any action taken by the General Membership at a membership meeting held pursuant to this Article shall prevail as the official policy and directives of this Chapter.

## **Section 3 – Quorum**

A quorum shall be declared for a General Membership meeting of fifty (50) members are in attendance within thirty (30) minutes following the beginning of such meetings. In the absence of a quorum, the Chapter Executive Board shall act on behalf of the Chapter in accordance with Article 8, Section 3 of these Bylaws.

## **Section 4 – Special General Membership Meetings**

The Chapter Executive Board is authorized to call a special General Membership meeting at any time that the Chapter Executive Board deems it necessary with at least fifteen (15) working days advance written notice and with the purpose, time and place noted.

## **Section 5 – Member Request for a General Membership Meeting**

Whenever five percent (5%) of the General Membership submits a written request for a General Membership meeting, the President must call the meeting within ten (10) calendar days after receiving the request. The General Membership must be notified, at least five (5) business days prior to the meeting, of the time, date, place and purpose of the meeting.

## **Section 6 – Regular Order of Business**

The regular order of business for General Membership meetings may include:

1. Roll Call/Determination of Quorum
2. Approval of Minutes
  - a. Most recent Chapter Executive Board meeting
  - b. Most recent General Membership meeting
  - c. Any intervening special meetings
3. Written Reports of Committees
4. Opportunity for Member Input & Reporting
5. Topic of Discussion/Action or Training
6. Adjournment

Staff may report on agenda items, as well as special speakers. Committee reports or other reports should generally be in writing.

## **Section 7 – Voting**

There shall be no proxy, write in or absentee votes at any meeting. All votes shall be cast in person.

## **ARTICLE 10 – DIVISION GENERAL MEMBERSHIP MEETINGS**

Division meetings including frequency and topics shall be left up to the Division Vice-President, Senior Shop Steward and Division Recorder to decide. A meeting of the Division requested by a minimum of fifteen (15) members will be announced and will take place within fifteen (15) days of the request.

## **ARTICLE 11 – DIVISION FUNDS**

Chapter funds from the legacy chapter shall be determined to be Division funds and shall be managed in accordance with Local 521 policies and Department of Labor laws. No individual Division or sub-group shall authorize any deduction from members' pay.

If thirty percent (30%) of the general membership requests, by petition, that additional deductions be made for the entire chapter, for strike or political activities, this petition must be presented to the Local 521 Executive Board for approval prior to a majority vote of the General Membership of the chapter.

## **ARTICLE 12 – OFFICER ELECTIONS**

### **Section 1 – Term of Office**

The term of office shall be three (3) years.

As soon as possible following the ratification of these bylaws, an election will be held in order to have new officers seated by September 1, 2012.

### **Section 2 – Nominations**

Nominations for the Officers shall be made in the month preceding the election period. Notice to the General Membership regarding nominations will be made at least ten (10) working days prior to the nomination period being open. The nomination period will be for a minimum of ten (10) working days. To have their name placed on the ballot, a nominee must submit no later than five (5) days from the close of the nomination period to the Election Committee a signed statement of consent to serve and qualifications for the position(s) to be published with the voting material.

### **Section 3 – Eligibility**

A member may not simultaneously hold more than one (1) Chapter Executive Board position. A person shall be eligible for nomination who has been a member in continuous good standing in the Local Union for at least two (2) years at time of nomination.

### **Section 4 – Voting**

Voting shall take place at work sites (to include 24 hour facilities, a polling time shall be scheduled during each shift) and an ongoing ballot box be located at the local Fresno union office during business hours pursuant to procedures recommended by the Chapter Election Committee and adopted by the General Membership. All ballots shall be retained in accordance with Local Union policies and applicable law. Write-in, proxy and absentee votes shall not be valid for any purpose.

### **Section 5 – Declaration of Election**

The candidate receiving a plurality of the votes for that office shall be declared elected. Ties shall be decided by one flip of a coin administered by the Election Committee Chair and observed by both candidates.

### **Section 6 – Fair Election**

Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the counting of ballots. No Local Union or Chapter funds, resources or mailing lists will be used to assist any member's candidacy. Only Chapter members in good standing may recruit candidates, participate, endorse or contribute within Chapter elections.

## **ARTICLE 13 – CHAPTER ELECTION COMMITTEE**

### **Section 1 – Term and Purpose**

Prior to the nomination of Chapter Officers and Executive Board, an Election Committee of five (5) members and two (2) alternates shall be chosen by the Chapter Executive Board. The Election Committee shall rule on the qualifications of each nominee and certify them for the upcoming election.

The Election Committee shall be approved by the General Membership at a General Membership Meeting each election cycle.

## **Section 2 – Duties**

The specific duties of the Election Committee, in coordination with Local Union staff, shall be to:

- A. Produce, maintain and interpret the policy and procedures of the election;
- B. Conduct the affairs of the election;
- C. Act as judge in all matters arising from the election procedures;
- D. Be responsible for the tabulation of the results of the election;
- E. Certify the results of each election to the Chapter Executive Board and the General Membership;
- F. Investigate election appeals and decide on them, including requiring new elections where they determine procedures have been violated.
- G. The Election Committee will have fourteen (14) days to certify the nominees and conduct the election.

## **Section 3 – Ineligibility to Run or Hold Office**

Seated members and alternates of the Election Committee may not be a candidate for, or a member of, the Chapter Executive Board.

## **ARTICLE 14 – RECALL OF CHAPTER OFFICERS**

### **Section 1 – Procedures/Officers**

An Officer may be removed from office at a recall meeting called upon receipt by the Chapter Executive Board of a written petition of twenty-five percent (25%) of the General Membership in good standing. In coordination with the Local 521 Union staff, a notice of a recall meeting shall be distributed to the General Membership stating the time and place of the recall meeting. Such notice must be distributed at least ten (10) working days prior to the meeting.

### **Section 2 – The Petition**

The petition must be headed "Recall Petition" and must specify, on each page, the name of the person to be recalled, the specific charge(s), and the position from which they are being recalled. There shall be a sixty (60) calendar day time frame within which to collect signatures and file recall petition. The petition will provide for each member signing an area for member's signature, member's printed name, job classification and date of signature.



### **Section 3 – Recall Meeting**

No business other than the recall shall be conducted at this meeting. No action can be taken at the recall meeting if a quorum is not present. The recall vote shall be by secret ballot and shall require a two-thirds (2/3) majority of those voting to remove the elected official from office.

### **Section 4 – Opportunity to Address**

The person designated for recall shall be afforded an opportunity to address all charges being made against them at the recall meeting prior to the recall vote.

## **ARTICLE 15 – RECALL OF DIVISION OFFICERS**

### **Section 1 – Procedures/Officers**

An Officer may be removed from office at a recall meeting called upon receipt by the Chapter Executive Board of a written petition of twenty-five percent (25%) of the Division Membership in good standing. In coordination with the Local 521 Union staff, a notice of a recall meeting shall be distributed to the General Membership stating the time and place of the recall meeting. Such notice must be distributed at least ten (10) working days prior to the meeting.

### **Section 2 – The Petition**

The petition must be headed "Recall Petition" and must specify, on each page, the name of the person to be recalled, the specific charge(s), and the position from which they are being recalled. There shall be a sixty (60) calendar day time frame within which to collect signatures and file recall petition. The petition will provide for each member signing an area for member signature, member's printed name, job classification and date of signature.

### **Section 3 – Recall Meeting**

No business other than the recall shall be conducted at this meeting. No action can be taken at the recall meeting if a quorum is not present. The recall vote shall be by secret ballot and shall require a two-thirds (2/3) majority of those voting to remove the elected official from office.

### **Section 4 – Opportunity to Address**

The person designated for recall shall be afforded an opportunity to address all charges being made against them at the recall meeting prior to the recall vote.

## **ARTICLE 16 - STEWARDS**

### **Section 1 – Rights and Responsibilities of the Steward**

The Steward has no greater rights than any other members of their unit. The following shall be the responsibility of a Steward:

- A. The Steward represents their members in all meetings of the Union.
- B. Subject to these Bylaws, in coordination with the Division VP and/or Senior Shop Steward the first line of contact with management and the membership is the Steward.
- C. The Steward is responsible for the enforcement of all the applicable collective bargaining agreements.
- D. Stewardship requires complete subordination of all interests to those interests that represent the highest good to the members
- E. The Steward is responsible to attend all Steward Council meetings.
- F. The Steward shall work to advance the vision and the programs of the Local Union among the membership.

### **Section 2 – Duties of a Steward**

In cooperation with the Local 521 Executive Board and staff, Stewards shall develop and work to implement a plan to advance the goals and vision of the Union. They shall coordinate their work with the Division Vice President and Chief Shop Steward. This will include: reporting on all their activities at all Steward Council meetings and meetings with management. Stewards shall participate in formal grievance and disciplinary actions.

### **Section 3 – Steward Elections**

The term of a steward shall be three (3) years. In order to be nominated a candidate for steward must submit a petition of nomination with ten (10) signatures from the affected division or one half (1/2) of the affected members in the division if less than twenty (20). Steward elections can be by any procedure acceptable to the members in that representation area and approved by the election committee. Elections must be fair, democratic and provide sufficient opportunity for all members to participate.

There shall be at least five (5) working days' notice of all Steward Elections. Participation shall be reported on a standardized form (Leadership Assessment form) obtained from the Local 521 office. Questions on procedures or assistance with problems shall be referred to the Chapter Executive Board or the Chapter Election Committee.

#### **Section 4 – Steward Preparedness**

The Chief Shop Steward shall ensure that all stewards have copies of the Chapter, Local 521 Bylaws, SEIU International Constitution and Bylaws and all necessary working agreements and rules pertinent to their representation divisions. Stewards shall also be provided a list of members in their jurisdiction. All newly elected stewards shall be expected to complete SEIU Local 521 steward training by the end of their first year as steward.

#### **Section 5 – Steward Council**

The Steward Council shall consist of all Shop Stewards from each Division. The Council shall be chaired by the Chief Shop Steward. The Steward Council is an advisory council that makes recommendations to the Chapter Executive Board.

The lists of Stewards provided to the County will identify the Chief Steward and all other subordinate stewards.

#### **Section 6 – Determination of Steward Allocations**

Beginning in June of 2013, the Chapter Executive Board shall review the number of Steward positions per Agency/Department/Steward Council, at least annually, and in accordance with the collective bargaining agreement. The Chapter Executive Board will adjust allocations, taking into consideration the number of represented workers, history of representation, community of interest, geographic location and shifts. The total number allotted will be forwarded to the appropriate Steward Council, which will review the proposed allocation and recommend adjustments. The Steward Council will submit a plan for implementation to the Chapter Executive Board, or request reconsideration of the allocation at the Chapter Executive Board's next regularly scheduled meeting.

#### **Section 7 – Member Requests to Review Allocations**

Each Division within a work location is entitled to one (1) Steward per ten (10) employees at a work location. A work location shall consist of a building.

At any time, individual members requesting changes in Steward allocations may make such a request to their appropriate Steward Council or Chief Shop Steward.

#### **Section 8 – Recall of a Steward**

Any Steward may be replaced at any time by simple majority vote of members in good standing in the Steward's Division.

## **ARTICLE 17 – COLLECTIVE BARGAINING**

### **Section 1 – Authority**

The Negotiation Committee will be responsible for negotiating all appropriate Chapter and Division-wide and general master negotiations with Fresno County and shall have the power, subject to final ratification or rejection by the General Membership, to negotiate agreements with Fresno County.

In matters that are of concern to more than one Division and/or Unit, all committees shall convene and negotiate as one committee.

### **Section 2 – Structure of the Negotiation Committee**

The Chapter's Negotiation Committee shall consist of the following: the Chapter President, the Chapter First Vice President, the Chapter Secretary, the Chapter Treasurer, the Chapter Chief Shop Steward, the ten (10) Division Vice Presidents, ten (10) Division Senior Shop Stewards and ten (10) elected at-large members who are in job classifications not already represented on the Negotiation Committee.

In situations where a Division Vice President or Division Senior Shop Steward chooses not to participate on the Negotiation Committee, the Division Recorder shall be the alternate for the vacant seat.

### **Section 3 – At-Large Negotiation Committee Members**

In order to ensure the broadest representation of job classification and job series at the bargaining table, once the chapter election has been certified, there shall be a Special Election six (6) months prior to the expiration of the Memorandum of Understanding (MOU) with the County of Fresno. The election process shall be set up by the Chapter Election Committee. Members of the Chapter Election Committee shall not be eligible to run as elected at-large members of the Negotiation Committee.

### **Section 4 – Ratification of Opening Proposals**

The Negotiating Committee shall survey the members before entering into general negotiations; and in up to three sessions, members will meet to review, discuss and approve opening proposals.

### **Section 5 - Ratification or Rejection Votes**

Ratification Votes shall take place at work sites (to include 24 hour facilities, a polling time shall be scheduled during each shift) and at an ongoing ballot box that shall be located at the local Fresno Union office during business hours.

All ballots shall be retained in accordance with Local 521 Union policies and applicable law. Write-in, proxy and absentee votes shall not be valid for any purpose. Ratification votes shall be separate from Strike Votes.

### **Section 6 – Strike Votes**

A Strike Vote shall take place at work sites (to include 24 hour facilities, a polling time shall be scheduled during each shift) and at an ongoing ballot box that shall be located at the local Fresno Union office during business hours. All ballots shall be retained in accordance with Local Union policies and applicable law. Write-in, proxy and absentee votes shall not be valid for any purpose.

### **Section 7 – Vote To Extend Expired Work Agreement**

A vote to extend an Expired Work Agreement shall take place at work sites and at an ongoing ballot box that shall be located at the local Fresno Union office during business hours. All ballots shall be retained in accordance with Local Union policies and applicable law. Write-in, proxy and absentee votes shall not be valid for any purpose.

## **ARTICLE 18 – AMENDMENTS AND CONTRAVENTION**

When any part of these Bylaws is judged as voided for any reason, including conflict with the International Constitution and Bylaws, or the Bylaws of the Local Union, then all remaining parts will continue to be valid and in effect. In the event of invalidation of any section of these Bylaws, the Chapter Executive Board shall meet to revise that section in order to bring it into conformance with the Local and International Bylaws. A member may bring proposed bylaws amendments to a Chapter Executive Board or General Membership meeting. The proposed amendment(s) shall be referred to the Chapter Executive Board for review and consideration. The Chapter Executive Board may recommend changes, approval or disapproval of amendments. The Chapter Executive Board will present its recommendation(s) to the General Membership. The General Membership shall approve or disapprove of any amendments.

The General Membership shall vote on proposed revisions at a special meeting. These meetings will be called with at least ten (10) working days' notice. All votes to revise these Bylaws shall be by simple majority fifty-percent, plus one (50%+1) of those attending the special meeting. Approval of any Bylaws amendment shall be submitted to the Local 521 Executive Board for final approval (Article 12, Section 3, Guidance for Chapter Governance, Local 521 Constitutional Bylaws).

## **ARTICLE 19 – PARLIAMENTARY AUTHORITY**

The parliamentary authority for all meetings of this chapter shall be Appendix 2 of the Local 521 Bylaws – Debate, from SEIU International Bylaws, copies of which will be provided at every meeting.

## **Appendix 2**

### **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.

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

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

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

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

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

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

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

**Rule 9.** A member wishing to speak shall rise and respectfully address the chair, and if recognized by the chair, 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. Reports of officers, executive board and committees
8. Unfinished business.
9. New business.
10. Good and welfare.
11. Adjournment.

# Fresno County Chapter Organizational Structure Diagram

## PROPOSED FRESNO COUNTY CHAPTER STRUCTURE – Fresno County Chapter Bylaws Sub Cmtee

### Elected At Large - Officers



### Elected by Division

#### Vice Presidents & Division Senior Shop Steward Division Recorders – Non-voting

