

**CONSTITUTION OF
Hartnell Chapter No. 470, CSEA
Adopted July 1986
Latest Revision September 2, 2003**

This Constitution is the local operating document for this chapter as formulated under Article III, Section 8 of the Association Constitution.

Where used throughout this document, "Association" means the California School Employees Association, the statewide governing body for this organization; "organization" and "chapter" are interchangeable and mean Hartnell Chapter No. 470, CSEA.

APPROVED

California School Employees Association

Date: April 7, 2004

By: *Denise K. Jensen*, Executive Manager

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**ARTICLE I
NAME AND OBJECTS**

Section 1. Name: The name of this organization shall be Hartnell Chapter No. 470 of the California School Employees Association.

Section 2. Objects: The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system, and to secure for them reasonable hours, fair wages and improved working conditions; to establish a spirit of cooperation, good faith and fair dealings with the employer; to safeguard, advance and promote the principle of free collective bargaining in a democratic society; to promote such legislation as may be in the best interests of the members of this organization; to promote the efficiency and raise the standards of service of its members and other public service workers; to instill confidence, good will and understanding among the members and their employers; to promote the economic and social welfare of the members of the Association through unity of action and mutual cooperation.

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**ARTICLE II
MEMBERSHIP**

Section 1. Membership in this chapter shall be as follows:

(a) **Active:** "Active" membership, which carries with it the privilege of full participation in chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in a bargaining unit represented by this chapter, without regard to race, creed, color, national origin, sex, age, sexual orientation or political belief. Active membership status shall cease at such time as the member becomes eligible for any other category of membership defined herein, except as follows:

(1) Active members who are laid off may continue in Active status until expiration of their 39-month reemployment period or until reemployed, whichever comes first, upon continued payment of the established dues in effect at the time of layoff.

(2) Active members who are appealing an involuntary termination action by the employer may continue in Active status until the appeal(s) process has been terminated and the status of their employment has been finally decided, upon continued payment of the established dues in effect at the time of the involuntary termination.

(3) Nothing herein shall be construed to require continued Active status of members under paragraphs (1) and (2) above for the purpose of continued CSEA representation regarding their employment/reemployment rights. However, retention of Active status shall be required for such employees to continue to be eligible to hold appointed or elective offices within the Association and chapter and to have voice and vote and otherwise participate in chapter and Association affairs.

1 (4) Active members of this chapter must also be Active members of the
2 Association as defined in the Association's Constitution.

3
4 (b) **Inactive:** Any Active member of this chapter who (1) is granted an unpaid
5 leave of absence by the employer, or (2) is placed on a reemployment list for reasons
6 other than layoff and is not otherwise in a paid status with the employer, or (3) is laid off
7 and elects not to continue as an Active member under provisions of paragraph (a)(1)
8 above, may continue membership in an "Inactive" status until expiration of the approved
9 leave of absence or reemployment list, or until returned to paid employment status in an
10 eligible position [as defined by paragraph (a) above], whichever occurs first, upon
11 continued payment of dues at 1/2 the rate required of them as an Active member at the
12 time the leave or placement on the reemployment list occurred. Such dues shall be
13 paid annually in advance, or for the number of months of the approved leave if less than
14 one year. Such members shall be eligible to continue to receive such membership
15 benefits as are generally made available to the Active membership, unless specifically
16 excluded by contract. They shall not, however, be accorded voice or vote in chapter or
17 Association affairs.

18
19 (c) **Lifetime Retired:** Any person who was a member of the chapter at the
20 time of retirement may become a "Lifetime Retired" member of this chapter upon
21 payment of a one-time fee of \$20. Such members shall be permitted to attend chapter
22 meetings and social functions and to receive the chapter newsletter as long as they live
23 in the local area. They shall not otherwise be accorded voice, vote or other participation
24 in chapter affairs.

25
26 (d) **Active Retired:** Any person who was a member of the chapter at the
27 time of retirement and **who also maintains a retired membership in good standing**
28 **with the Association** may continue as an Active member of this chapter upon payment
29 of the regular chapter dues required of Active members. Such dues shall be paid
30 annually in advance or monthly in advance direct to the Chapter Treasurer. Such
31 members shall be entitled to continued full participation in chapter affairs, including the
32 right to hold appointive or elective offices and the right to vote, with the exception of the
33 right to vote in contract ratification and concerted activities matters.

34
35 Should such member cease to be a retired member in good standing of the
36 Association, his/her chapter membership shall automatically terminate.

37
38 **Section 2.** "Active" membership shall be effective upon the completion, dating,
39 and signing of an official CSEA application form as provided by the Association, and
40 execution of a valid authorization for payroll deduction of dues or payment of at least
41 one year's dues in advance. The application shall be promptly countersigned by the
42 Chapter Treasurer who shall immediately forward the approved application, together
43 with advance dues received if any, to the Association, and submit payroll deduction
44 authorizations to the appropriate district office.

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1 **Section 3. Membership "In Good Standing"**

2
3 (a) Membership "in good standing" shall be effective and shall continue upon
4 receipt of the required dues for the current month. For purposes of establishing voting
5 rights and eligibility to hold an elected or appointed office, Active members whose dues
6 are paid via payroll deduction shall not be deemed to be in good standing until the first
7 of the month following the month in which the first dues are deducted, unless s/he pays
8 dues in cash for the interim period.

9
10 (b) Membership shall terminate with:

11
12 (1) The effective date of layoff for members who are laid off and who
13 choose not to continue in either an Active or Inactive status under provisions of Sections
14 1(a)(1) or 1(b) above.

15
16 (2) The effective date of an unpaid leave of absence or placement on a
17 reemployment list for reasons other than layoff, for such members who choose not to
18 continue in an Inactive status under provisions of Section 1(b) above.

19
20 (3) The date of termination of their 39-month reemployment rights or
21 approved leave of absence for members who have continued in an Active or Inactive
22 status, if such members have not been returned to active employment.

23
24 (4) The date of execution of a document terminating payroll deduction
25 of dues, unless arrangements have been made with the Chapter Treasurer for advance
26 cash payment.

27
28 (5) The effective date of removal from the bargaining unit, or voluntary
29 termination of employment.

30
31 (6) The effective date of involuntary termination of employment, unless
32 the member is eligible to continue and elects to retain Active status as permitted under
33 provisions of Section 1(a)(2) above.

34
35 (7) Actions pursuant to Sections 5 or 6 below.

36
37 **Section 4. Fair Share Service Fee Payers:** Employees obligated to pay
38 either dues or fair share service fees to CSEA pursuant to organizational security
39 provisions in the collective bargaining agreement and who choose not to be Active
40 members of this chapter shall be carried on the chapter rolls as "Fair Share Service Fee
41 Payers". Such persons shall pay fair share service fees in an amount equal to the dues
42 required of Active members of the chapter (less any local chapter fees unless collection
43 of local chapter fees has been approved by the Association) subject to annual requests
44 for advance refunds of the portion of fair share service fees that CSEA determines will
45 be used for purposes not related to collective bargaining, in accordance with the policies
46 of the Association.

1 Fair share service fee payers shall be entitled to full rights of representation in all
2 matters related to their collective bargaining agreement. They shall not, however, have
3 the right of voice, vote, or other participation in chapter or Association affairs, unless
4 otherwise provided herein or required by law.

5
6 **Section 5. Delinquency & Resignation:**

7
8 (a) Members who no longer wish to retain that status may resign CSEA
9 membership by written notification to the Chapter Treasurer. They shall become fair
10 share service fee payers subject to the same fair share service fees and rights, benefits
11 and burdens as provided under Section 4 of this article.

12
13 (b) Any member failing to pay all dues owed for the current month shall be
14 deemed delinquent and shall not be considered to be in good standing until such
15 delinquency has been remitted. Any member allowing his/her arrearages for dues to
16 run over 90 days shall be conclusively presumed to have resigned his/her membership
17 effective on said date and if applicable shall be subject to paragraph (a) above and such
18 action as may be provided under the collective bargaining agreement, unless the
19 Treasurer is notified 30 days prior thereto that the member has not resigned and
20 arrangements for payment of arrearages are made.

21
22 (c) Members who have resigned shall, upon reapplication, be admitted as
23 new members.

24
25 **Section 6. Expulsion, Suspension, Discipline:**

26
27 (a) No member may be involuntarily removed from the membership rolls
28 except as provided for in Sections 3 and 5 above, or in accordance with the procedures
29 for expulsion, suspension and discipline of members as specified in the Association
30 Constitution.

31
32 (b) All matters for proposed disciplinary action against members shall be
33 referred to the Association for action, except that members may be recalled from office
34 in accordance with provisions of Article XI of this Constitution.

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37 **ARTICLE III**
38 **DUES and ASSESSMENTS**

39
40 **Section 1. Association Per Capita Dues**

41
42 ***Effective September 1, 2003:***

43 (a) Per capita dues to the Association for Active members shall be assessed
44 at the rate of 1.5% of the first \$2,175 of monthly gross salary (*excluding overtime*, but
45 *including* longevity, professional growth and anniversary increments), but not to exceed
46 a maximum of \$326.25 for the 12-month period commencing each September 1st and
47 continuing through the following August 31st. Said dues shall be payable by payroll
48 deduction or annually in advance direct to the Association.

1 (1) Payroll deduction shall commence in September of each year and
2 continue through the following August for each month the member is in a paid status, or
3 until the maximum of \$326.25 has been deducted, whichever comes first.
4

5 (2) Annual in advance payments must be remitted direct to the
6 Association's accounting office no later than September 30, or within 30 days following
7 membership application for new members after September. Such annual payments
8 shall be as calculated by the Association's Accounting Office in accordance with the
9 Association's Bylaws.
10

11 **Effective September 1, 2004:**

12 (a) Per capita dues to the Association for Active members shall be assessed
13 at the rate of 1.5% of the first \$2,450 of monthly gross salary (*excluding overtime*, but
14 *including* longevity, professional growth and anniversary increments), but not to exceed
15 a maximum of \$367.50 for the 12-month period commencing each September 1st and
16 continuing through the following August 31st. Said dues shall be payable by payroll
17 deduction or annually in advance direct to the Association.
18

19 (1) Payroll deduction shall commence in September of each year and
20 continue through the following August for each month the member is in a paid status, or
21 until the maximum of \$367.50 has been deducted, whichever comes first.
22

23 (2) Annual in advance payments must be remitted direct to the
24 Association's accounting office no later than September 30, or within 30 days following
25 membership application for new members after September. Such annual payments
26 shall be as calculated by the Association's Accounting Office in accordance with the
27 Association's Bylaws.
28

29 **Section 2. Chapter Dues.** Local chapter dues for Active members of this
30 chapter shall be \$10.00 per year, payable by payroll deduction during each of the
31 months September through June in which the member is in regular paid status; or
32 payable annually in advance to the Chapter Treasurer.
33

34 **Section 3.** The local chapter dues plus the Association per capita dues equals
35 the member's total dues requirement.
36

37 **Section 4. Assessments:** No assessments shall be levied in this chapter
38 other than those approved by 3/4 of the chapter membership present and voting on the
39 question by secret ballot, provided that each member has been notified in writing at
40 least ten days in advance of the nature of the proposal and the time, date and place
41 where the matter will be voted on.
42

43 **Section 5. Fund Solicitation:** No funds shall be solicited in the name of the
44 chapter without authorization of the Executive Board. All funds collected (together with
45 an accounting of source) shall be delivered to the Chapter Treasurer within five working
46 days of receipt, for deposit in the chapter's account.
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ARTICLE IV
OFFICERS & EXECUTIVE BOARD / ELECTION PROCEDURES

Section 1. Officers: The following officers shall be elected by and from among the total Active membership of the chapter, regardless of the location of their employment: President, Vice President, Secretary, Treasurer, Public Relations Officer, Chief Job Steward.

Section 2. Executive Board: The elected officers designated in Section 1, plus the Immediate Past President, shall constitute the Executive Board of this chapter. To be eligible, the Past President must have completed at least one full term in office as Chapter President.

Section 3. Eligibility to Hold Office: Officers shall be elected from among the Active members in good standing of the chapter who have maintained such membership continuously for a period of 12 consecutive calendar months immediately preceding the month in which they are nominated.

(a) Nominees for elected office shall be Active members of the chapter in good standing at the time of nomination and can only accept nomination for one Executive Board office.

Section 4. Nominating and Election Procedures:

(a) Nominations to fill the elective offices listed in Section 1 shall be accepted annually.

(b) Nominations for these offices shall be accepted from the floor at the October and November chapter meetings.

(c) If, after nominations are closed at the November chapter meeting there is only one nomination for an office, the single nominee shall be declared elected to the office, and no balloting or other action shall be required. The Chapter President shall so notify the membership in writing as soon thereafter as possible.

(d) When there is more than one nominee for an office, a secret ballot election shall be conducted in the month of December, on the day scheduled for the chapter meeting. Balloting shall be conducted at such times and at campus site locations as determined by the Chapter President. Hours for balloting shall be set so that polls will close prior to the start of the chapter meeting.

(e) Every member shall be notified, at least five working days in advance of the date set for balloting, of the exact location of their balloting site, the specific date and time (hours) during which balloting will take place, and the candidates and offices which will appear on the ballot. At least two election tellers will be present at each balloting site to verify voter eligibility and secure the balloting process.

1 (f) Immediately following the appointed hour for close of polls, the election
2 tellers shall deliver the ballot boxes, sign-in sheets and related materials to a pre-
3 determined location where the tally will then take place.
4

5 (g) All procedural matters relating to the site balloting process and tally shall
6 be conducted in accordance with Association Policy 618 and *Robert's Rules of Order*.
7 All candidates shall be permitted to appoint an observer at each site to observe the
8 balloting procedures, and each candidate or his/her representative shall be permitted to
9 observe the ballot tally.
10

11 (h) It shall require a plurality vote to elect an officer. Write-in votes shall not
12 be accepted. The official ballot tally shall be provided in writing to all candidates within
13 five working days, and shall be announced at the December chapter meeting, where the
14 presiding officer shall officially declare the winning candidates or announce such other
15 action as may be necessary.
16

17 (i) All ballots, including used, unused, invalid and challenged ballots, sign-in
18 sheets, tally sheets and related election documents, including notices of nomination and
19 election, shall be retained by the Chapter Secretary for one year, or until any and all
20 challenges to the election or charges of misconduct in running the election have been
21 resolved, whichever is the longer period.
22

23 **Section 5. Terms of Office:** Elected officers shall take office and assume
24 their duties on the January 1 following their election and shall continue to serve for
25 one year or until their successors are elected, provided that any officer shall
26 automatically forfeit such office if they cease to be an Active member in good standing.
27

28 **Section 6. Vacancies:**

29 (a) A vacancy in the office of President shall be filled by the Vice President.
30
31

32 (b) For vacancies in any other elected office, the Executive Board shall submit
33 its recommendation to fill the office in writing to the chapter membership at least five
34 working days in advance of a designated chapter meeting. Nominations from the floor
35 shall also be accepted at said meeting. If there are no nominations from the floor, the
36 Executive Board's candidate shall be declared elected. If nominations from the floor are
37 made, a secret ballot election shall be conducted among the Active members in good
38 standing present.
39
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41 **ARTICLE V**
42 **AUTHORITY OF EXECUTIVE BOARD / DUTIES OF OFFICERS**
43

44 **Section 1. Executive Board:** The Executive Board shall have general
45 supervision of the affairs of the chapter between the general membership meetings. It
46 shall transact the routine business of the chapter as authorized and required herein,
47 prioritize and determine recommendations on matters requiring discussion and action
48 by the general membership, and perform such other duties as are specified in this

1 constitution. The Board shall be subject to the orders of the chapter membership, and
2 none of its actions shall conflict with actions taken by the chapter membership.
3

4 A report on all actions taken by the Executive Board shall be made to the
5 membership at the next regular or special chapter meeting, with such actions subject to
6 membership ratification if appropriate.
7

8 Minutes of chapter and Executive Board meetings shall be kept on file for at least
9 five years. Chapter financial records shall be kept on file for at least five years.
10

11 The Executive Board shall meet at the call of the President or at such times and
12 places designated by it; the President shall call a special meeting upon the written
13 request of a majority of the Board.
14

15 A majority of the members of the Executive Board shall constitute a quorum.
16

17 **Section 2. Duties of Officers, General:** Upon separation from office, an
18 officer shall immediately turn over to his/her successor or other properly designated
19 CSEA official all books, records, money and other effects of the chapter in his/her
20 possession.
21

22 **Section 3. President:** The President shall:
23

24 (a) Be chairperson of the Executive Board, call and preside over all meetings
25 of the chapter and Executive Board at which s/he is in attendance.
26

27 (b) Fix the time and place of meetings except as otherwise directed by the
28 membership.
29

30 (c) Set the agenda for chapter meetings, as noted in Article VI.
31

32 (d) Appoint and direct the activities of the various committees, standing or
33 special, required by this constitution or established by the Executive Board, or as may
34 be ordered by vote of the membership, except as otherwise provided herein.
35

36 (e) Attend all regional presidents' meetings (RPMs) and such other meetings
37 as required by the Association or direction of the chapter, and report back to the
38 Executive Board and chapter membership at the next chapter meeting, with
39 recommendations for chapter action or as otherwise required.
40

41 (f) Perform such other duties as normally pertain to the office of President or
42 ordered by this constitution.
43

44 **Section 4. Vice President:** The Vice President shall:
45

46 (a) In the absence or disability of the President, possess all of the powers and
47 perform all of the duties in his/her stead.
48

1 (b) At all times assist the President in the performance of his/her duties.

2
3 (c) Assume the office of President if a vacancy occurs.

4
5 (d) Serve as Chairperson of the Membership Committee.

6
7 (e) Coordinate and direct the activities of the Site Representatives.

8
9 (f) In coordination with the Chief Job Steward, call and conduct periodic
10 meetings between the Site Representatives and Job Stewards to ensure an appropriate
11 level of communication and coordination between these two programs.

12
13 (g) Coordinate the activities of the standing committees.

14
15 (h) Perform such other duties as may be assigned by the President/Executive
16 Board or ordered by this constitution.

17
18 **Section 5. Secretary:** The Secretary shall:

19
20 (a) Keep an accurate record of all proceedings of chapter and Executive
21 Board meetings, including an accurate roll of members and officers in attendance at
22 each.

23
24 (b) Keep an accurate roster of the officers of the chapter and see that such
25 information is forwarded to the Association as required.

26
27 (c) Issue notices of all meetings of the Executive Board and chapter
28 meetings, which shall include notice of matters for discussion at same.

29
30 (d) Notify members of all committees of their appointment/election.

31
32 (e) Have custody of all correspondence, official documents and historical
33 records of the chapter, which shall be open at all times for the inspection of the
34 President or his/her agent and members of the Executive Board.

35
36 (f) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the
37 Association and the constitution of this chapter and see that copies of same are
38 available for reference at all Executive Board and chapter meetings, and available for
39 inspection by the general membership upon request.

40
41 (g) Perform such other duties as normally pertain to the office of Secretary or
42 as may be assigned by the President/Executive Board or ordered by this constitution.

43
44 **Section 6. Treasurer:** The Treasurer shall:

45
46 (a) Receive all funds of the chapter and keep and disburse same under the
47 direction of the President and as required by the Constitution & Bylaws of the
48 Association and this chapter.

1
2 (b) Keep or cause to be kept regular books and full accounts which shall be
3 open at all times to inspection of the President or his/her agent and the Auditing
4 Committee.

5
6 (c) Provide access to all records, vouchers and statements to the Auditing
7 Committee for annual inspection at the close of each fiscal year.

8
9 (d) Report at each meeting of the chapter as to the financial condition of the
10 treasury with a detailed statement of receipts and expenditures and accounts payable,
11 to include per capita dues/fees paid and owed to the Association if any.

12
13 (e) Prepare the annual PERB financial report to include the last day of the
14 fiscal year, and immediately submit same to the President for review and forwarding to
15 the Association, and the membership.

16
17 (f) Promptly process and forward membership applications and dues
18 payments to CSEA Headquarters and payroll deduction authorizations to proper district
19 office for processing.

20
21 (g) Maintain an accurate record of members in good standing, and prepare
22 such monthly reports and remittances as may be required by the Association and
23 promptly forward to CSEA Headquarters within thirty days of request.

24
25 (h) Assist in preparation of the chapter budget.

26
27 (i) Upon leaving office, sign such bank signature cards or other documents
28 necessary for the transfer of all chapter accounts to the new Treasurer.

29
30 (j) Perform such other duties as normally pertain to the office of Treasurer or
31 as may be assigned by the President/Executive Board or ordered by this constitution.

32
33 **Section 7. Public Relations Officer:** The Public Relations Officer shall:

34
35 (a) Edit and distribute a newsletter or similar publication as may be authorized
36 by the Executive Board and the chapter membership.

37
38 (b) Write articles of interest pertaining to chapter affairs for local newspapers
39 and official publications of the Association.

40
41 (c) Perform such other duties as normally pertain to the Public Relations
42 Officer or as may be assigned by the President/Executive Board or ordered by this
43 constitution.

44
45 **Section 8. Chief Job Steward:** The Chief Job Steward shall:

46
47 (a) Ensure that the job steward program of the chapter functions according to
48 the requirements set forth in this constitution, and maintain the necessary records on

1 matters of contract enforcement to permit the chapter to effectively represent bargaining
2 unit employees.

3
4 (b) Process all grievances not settled at the immediate-supervisory level,
5 unless CSEA staff assistance is required.

6
7 (c) Serve as Chairperson of the Grievance Committee, and keep the
8 Executive Board informed on all grievance activity.

9
10 (d) In coordination with the Vice President, call and conduct periodic meetings
11 between the site representatives and job stewards to ensure an appropriate level of
12 communication and coordination between these two programs.

13
14 **Section 9. Immediate Past President:** The Immediate Past President shall
15 be a member of the Executive Board and perform such duties as may be assigned by
16 the President and/or the Executive Board.

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19 **ARTICLE VI**
20 **MEETINGS**

21
22 **Section 1.** Regular business meetings of this chapter shall be held during the
23 months of September through June, inclusive. The schedule of such meetings shall be
24 established in January of each year for the succeeding 12 month period and shall be
25 provided to the membership.

26
27 **Section 2.** Special meetings of the chapter may be called by the Chapter
28 President as deemed necessary, or shall be called by a vote of 2/3 of the Executive
29 Board or upon petition to the President of 20% of the chapter membership.

30
31 **Section 3. Meeting Notices:**

32
33 (a) **Regular Meetings.** Unless otherwise specified herein, a meeting notice
34 shall precede all chapter meetings at least five days in advance to allow members a
35 reasonable opportunity to attend. Said notice shall include a summary of the business
36 to be acted upon, and the time, date and place of the meeting.

37
38 (b) **Special Meetings.** Notice for special meetings shall include the specific
39 topic(s) for discussion/action at said meeting, and unless otherwise required herein, a
40 notice of less than five days, but not less than 24 hours in advance, may be given in an
41 emergency situation.

42
43 **Section 4.** Unless otherwise ordered by 2/3 vote of the members present, the
44 order of business at regular chapter meetings shall be:

- 45
46 (1) Pledge of Allegiance to the Flag
47 (2) Approval of minutes of the previous meeting
48 (3) Communications

- 1 (4) Report of Executive Board actions
- 2 (5) Treasurer's report
- 3 (6) Committee reports
- 4 (a) Report of the Membership Committee/Recognition of New
- 5 Members
- 6 (b) Report of the Negotiating Committee
- 7 (c) Job Steward/Site Representative reports
- 8 (d) Other committees as required
- 9 (7) Unfinished business
- 10 (8) New business
- 11 (9) Good of the Order
- 12 (10) Adjournment

13
14 **Section 5. Quorum for Meetings:** It shall require at least ten (10) members
15 in good standing in attendance at any Chapter meeting for business to be conducted.
16

17 18 **ARTICLE VII** 19 **CONTROL OF FUNDS / BUDGET**

20
21 **Section 1.** All funds received shall be deposited in the name of Hartnell
22 Chapter No. 470, CSEA, in such bank or other financial institution as approved by the
23 Executive Board. No funds shall be disbursed except by check, duly authorized and
24 signed by the Treasurer and the President. In the event of absence of, inability to act
25 by, or vacancy in the office of Treasurer, funds shall only be disbursed upon signature
26 of the President and one of the following: Vice President, Secretary.
27

28 **Section 2.** The Executive Board shall prepare an annual budget for approval
29 of the chapter membership no later than January of each year, which shall contain
30 itemized estimated receipts and expenditures, and amounts to be set aside as a reserve
31 fund, if any. The approved budget shall then regulate the expenditures of the chapter,
32 except that the Treasurer shall submit any single expenditure in excess of \$100 to the
33 Executive Board for prior approval. Any expenditures in excess of those approved in
34 the budget must have prior approval of the chapter membership.
35

36 37 **ARTICLE VIII** 38 **COMMITTEES**

39
40 **Section 1. Standing Committees:** The following shall be the standing
41 committees of the Chapter: Auditing, Elections, Grievance, Membership, Negotiating,
42 Political Action. Unless otherwise specified herein, the President shall, as soon as
43 possible after January 1 of each year, appoint the chairpersons and members of the
44 standing committees, which appointment shall be subject to the ratification of the
45 Executive Board. The President shall determine the number of members to be
46 appointed to each, except as otherwise provided herein.
47

1 **Section 2. Ad Hoc Committees:** Such other committees as the President or
2 the chapter membership may deem necessary to perform a specified task for the
3 welfare of the chapter may be appointed. The President shall determine the
4 composition of such committees and the timelines for completion of their assigned
5 duties. Such ad hoc committees shall cease to function upon completion of their
6 specified task.

7
8 **Section 3.** The Vice President shall act as coordinator of all appointed
9 committees, and shall be Chairperson of the Membership Committee. The Chief Job
10 Steward shall be Chairperson of the Grievance Committee.

11
12 **Section 4.** The President shall be, ex-officio, a member of all committees,
13 except the Auditing and Elections Committees.

14
15 **Section 5. Quorum:** A majority of the members of any committee must be
16 present at any meeting to constitute a quorum.

17
18 **Section 6. Terms:** Unless otherwise provided herein, the term of office for all
19 committees shall be from January 1 until the end of the chapter and fiscal year or until
20 their successors are appointed, provided that any committee member shall
21 automatically forfeit the office if they cease to be an Active member in good standing.

22
23 **Section 7. Negotiating Committee (Team):**

24
25 (a) The Negotiating Committee shall consist of the Chapter President or
26 his/her designee as Chairperson, plus three (3) representatives from the membership at
27 large.

28
29 (b) The committee members shall be elected by and from among the
30 members in good standing. The Chapter President shall set the time, date and place of
31 such election meeting, which shall be no later than December of the designated election
32 year. The Chapter President shall preside at said election meeting, at which
33 nominations will be taken and a secret ballot vote shall be conducted. All procedural
34 matters relating to this election, including timelines for notice to the affected members,
35 shall be in accordance with Association Policy 618.

36
37 (c) Term of office for the elected members shall commence upon their
38 election and continue for one (1) year or until their successors are elected. In the event
39 negotiations for any year are still in progress at the time of committee election, the
40 designated Negotiating Committee/Team shall remain in place until negotiations have
41 been completed and the contract ratified.

42
43 (d) Vacancies shall be filled by special election for the remainder of the
44 original term only.

45
46
47
48

1 (e) **Duties:** It shall be the duty of the Negotiating Committee to:

2
3 (1) Research issues and prepare and submit initial bargaining
4 proposals (including proposals on reopeners) for review and approval of members in
5 good standing of the bargaining unit(s) prior to commencement of negotiations.

6
7 (2) Negotiate the contract (including reopeners and modifications) for
8 and on behalf of the chapter with assistance from CSEA field staff.

9
10 (3) Keep the Executive Board and the membership informed on the
11 progress of negotiations and solicit membership input where advisable.

12
13 (4) Ensure that all bargained agreements are submitted for ratification
14 of the bargaining unit(s) in accordance with Article XIII of this constitution.

15
16 **Section 8. Auditing Committee:** It shall be the duty of this committee to
17 receive and audit the books and records of the Treasurer immediately after the close of
18 each fiscal year, and at such other times as may be directed by the President, and
19 report its findings to the chapter membership.

20
21 **Section 9. Elections Committee:** It shall be the duty of this committee to
22 supervise and assist in the preparation, distribution, and counting of the ballots in **all**
23 elections (including contract ratifications) within the chapter, and certify the results to the
24 Chapter President. In addition, the committee shall ensure that election procedures are
25 in accordance with applicable provisions of the Association's Constitution & Bylaws and
26 Policy, and this constitution.

27
28 **Section 10. Grievance Committee:**

29
30 (a) It shall be the duty of the Grievance Committee to supervise and assist the
31 operation of the Chapter's Job Steward program. The committee shall ensure that all
32 grievances are handled properly in their investigation and filing and consistent in their
33 resolution.

34
35 (b) The committee shall be empowered to review proposed settlements of
36 grievances undertaken by individual members of the bargaining unit (i.e., without
37 representation of a Job Steward or CSEA staff) to ensure they are resolved consistent
38 with provisions of the collective bargaining agreement.

39
40 (c) The committee shall review all grievances going beyond the immediate
41 supervisory level to determine whether CSEA staff assistance should be obtained. If
42 staff assistance is required, the President shall be so notified.

43
44 (d) The committee shall review all grievances being considered for arbitration
45 and recommend to the Executive Board whether each particular case should be
46 arbitrated.

47

1 **Section 11. Membership Committee:** It shall be the duty of this committee to
2 strive for 100% CSEA membership within the represented bargaining unit(s), and to
3 prepare and execute a program designed to secure new members and stimulate
4 membership attendance at chapter meetings on an ongoing basis.

5
6 **Section 12. Political Action Committee:** It shall be the duty of this committee
7 to:

8
9 (a) Develop and implement a chapter alert system designed for emergency
10 contact of the membership when immediate chapter action is necessary on contract
11 matters, legislative and political issues, and other items of importance to the Association
12 and chapter.

13
14 (b) Keep the members informed about the legislative program of the
15 Association, and may recommend to the chapter membership legislative proposals it
16 deems desirable for submission to the Association's Legislative Committee for
17 consideration and inclusion in the Association's legislative program.

18
19 (c) Work cooperatively with the Political Action Coordinator (PAC),
20 appropriate staff and PACE and Legislative Committee area representatives in
21 furtherance of the Association's legislative and political goals, rendering regular reports
22 at chapter meetings regarding the same and recommending any chapter support or
23 activity it considers appropriate.

24
25 (d) Encourage all members to financially support PACE of CSEA and the
26 Victory Club, and educate the membership regarding the necessity for active
27 participation in the political process in accordance with Association and chapter goals.

28
29 (e) Make recommendations to the chapter membership regarding
30 endorsement of candidates for school board, in accordance with the following
31 procedures:

32
33 (1) The committee shall conduct a pre-screening of candidates to be
34 recommended for endorsement, through direct interviews or questionnaires sent to the
35 candidates. Following the pre-screening process, the committee shall present its
36 recommendations for endorsement at a designated chapter meeting for action by the
37 chapter membership. A majority vote shall be required for endorsement.

38
39 (2) Whenever possible, the committee shall arrange for a candidates'
40 forum to provide chapter members an opportunity to hear and question the candidates
41 on relevant issues prior to hearing the committee's recommendation and the
42 endorsement vote being taken.

43
44 (f) The committee shall determine the amount of financial support, if any, to
45 be requested from PACE of CSEA, and shall submit said request to PACE of CSEA on
46 such forms as may be required.

1 (g) The committee shall solicit volunteer activity by the chapter membership
2 on behalf of endorsed candidates, and shall be responsible for coordinating and
3 directing such member activities.
4

5
6 **ARTICLE IX**
7 **JOB STEWARDS**
8

9 **Section 1. Election:** Job Stewards shall be elected to serve each school.
10 The Chapter President shall determine the number of stewards to be elected for each
11 area of representation.
12

13 (a) No later than December of the designated election year, the members in
14 good standing employed in each of the service areas designated above shall meet and
15 elect from among themselves their job steward(s). The Chapter President shall set the
16 time, date and place of such election meetings. The Chapter President shall preside at
17 said election meetings, at which nominations will be taken and a secret ballot vote shall
18 be conducted. All procedural matters relating to these elections, including timelines for
19 notice to the affected members, shall be in accordance with Association Policy 618.
20

21 **Section 2. Term of Office:** Term of office for job stewards shall be from the
22 January 1 following their election to the end of the chapter and fiscal year, or until their
23 successors are elected, provided that any job steward shall automatically forfeit such
24 office if they cease to be an Active member in good standing employed within the
25 designated service area. Vacancies shall be filled by appointment of the President,
26 ratified by the Executive Board, from among the qualified members in good standing
27 employed within the affected service area, for the remainder of the original term only.
28

29 **Section 3. Duties.** The Job Steward(s) shall:
30

31 (a) Attend annual training sessions for Job Stewards provided by the
32 Association and/or other appropriate training as directed by the President.
33

34 (b) Attend periodic Site Representative/site council meetings as directed by
35 the Chief Job Steward.
36

37 (c) Educate bargaining unit employees about their rights under the contract
38 and determine how problems arising under the contract can best be handled.
39

40 (d) Act as the basic channel of communication between the employees and
41 the chapter and relay specific member concerns to the chapter's Negotiating Committee
42 for incorporation into the bargaining proposals.
43

44 (e) Investigate and prepare grievances for processing and handle grievances
45 at the immediate-supervisory level, and be present as required during other steps of the
46 grievance procedure.
47

1 (f) Immediately inform the Chief Job Steward of all grievances received;
2 immediately report to the Chief Job Steward the settlement of grievances processed or
3 the failure to settle within contractual timelines.

4
5 (g) **Preserve the confidentiality** of personal grievances, resolve differences
6 among the membership in grievance handling; maintain a file on all grievances handled
7 which shall be turned over to the Chief Job Steward upon completion.

8
9
10 **ARTICLE X**
11 **SITE REPRESENTATIVES**

12
13 **Section 1.** Site Representatives to serve each work site shall be appointed by
14 the President and ratified by the Executive Board.

15
16 **Section 2.** Site Representative duties shall be to:

17
18 (a) Recruit employees into CSEA membership and educate employees about
19 CSEA.

20
21 (b) Distribute chapter newsletter, bulletins, and other CSEA information at the
22 work site; keep CSEA bulletin boards up-to-date and clear of non-CSEA material.

23
24 (c) Conduct periodic site-level meetings to keep the members informed of
25 actions taken at chapter meetings, to explain CSEA benefit plans and services, and to
26 keep members informed of Association and/or chapter activity regarding grievances,
27 PERB decisions, contract negotiations, legislative and political activity, and other
28 matters of importance.

29
30 (d) Relay member concerns to the appropriate Job Steward or other chapter
31 officer.

32
33 (e) Attend chapter meetings; attend training workshops and other seminars as
34 directed and approved by the Chapter President; attend joint Job Steward/Site
35 Representative (site council) meetings as may be called by the Chief Job Steward
36 and/or the Vice President.

37
38
39 **ARTICLE XI**
40 **RECALL OR REMOVAL FROM OFFICE**

41
42 **Section 1. Recall of Elected Offices**

43
44 (a) Any member of the Executive Board, Negotiating Committee and
45 conference delegates and alternates, may be recalled from office upon a 2/3 secret
46 ballot vote of Active members of the chapter in good standing present and voting at a
47 meeting called for the purpose of a recall action. Job Stewards may be recalled from
48 office by a 2/3 secret ballot vote of the Active members in good standing of the school

1 from which the position was originally elected who are present and voting at a
2 designated meeting.

3
4 (b) Recall may be initiated by a petition of 2/3 of the Executive Board or 30%
5 of the members in good standing eligible to vote on the individual being recalled. The
6 petition shall state the specific reasons in support of the recall, and the petition shall be
7 presented to the Executive Board and to the individual.

8
9 (c) Upon receipt of the petition, the Executive Board shall arrange for a
10 special meeting to be held not less than 15 days nor more than 30 days following its
11 receipt, at which the charged person shall be afforded opportunity to rebut the charges,
12 including presentation and cross-examination of witnesses as may be appropriate, and
13 the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted
14 to members of the Executive Board and members of the chapter in good standing who
15 are eligible to vote on the particular recall action, authorized representatives of the
16 Association, and such witnesses as may be pertinent to the action. Notice specifying
17 time, date, and place and the specific nature/purpose of the meeting shall be issued to
18 those eligible for attendance at least ten days in advance.

19
20 **Section 2. Removal of Appointed Offices**

21
22 (a) Any appointee of the President/Executive Board may be removed from
23 office by a 2/3 vote of the Executive Board, a quorum being present, provided such
24 person shall be provided at least five days advance notice of the reasons for removal
25 and the time, date and place where the Board will meet to vote on the matter. At said
26 meeting the member shall be afforded an opportunity to provide rebuttal argument prior
27 to the vote being taken.

28
29 (b) Any appointed committee chairperson or member failing to attend three
30 consecutive committee meetings, unless excused for cause, shall be automatically
31 removed from the committee.

32
33
34 **ARTICLE XII**
35 **DELEGATES TO CONFERENCE**

36
37 **Section 1. Delegates:** Voting delegates to an annual conference of the
38 Association (and their alternates) shall be designated from among the Active members
39 in good standing as follows:

40
41 (a) The Chapter President.

42
43 (b) Additional delegates in such number as may be authorized by the chapter
44 for attendance, but not to exceed the total number authorized by the Bylaws of the
45 Association, shall be elected as provided in Section 2 below.

46
47
48

1 **Section 3. Negotiated Agreement:**
2

3 (a) When the Negotiating Committee has negotiated a contract, tentative
4 agreement, or modifications to an existing contract, it shall immediately submit one copy
5 to the CSEA labor relations representative assigned to service the chapter, for review
6 by the Association prior to membership ratification.
7

8 (1) All contract modifications shall be submitted to the labor relations
9 representative for review by the Association. However, membership ratification shall
10 not be required for those items listed as exceptions to the definition of "modifications"
11 within the provisions of Association Policy 610, unless they are included as part of
12 contract re-opener negotiations.
13

14 **Section 4. Ratification Procedures:**
15

16 (a) A copy of the tentative agreement or a summary of the tentative
17 agreement, and a statement as to whether the Negotiating Committee is recommending
18 ratification or rejection of the agreement, shall be provided each CSEA member of the
19 bargaining unit(s) prior to the "contract information" meetings noted below. If a
20 summary only is provided, copies of the tentative agreement containing the exact
21 language of the proposal shall be available for review at said meeting(s).
22

23 (b) The Chapter President shall set the date, time and place for one or more
24 "contract information" meetings, which shall be open to attendance by all employees
25 within the bargaining unit(s), whether or not they are CSEA members.
26

27 (c) Notice of the "contract information" meeting(s) shall be issued to all
28 bargaining unit employees no later than five working days in advance of the scheduled
29 date. Distribution of said meeting notice(s) shall be at the discretion of the Chapter
30 President, utilizing any of the following methods, which it determines to be most
31 efficient:

- 32 (1) To individual bargaining unit employees utilizing the U.S. mail or
33 the employer's mail system;
34 (2) Distribution by site representatives or others;
35 (3) Posting in prominent locations at each work site.
36

37 **Exception to the above:** The Association's Executive Director, or designee,
38 may approve a notice period of less than five working days upon request of the Chapter
39 President, if it is deemed an expedited ratification is advisable.
40

41 **(d) Conduct of Informational Meeting(s):**
42

43 (1) The Negotiating Committee shall review the provisions of the
44 tentative agreement and indicate its recommendations for ratification or rejection and
45 reasons therefore.
46

1 (2) If the Association recommends rejection of the tentative agreement,
2 an Association representative shall be in attendance at the meeting and shall be
3 provided ample opportunity to outline the recommendation for rejection and the reasons
4 therefore.

5 (3) Adequate opportunity for discussion, debate, and answering of
6 questions shall be provided. Non-CSEA members of the bargaining unit(s) in
7 attendance shall be granted the right to participate in the discussion and debate. **They**
8 **shall not, however, have the right to make motions or vote.**

9
10 (e) **Ratification Vote:**

11
12 (1) The ratification vote shall be conducted by secret ballot at
13 designated voting sites. The location and number of voting sites and the date and times
14 for conducting the balloting shall be as determined by the Chapter President, except
15 that the balloting shall not be earlier than the day following the informational meeting(s).

16
17 (2) Only Active CSEA members in good standing employed within the
18 bargaining unit(s) shall be entitled to vote. Members shall be notified of the date,
19 time(s) and location where the balloting will be conducted for their designated site.
20 Such notice shall be issued at least five working days in advance unless an exception is
21 granted by the Association's Executive Director under provisions of Policy 610.

22
23 (3) The balloting process and vote tally shall be conducted in
24 accordance with procedures proscribed by Association Policy 610. It shall require a
25 majority vote to ratify.

26
27 (4) The results of the balloting shall be provided to the membership no
28 later than five days following the vote tally, and shall be announced at the next following
29 chapter meeting.

30
31 **Section 5. Executed Agreement:** Every collective bargaining agreement
32 shall be executed by both the Association and appropriate representatives of this
33 chapter. No contract shall be valid which has not been ratified by the chapter
34 membership.

35
36
37 **ARTICLE XIV**
38 **CONCERTED ACTIVITIES**
39

40 **Section 1.** No concerted withholding of service shall be instituted by this
41 chapter unless such concerted action has been approved at a regular or special
42 membership meeting, advance notice having been given, by secret ballot vote of not
43 less than 65% of the Active members in good standing present and voting; and approval
44 for such concerted activity has been granted by the Association's Board of Directors.

45
46 **Section 2.** If the dispute relates to contract negotiations, no concerted
47 withholding of service shall be instituted unless the last offer of the employer has been

1 submitted to the chapter membership in accordance with Article XIII of this constitution
2 and has been rejected, and the requirements of Section 1 above shall have been met.
3

4
5 **ARTICLE XV**
6 **AMENDMENTS TO CONSTITUTION**
7

8 **Section 1.** This Constitution shall at all times conform to all provisions of the
9 Association Constitution & Bylaws and Policy, and where any conflict should occur, the
10 Association Constitution & Bylaws and/or Policy shall prevail.
11

12 **Section 2.** Any member in good standing of the chapter (or the Executive
13 Board) may submit a written proposal to amend this constitution (containing the exact
14 text of the proposed change) at any chapter meeting, which shall constitute a first
15 reading. The Chapter President shall then cause the proposed amendment(s) to be
16 placed on the agenda of the next regular or a special chapter meeting where the matter
17 will be read a second time and acted upon, and shall cause written notification of the
18 proposed amendment(s) and the date, time, and place of the designated chapter
19 meeting to be issued to all members in good standing at least ten days in advance of
20 said meeting. Said notification shall include at least a written summary of the proposed
21 changes. The exact text of the proposed changes shall be made available for review by
22 members upon request prior to the second reading if not provided with said notification,
23 and shall be distributed to all members in attendance at the second reading.
24

25 **Section 3.** Approval by 2/3 of the Active members in good standing present
26 and voting at the second reading shall be required to adopt the amendment(s). If the
27 amendment relates to a revision of chapter dues, the vote shall be conducted by secret
28 ballot.
29

30 **Section 4.** All amendments shall be submitted to the Association's Executive
31 Director immediately following their adoption by the chapter. **No amendment shall**
32 **become operative until approved by the Executive Director, or designee, or action**
33 **of the Association's Board of Directors in accordance with Article III, Section 8 of**
34 **the Association's Constitution.**
35

36
37 **ARTICLE XVI**
38 **DISBANDMENT OF CHAPTER**
39

40 **Section 1.** Should the chapter disband for any reason, all financial accounts
41 shall be transferred to the control of the Association, and a final audit of the financial
42 books and records of the chapter shall be made in conjunction with the Association's
43 Financial Analyst/Auditor. Upon conclusion and certification of such audit, final
44 distribution of funds shall be as follows:
45

- 46 (a) All outstanding obligations of the chapter shall be promptly paid.
47

1 (b) All funds due and owing the Association shall be promptly remitted to the
2 Association's general fund.

3
4 (c) Funds then remaining shall then be distributed for purposes as
5 appropriate and authorized in accordance with provisions contained in Association
6 Policy 612.

7
8
9 **ARTICLE XVII**
10 **PARLIAMENTARY AUTHORITY**

11
12 The rules contained in the current edition of *Robert's Rules of Order, Newly*
13 *Revised* shall govern the chapter in all cases in which they are not inconsistent with this
14 constitution, the Constitution & Bylaws or Policy of the Association, and any special
15 rules the chapter may adopt.

16
17
18 **ARTICLE XVIII**
19 **FISCAL YEAR**

20
21 The fiscal year of this chapter shall extend from January 1 through December 31,
22 inclusive.

23
24
25 **ARTICLE XIX**
26 **CHAPTER PRE-RETIREMENT RESOURCE PERSON**

27
28 **Section 1.** A Chapter Pre-Retirement Resource Person shall be appointed by
29 the President and ratified by the Executive Board.

30
31 **Section 2.** His/her duties shall be to:

32
33 (a) Direct chapter members to the right sources so they receive the best
34 retirement information available.

35
36 (b) Attend chapter meetings and training workshops/seminars as directed and
37 approved by the Chapter President.