



# ***EMPLOYEES ASSOCIATION***

# ***BYLAWS***



The **Labor** Behind Your **Water**



*Revised/Ratified June 23, 2015*

*2015 Bylaws Committee:*

Gina Adriano

Manuel Florez

Michele Keefhaver

Yolanda Perez

Christina Pilson

Liz Bettencourt

# *Table of Contents*

---

|   |    |
|---|----|
| Frequently Used Terms .....   | 4  |
| Article 1 – Name .....  | 6  |
| Article 2 – Objective .....   | 6  |
| Article 3 – Jurisdiction .....                                      | 6  |
| Article 4 – Membership .....  | 6  |
| Article 5 – Structure .....   | 7  |
| Article 6 – General Membership Meetings .....                       | 8  |
| Article 7 – Executive Board .....                                   | 9  |
| Article 8 – Stewards and Stewards Council .....                     | 10 |
| Article 9 – Officers .....  | 10 |
| Article 10 – Member Organizers.....                                 | 12 |
| Article 11 – Negotiations .....                                     | 13 |
| Article 12 – Candidacy and Elections .....                          | 14 |
| Article 13 – Standing Committees .....                              | 15 |
| Article 14 – Revenues and Properties .....                          | 16 |
| Article 15 – Non-profit Status .....                                | 17 |
| Article 16 – Amendments and Contravention .....                     | 17 |
| Article 17 – Parliamentary Procedure .....                          | 17 |
| <br>  |    |
| Appendix A – Parliamentary Procedure At-a-Glance .....              | 18 |
| Appendix B – History of Employee Association Bylaws Revisions ..... | 19 |

## *Frequently Used Terms*

---

### **Agency Fee Payer/Union Member**

1. An agency fee payer is an employee who chooses to pay an agency fee to the Union instead of becoming a union member.
2. A Union Member is an employee who has applied for membership and pays the prescribed dues.

### **Agency Shop**

A union security clause which provides that an employee in the bargaining unit who declines membership in the union must pay a service fee to the union equal to union dues. This fee covers the costs of the collective bargaining process and the administration of the collective bargaining agreement.

### **Bargaining Unit**

A group of employees having a clear and identifiable community of interest. Once established, this group is entitled to select a single representative for collective bargaining and representation in matters with the employer.

### **Broadest Possible Representation**

Indicates representation which crosses the diversity of our Membership, including but not limited to, classification, geographic location, and shift.

### **Business Agent**

A full-time, paid representative of a council of one or more local unions. Responsibilities may include negotiating contracts, administering existing contracts, handling grievances, and organizing.

### **Bylaws**

A set of rules established for the self-governance of a group or organization.

### **Candidate Statement**

A statement of intent to run for office, or of interest in appointment to a position within the Union; the statement shall include a list of qualifications for the office/position and any pertinent details in support of their own candidacy and as may be required by these Bylaws.

### **Delegates**

Delegates refer to those Employees Association (EA) members appointed to represent the EA Chapter at the Local 101 Executive Board.

### **Executive Board**

Comprised of the elected officers of the Chapter. The affairs of the Union shall be conducted through the authority vested in the Executive Board.

**Job/Class Family** – A number of classes or class series in the same broad occupational area that relate to a common compensation benchmark for purposes of: (1) salary adjustment; (2) external salary comparison; and (3) internal alignment. Example: Water Plant Operations Family (Family Code A04) is comprised of the following series: Water Plant Operator series, Systems Control Operator series, and Water Resources Technician series.

**Member Organizer**

Leader and activist members who work with the Member Organizing Committee (MOC) and the officers to promote strong membership involvement, two-way communication, and visibility of the union; plan and carry out worksite events and campaigns, working in conjunction with the MOC and the Executive Board.

**Negotiating Team**

The officers and/or members chosen to represent the Chapter in contract bargaining at the table.

**Steward**

The Steward is the face of the Union in the workplace; communicating, investigating and meeting with members and management on issues that arise.

**Tentative Agreement (TA)**

A tentative agreement is typically the final proposed contract, pending ratification by the Membership.

**Union**

An organization of workers who have joined together to achieve common goals including fair wages and better working conditions. The Employee's Association affiliated with the American Federation of State, County and Municipal Employees (AFSCME) in 1991. It was at this point that the Employee's Association became a Union.

# BYLAWS

## ARTICLE 1 - NAME

This organization shall be known as the Employees Association (EA), Santa Clara Valley Water District, hereinafter called the Union. The Union is a chapter of Local 101 of the American Federation of State, County, and Municipal Employees, hereinafter called AFSCME.

## ARTICLE 2 - OBJECTIVE

The objective of the Union shall be to improve the wages, hours, working conditions, and the health and safety of its members, promote their intellectual, social and economic welfare, and represent its Membership in disputes between its members and the Santa Clara Valley Water District, hereinafter called the District.

## ARTICLE 3 - JURISDICTION

The jurisdiction of the Union shall be all employees who are eligible for membership according to these Bylaws and the AFSCME international constitution, and who the District Board of Directors recognizes as being formally represented by the Union.

## ARTICLE 4 - MEMBERSHIP

### Section 1 – No Discrimination

There shall be no discrimination against any member, or applicant for membership, for reason of race, color, sex, creed, national origin, sexual orientation or age.

### Section 2 – Members in Good Standing

Members shall be those employees who have applied for membership and shall pay dues as prescribed by these Bylaws. Only Members in Good Standing shall be eligible to vote on matters of contract negotiations, strikes, and the adoption of bargaining demands and election of officers. A Member in Good Standing is any Member who has paid the current dues obligations.

### Section 3 – Agency Fee Payers

Employees who choose to pay an agency fee to the Union instead of becoming a Union Member are restricted and limited in the business of the Union. Such restrictions include, but are not limited to, ineligibility to run for office or to vote on issues put before the Membership, limited attendance at Membership meetings, and ineligibility to participate on any union committees.

### Section 4 – Application for Membership

Application for membership shall be made on an AFSCME Local 101 dues deduction form that can be obtained from the Director of Membership or the President.

### Section 5 – Authorization to Act

Every member, by virtue of membership in the Union, authorizes the Union to act as the exclusive bargaining representative with full and exclusive power to execute agreements with the District. Further, every member authorizes the Union to act for members and have final

authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of his or her employment with the District, in such manners as the Union determines.

### **Section 6 – Member Conduct**

Each Member shall adhere to the terms and conditions of applicable collective bargaining agreements and shall refrain from any conduct that would interfere with the performance by the Union of its legal or contractual obligations.

### **Section 7 – Open Window**

Members may resign from membership during the 20-day window from 90 days to 70 days prior to the expiration of the current Memorandum of Understanding (MOU) by submitting a request on Form FC 671, or the applicable form should the District revise FC 671. The form must be submitted to the Union’s Director of Membership and the District during the 20 day window if they no longer wish to be a Member. Resignation from membership will change the Member’s status to Agency Fee Payer. As an Agency Fee Payer, the prescribed agency fee, which is equal to dues, will be deducted. Pursuant to Section 3 of this Article, Agency Fee Payers rights are restricted.

### **Section 8 – AFSCME Member Code of Conduct**

Pursuant to Article X of the AFSCME International Constitution charges may be filed by any Member against another Member for actions taken while a member of the Union. The basis for filing charges, the procedure, the rights of the individual and the penalties are set forth in Article X of the AFSCME International Constitution.

## **ARTICLE 5 - STRUCTURE**

### **Section 1 – Structure**

The structure of this Union shall consist of the General Membership (Membership), an Executive Board, Steward Council, Member Organizers, Negotiating Team, and Standing Committees.

### **Section 2 – Final Authority**

The Membership (Members in Good Standing) is the final authority of the Union and is authorized to take lawful action, consistent with these Bylaws and to act on behalf of the Union at a General Membership meeting.

### **Section 3 – Executive Board Officers**

The Membership shall elect the Executive Board, consisting of the following:

- President
- Vice-President
- Director of Grievances (also the Chief Steward)
- Director of Membership
- Director of Benefits
- Director of Political Outreach and Legislation
- Secretary-Treasurer

#### **Section 4 – Affairs of the Union**

The affairs of the Union shall be conducted through the authority vested in the Executive Board. The Executive Board shall ensure that the policies and directives of the Membership are followed.

#### **Section 5 – Reporting**

The Executive Board shall report on all matters that, in its judgment, require consideration by the Union or which may have been committed to the Executive Board by the Membership.

### **ARTICLE 6 - GENERAL MEMBERSHIP MEETINGS**

#### **Section 1 – Meeting Frequency**

The Membership shall meet at least ten (10) times per calendar year at a regularly scheduled time and place published in advance to all Members. Special meetings may be called by the President, or upon written request of three members of the Board. Reasonable notice of all General Membership meetings shall be given except in the case of emergency.

#### **Section 2 – Membership Authority**

The Membership shall have the authority to ratify or reject its negotiated contract, to strike, and to elect its officers, all in accordance with the appropriate procedures set down in these Bylaws. The Membership shall have all the authority granted to it by these Bylaws including, but not limited to:

- A. Authorizing expenditure of Chapter funds
- B. Ratification of the MOU and any side letters of agreement
- C. Appointment of Election Committee members
- D. Ratification of Bylaws

#### **Section 3 – Quorum**

The quorum for all General Membership meetings shall be 20 Members in Good Standing. The Executive Board shall prepare an agenda for each meeting.

#### **Section 4 – Attendance**

All elected Officers, Stewards and Member Organizers shall make every effort to attend all Membership meetings. Any member of the Executive Board who cannot appear at a meeting shall notify the President or appointed agent, that the officer will be absent and state a bona fide reason for such absence. The President may excuse the member subject to the approval of the Executive Board. In the event any member of the Executive Board fails to attend three consecutive Membership meetings without approved excuse, the President may declare that member's seat vacant, subject to the approval of the Executive Board.

#### **Section 5 – Meeting Notification**

A schedule of General Membership meetings shall be published to all members at the beginning of each calendar year. The Membership will be notified of any changes to the schedule with reasonable advance notice. In addition, meeting notices shall be by email, posted on the website, or distributed no later than five (5) calendar days prior to the meeting date.



### **Section 6 – Recorded Minutes**

Minutes of all actions taken at regular and special General Membership meetings shall be kept and shall be posted on the website, with draft copies made available to all members within 20 calendar days of the date of the meeting at which they were taken.

## **ARTICLE 7 - EXECUTIVE BOARD**

### **Section 1 – Executive Board Structure**

The Executive Board shall consist of the President, the Vice President, the Director of Grievances (Chief Steward), the Director of Membership, the Director of Benefits, and the Director of Political Outreach and Legislation, and the Secretary-Treasurer, to be elected in accordance with Article 12 of these Bylaws.

### **Section 2 – Executive Board Authority**

The Executive Board shall have all the authority granted to it by these Bylaws including, but not limited to, the following:

- A. Authorizing expenditure of chapter funds up to \$500 per year;
- B. Initiation of policy subject to approval of the Membership at the General Membership meetings;
- C. Making decisions concerning the affairs of the Union and directed by the Membership by way of approved motions at Membership meetings;
- D. Establishing a negotiating team, for the purpose of negotiating the MOU, consisting of the President, a minimum of two additional members of the Executive Board, and an appropriate number of members, to accomplish the goals set forth by the Membership.

### **Section 3 – Business Agents**

The Executive Board shall have the authority to make recommendations to the Local 101 Board regarding selecting, evaluating, or reassigning the Business Agent assigned to the Association.

The Business Agent shall:

- A. Be an advisor to the Executive Board and Membership;
- B. Participate in contract negotiations with the employer, and at the discretion of the Executive Board, may be called upon to be the chief spokesperson;
- C. Assist the Chief Steward and Executive Board in developing and training Stewards and leaders;
- D. Assist the Chapter leadership in contract enforcement at all levels;
- E. Attend Executive Board meetings and General Membership meetings.

### **Section 4 – Tax Filing**

The Executive Board shall be responsible for ensuring that all tax forms are filed in a timely manner.

### **Section 5 – Executive Board Votes**

The President shall vote only in the case of a tie vote of the Board.

## **Section 6 – Interpretation of Bylaws**

The Executive Board shall be responsible for understanding and applying a consistent interpretation of these Bylaws for the Membership.

## **ARTICLE 8 - STEWARDS AND STEWARD COUNCIL**

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

Stewards shall be appointed by the Chief Steward with approval of the Executive Board. The duties of a Steward include, but may not be limited to, investigating and processing grievances, and representing Members in disciplinary actions.

### **Section 2 – Structure of the Steward Council**

The Steward Council shall consist of all Stewards and Assistant Chief Steward(s). The Chief Steward shall chair the Steward Council.

### **Section 3 – Assistant Chief Stewards**

The Assistant Chief Steward(s) is/are appointed by Chief Steward.

### **Section 4 – Duties of the Steward Council**

The Steward Council Shall:

- A. Shall serve as the ongoing supportive training body in the handling of grievances;
- B. Shall serve as an information channel between the Membership and the Executive Board;
- C. Shall meet as necessary, but no fewer than four (4) times per calendar year;
- D. Shall determine the number and location of steward representation areas throughout the District and shall make such structure known to the Membership at least once each calendar year. Every effort will be made to provide the broadest possible representation;
- E. A member has the right to request a change of steward. The Chief Steward has the sole authority to review the request and make the final decision to approve or deny such request.

## **ARTICLE 9 - OFFICERS**

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

The President shall:

- A. Be the presiding officer of the Union and shall preside over all Executive Board and all General Membership meetings;
- B. Ensure an agenda for all General Membership meetings and Executive Board meetings is developed by the Executive Board and provided to the affected Members in advance of meetings;
- C. Have general supervision of the affairs of the Union in accordance with these Bylaws;
- D. Appoint the chair, co-chair and members for all Standing Committees and special committees subject to the approval of the Executive Board;
- E. Serve as an ex-officio member of all committees;
- F. Give a full report of all activities at each regular Executive Board and Membership meetings;

- G. Communicate with the General Membership regularly in-between Membership meetings to keep Members updated on issues and other pertinent information;
- H. Represent the Union before boards, committees, departments, and other such official bodies as may be designated by the Executive Board;
- I. Strive to foster good working relationships with elected boards, management and sister unions within the organization.

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

The Vice President shall:

- A. Assume the duties of the President when the President is unable, for any reason, to perform those duties;
- B. Assist the President in the operation of all the affairs of the Union;
- C. Succeed the President if the President is unable to complete the term of office;
- D. Strive to foster good working relationships with elected boards, management and sister unions within the organization.

## **Section 3 – Duties of the Director of Grievances (Chief Steward)**

The Director of Grievances (Chief Steward) shall:

- A. Receive all complaints and grievances and work through the Stewards and Assistant Chief Stewards to seek appropriate resolutions;
- B. Preside over the meeting of the Steward Council and be responsible for their training;
- C. Shall appoint Stewards and Assistant Chief Stewards with approval of the Executive Board;
- D. Recommend to the Executive Board the removal of Stewards who have failed to fulfill their duties as Union Stewards;
- E. Report on the activities at each regular Executive Board and General Membership meeting.

## **Section 4 – Duties of the Director of Membership**

The Director of Membership shall:

- A. Formulate and actively support programs to recruit members to the union; create or assemble and distribute organizing materials;
- B. Conduct outreach functions that inform agency fee payers of the benefits of union Membership and encourage them to join;
- C. Be responsible for the orientation of new employees;
- D. Coordinate social activities as directed by the Executive Board subject to the approval of the Membership;
- E. Maintain the Membership list and inform Local 101 of new members;
- F. Chair the Membership and Organizing Committee (see Article 13);
- G. Chair the Contract Action Team (CAT) to support bargaining.

## **Section 5 – Duties of the Director of Benefits**

The Director of Benefits shall:

- A. Monitor the benefits provided by the District, and inform the Membership of potential changes and/or increases or decreases in health plans, premiums and costs;

- B. Monitor information, alerts, seminars and workshops from PERS and inform the Membership;
- C. Be a resource to Members on the benefits, accrued time and leave of absence sections of the MOU;
- D. Serve as a member of the Contract Action Team (CAT) during negotiations, and chair the Benefits Research Committee;
- E. The Director of Benefits may be required to serve on any District benefit committees;
- F. Attend other meetings as required or requested by the President or Executive Board.

### **Section 6 – Duties of the Director of Political Outreach and Legislation**

The Director of Political Outreach and Legislation shall:

- A. Oversee the management of the Union’s political and legislative communications;
- B. Provide for a program of political education to the Membership by:
  1. Advising of federal, state and local legislative initiatives that may have either beneficial or adverse effects on the Membership, and
  2. Encouraging Members to register, support and vote for those candidates and legislative actions that would promote the best interest of the Membership regardless of political party affiliation.
- C. Chair the Political Outreach and Legislative Committee (*see Article 13*).

### **Section 7 – Duties of the Secretary-Treasurer**

The Secretary-Treasurer shall:

- A. Keep an accurate record of the proceedings and actions of Executive Board and General Membership meetings;
- B. Post minutes, financial reports, resolutions and agendas to the website and ensure that copies are available to Members;
- C. Prepare and post a monthly report on income, expenditures and account balances;
- D. Maintain all records and files;
- E. Assist in the official correspondence of the Chapter;
- F. Have custody of all funds;
- G. Maintain at all times a full and complete record of all accounts, assets, liabilities and financial condition;
- H. Ensure all expenditures are properly authorized and provide supportive data if requested;
- I. Chair the Finance Committee and prepare the annual report;
- J. Develop an annual budget based on the Chapter’s rebate from Local 101, for approval by the Executive Board and General Membership;
- K. Administer the Chapter’s rebate account and provide the Executive Board and the Membership an accurate statement of Chapter rebate expenditures;
- L. Notify the Local 101 Treasurer of approved expenditures and provide the appropriate receipts and documentation.

### **ARTICLE 10 – MEMBER ORGANIZERS**

Member Organizers (MOs) are vital to our Union’s organizing and strategic defense efforts. Any member in good standing is eligible to become an MO and to participate in the training and activities of the Member Organizing Committee (MOC).

MOs will assist in promoting strong Membership involvement, two-way communication, visibility of the union, and plan and implement worksite events, campaigns, and actions in conjunction with the MOC and the Executive Board.

## **ARTICLE 11 - NEGOTIATIONS**

### **Section 1 – The Negotiating Team**

The Negotiating Team shall be formed by the Executive Board and shall reflect the broadest possible representation of the Membership. The President and two additional Executive Board officers shall be on the Negotiating Team. The President shall solicit up to four additional volunteer members to serve on the Negotiating Team.

The Negotiating Team shall:

- A. Negotiate tentative collective bargaining agreements;
- B. Communicate regularly with the CAT and Membership on the status of bargaining;
- C. Present any tentative agreement(s) to the Membership for a vote with a recommendation to ratify or reject the proposal.

### **Section 2 – The Contract Action Team (CAT)**

The President shall solicit volunteers to serve as members of the Contract Action Team Representatives (CAT). The CAT shall be a group of Members in Good Standing drawn from the classification family groups (i.e., from the Family or Job Codes). With the intent to provide the broadest possible representation, the Executive Board shall divide the family groups into 10-20 groupings, taking into consideration the similarities, needs, and geographic location of the various classifications.

#### **A. Duties of the CAT**

The CAT members shall serve as liaisons to the Negotiating Team on issues relevant to collective bargaining for their respective classifications. The Director of Membership shall be the Chair of the CAT.

#### **B. The CAT shall:**

1. Survey the Membership at least 120 days before the start of negotiations;
2. Tabulate the results, review topics/issues for potential proposals;
3. Meet with affected Members, as needed, to gather information on proposals and form workgroups to research issues, as necessary;
4. Develop draft bargaining proposals or concepts to be submitted to the Negotiating Team at least 90 days before the start of bargaining;
5. Assist the Negotiating Team in communicating with the Membership during the bargaining process;
6. Make weekly reports to the Negotiating Team and meet with the Negotiating Team when requested.

### **Section 3 – The Memorandum of Understanding (MOU)**

The MOU:

- A. Shall be ratified by a majority vote of Members in attendance at a General Membership meeting held for that purpose;
- B. The President is responsible for ensuring that the General Membership meeting is held and during the meeting all proposed contract changes are explained to those members in attendance.

## **ARTICLE 12 – OFFICER ELECTIONS**

### **Section 1 – Eligibility**

Any member in good standing for a period of not less than 6 months shall be eligible to run for or hold any office in the Union.

### **Section 2 – Terms of Office**

The Officers shall be elected to serve 2-year terms. The President, Director of Grievances, and Director of Benefits shall be elected in odd-numbered years. The Vice President, Secretary-Treasurer, and the Directors of Membership, Political and Legislative Outreach shall be elected in even-numbered years.

### **Section 3 – Notification to Local 101**

It shall be the responsibility of the Union to hold its elections and to notify Local 101 of the results.

### **Section 4 – Duplication of Chapter Offices**

No person shall hold more than one office or be nominated for more than one office. A member may, however, hold one office and seek election to another, but upon election to such office the candidate shall resign from their current position.

### **Section 5 – Holding Other Offices**

It is permissible that Chapter and Local officers hold offices at higher and lower levels.

### **Section 6 – Election Committee**

No later than the September Membership meeting an Election Committee of at least three Members shall be chosen by the Membership. The committee shall:

- A. Prepare all documents required for the election and voting process, including, but not limited to, templates for the candidate's statements, the ballots, and candidate information materials to be presented to the Membership;
- B. Provide written rules of election and a timeline indicating specific opening and closing dates for nominations, voting and announcement of results. The rules and timeline will be posted to the website and made available to all Members;
- C. Rule on the qualifications of nominees;
- D. Conduct the election;
- E. Be responsible for the tabulation and certification of the results of the election;

- F. Act as final judge in all matters arising from the election procedures;
- G. Provide adequate safeguards to ensure a fair election.

### **Section 7 – Nomination and Election of officers**

- A. Nominations shall be accepted no later than the last business day in October;
- B. Voting shall take place in November;
- C. Voting shall be by secret ballot;
- D. All ballots shall be retained in a safe place for one year;
- E. The candidate receiving a majority of the votes cast for that office shall be declared elected. Ties will be broken in accordance with the AFSCME Election Code;
- F. All elected officers shall assume office immediately upon being sworn in at the next General Membership meeting, no later than the January meeting.

### **Section 8 – Conducting a Fair Election**

- A. The Union shall refrain from discrimination in favor of or against any candidate;
- B. Union funds, resources or mailing lists will not be used to assist any member's candidacy;
- C. Candidates may not be present while ballots are counted, however, they may have an observer present on their behalf;
- D. Candidates' statements will be published with balloting material and will be uniformly posted on the Union website. All candidates will be listed in alphabetical order by office.

### **Section 9 – Election Code**

All matters concerning nominations and elections of this Chapter shall be governed by the elections code contained in Appendix "D" of the AFSCME International Constitution.

### **Section 10 – Removal of Officer**

Any officer can be removed from office in accordance with the AFSCME International Constitution.

### **Section 11 – Vacant Offices**

Vacant offices other than President shall be filled for the remainder of the unexpired term by vote of the Executive Board, with confirmation by the Membership.

## **ARTICLE 13 - STANDING COMMITTEES**

Pursuant to these bylaws, the President may establish standing committees, appoint the chair, co-chair and members for all standing and special committees with confirmation of the Executive Board. There shall be a minimum of three Members in Good Standing on each standing committee. The standing committees of this Union shall include, but not be limited to:

### **Section 1 – Finance Committee**

The Secretary-Treasurer shall chair the Finance Committee.

- A. This Committee shall study revenues and expenditures, draw up a preliminary budget and recommend action on the financial condition of the Union to the Executive Board.
- B. No later than three (3) months prior to the end of the Secretary-Treasurer's term of office, a financial review to verify accuracy and consistency in use and reporting of funds

shall be conducted by the Finance Committee and at least two members of the Executive Board. A report shall be provided to the Membership at a General Membership meeting prior to the end of the term.

### **Section 2 – Political Outreach and Legislation Committee**

The Director of Political Outreach and Legislation shall chair the Political Outreach and Legislation Committee.

This Committee shall assist the Director in carrying out a program of social and political outreach to the Membership, and keep the Membership informed of pertinent legislation which would affect the Membership and/or employer.

### **Section 3 – Membership and Organizing Committee**

The Director of Membership shall chair the Membership and Organizing Committee.

This Committee shall be comprised of all Member Organizers and shall assist the Director in carrying out a program of recruitment and orientation of new members, and ongoing training of the Membership. The Committee shall assist the Executive Board in its organizing efforts, including workplace campaigns and events.

### **Section 4 – Bylaws Committee**

This Committee shall periodically review the Bylaws of the Union and submit proposed amendments to the Executive Board for approval and then to the Membership for ratification.

### **Section 5 – Local 101 Delegates**

Delegates are appointed by the Executive Board, and shall represent the interests of the Chapter at the AFSCME Local 101 Executive Board. Delegates shall provide timely reports to the Executive Board on actions taken at the Local level. From time to time, Delegates may be asked to make such reports to the Membership.

## **ARTICLE 14 - REVENUES AND PROPERTIES**

### **Section 1 – Dues**

The monthly dues shall be the per capita dues required by the International and Council 57.

### **Section 2 – Union Property**

All officers shall deliver to their respective successors, at the conclusion of their term of office, all property in their possession belonging to the Union. All funds and property of the Union shall be held in trust for the benefit of the Members in accordance with these Bylaws.

### **Section 3 – Union Assets**

The title of all property, funds, and other assets of the Union shall at all times be vested in the Executive Board for joint use of the Membership. No Member shall have any severable proprietary right, title or interest therein. Membership in the Union shall not vest any member with any right, title or interest in or to the funds, property or other assets of the Union now



owned or possessed or that may hereafter be acquired. Each Member hereby expressly waives any right, title or interest in or property of the Union, including all funds.

## **ARTICLE 15 - NON-PROFIT STATUS**

### **Section 1 – Union Funds**

No Funds of the Union shall be divided among its members, trustees, officers, or other private persons, except that the Union shall be empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the exempt purposes for which it was formed.

### **Section 2 – Exempt Activities**

Aside from any other provisions of these Bylaws the Union shall not carry on any other activities not permitted to be carried on by an association exempt from the Federal income tax under Section 501 (c)(5) of the Internal Revenue Code of 1954.

## **ARTICLE 16 - AMENDMENTS AND CONTRAVENTION**

### **Section 1 – Amendments**

These Bylaws may be amended with a two-thirds (2/3) vote of the Members voting at a regular or special General Membership meeting. Ten (10) days notification will be provided to the Membership prior to the meeting.

### **Section 2 – Conflicts**

If any article or part of these Bylaws is judged as null and void by act of law, conflict with the International Constitution or for any other reason, then all remaining parts will continue to be valid and in effect.

## **ARTICLE 17 – PARLIAMENTARY PROCEDURE**

Robert's Rules of Order, Revised, shall govern all meetings of the Union, except as amended by these Bylaws. The officers shall keep in their possession Robert's Rules of Order, Revised, for their use as parliamentarians.

## APPENDIX A – PARLIAMENTARY PROCEDURE AT A GLANCE

| PARLIAMENTARY PROCEDURE AT A GLANCE |  |           |           |                     |                   |
|-------------------------------------|--|-----------|-----------|---------------------|-------------------|
|                                     |  | Debatable | Amendable | Can Be Reconsidered | Requires 2/3 Vote |
| Privileged Motions                  | Fix Time at Which to Adjourn             | No        | Yes       | No                  | No                |
|                                     | Adjourn                                  | No        | No        | Yes                 | No                |
|                                     | Question of Privilege                    | No        | Yes       | Yes                 | No                |
|                                     | Call for Order of Day                    | No        | No        | Yes                 | No                |
| Incidental Motions                  | Appeal                                   | Yes       | No        | Yes                 | No                |
|                                     | Objection to Consideration of a Question | No        | No        | Yes                 | Yes               |
|                                     | Point of Information                     | No        | No        | No                  | No                |
|                                     | Point of Order                           | No        | No        | No                  | No                |
|                                     | Read Papers                              | No        | No        | Yes                 | No                |
|                                     | Suspend the Rules                        | No        | No        | No                  | Yes               |
|                                     | Withdraw a Motion                        | No        | No        | Yes                 | No                |
| Subsidiary Motions                  | Lay on the Table                         | No        | No        | Yes                 | No                |
|                                     | The Previous Question (close debate)     | No        | No        | Yes                 | Yes               |
|                                     | Limit or Extend Debate                   | No        | Yes       | Yes                 | Yes               |
|                                     | Postpone to a Definite Time              | Yes       | Yes       | Yes                 | No                |
|                                     | Refer to Committee                       | Yes       | Yes       | Yes                 | No                |
|                                     | Amend the Amendment                      | Yes       | No        | No                  | No                |
|                                     | Amendment                                | Yes       | Yes       | Yes                 | No                |
|                                     | Postpone Indefinitely                    | Yes       | No        | Yes                 | No                |
| Main Motion                         | Main or Procedural Motion                | Yes       | Yes       | Yes                 | No                |

This table presents the motions in order of precedence. Each motion takes precedence over (i.e. can be considered ahead of) the motions listed below it. No motion can supersede (i.e. be considered before) any of the motions listed above it.

**PLEASE NOTE:** many organizations use only the Main Motion and Subsidiary Motions, handling other matters on an informal basis.

## APPENDIX B – HISTORY OF EA BYLAWS REVISIONS

---

The following list chronicles the dates in history of the development and on-going reviews and revisions of the Union's bylaws.

The initial bylaws of the Employees Association were ratified in *April of 1968*.

**Subsequent revisions were done as follows:**

June 21, 1971  
June 11, 1973  
April 22, 1974  
March 3, 1975  
September 22, 1975  
June 14, 1976  
May 30, 1984  
May 29, 1985  
April 27, 1988  
May 9, 1990  
November 30, 1994  
August 31, 2005  
June 22, 2005  
March, 2006  
October 6, 2010  
June 23, 2015