

**SAN LUIS OBISPO COUNTY EMPLOYEES' ASSOCIATION**

**Bylaws**

*(Revised as of September 19, 2012)*

ARTICLE I – ORGANIZATION..... 1

Section 1 Name..... 1

Section 2 Location..... 1

ARTICLE II - MEMBERSHIP STATUS DEFINED..... 1

Section 1 Regular Members..... 1

Section 2 Fee Payers..... 1

Section 3 Associate Member..... 1

Section 4 Retired Member..... 1

Section 5 Eligibility..... 2

Section 6 Membership Resignation..... 2

Section 7 Sanctions..... 2

ARTICLE III – DUES..... 3

Section 1..... 3

ARTICLE IV – OFFICERS..... 3

Section 1 Eligibility..... 3

Section 2 Duties..... 3

Section 3 Term..... 4

Section 4 Officer Vacancy..... 4

ARTICLE V - BOARD OF DIRECTORS..... 4

Section 1 Introduction..... 4

Section 2 Duties..... 5

<u>Section 3</u> Eligibility.....	5
<u>Section 4</u> Meetings.....	5
<u>Section 5</u> Training.....	5
<u>Section 6</u> Units.....	5
<u>Section 7</u> Order of Business – Regular Meeting.....	5
<u>Section 8</u> Order of Business – Special Meeting.....	6
<u>Section 9</u> General Manager.....	6
<u>Section 10</u> Contract Labor.....	6
<u>ARTICLE VI - LEADERSHIP ORGANIZATION</u> .....	6
<u>Section 1</u> Units Defined.....	6
A. Unit Directors.....	6
B. Unit Directors Responsibilities.....	7
C. Term of office.....	7
D. Unit Director Vacancy.....	7
<u>Section 2</u> Directors-At-Large.....	7
<u>ARTICLE VII - ELECTION TO OR REMOVAL FROM OFFICE</u> .....	7
<u>Section 1</u> Nominating Committee.....	7
<u>Section 2</u> Candidate Ballots.....	7
<u>Section 3</u> Ballot Deadlines.....	8
<u>Section 4</u> Election Results/ Certification.....	8
<u>Section 5</u> Uncontested Seats.....	8
<u>Section 6</u> Director Installation.....	8
<u>Section 7</u> Absence.....	8
A. Unexcused Absences.....	8

B. Leave of Absence.....	8
<u>Section 8</u> Officer/ Director Vacancy.....	9
<u>Section 9</u> Eligibility Requirements.....	9
<u>Section 10</u> Conduct of Board Members.....	9
<u>ARTICLE VIII – COMMITTEES</u> .....	9
<u>Section 1</u> Committees.....	9
<u>Section 2</u> Executive Committee.....	9
<u>Section 3</u> Standing Committees.....	10
<u>Section 4</u> Special Committees.....	10
<u>Section 5</u> Negotiating Committee.....	10
A. Negotiating Committee.....	10
B. Public Services, Supervisory, and Clerical Units.....	10
Trades, Crafts, and Services Unit.....	10
C. Negotiating Committee Chair.....	10
D. Negotiating Committee Duties.....	11
E. Negotiating Team.....	11
F. The Negotiating Team Members.....	11
G. Authority.....	11
1. Open Year.....	11
2. Tentative Agreement.....	11
3. Ratification.....	11
4. Closed Year Negotiations.....	12
H. Chief Spokesperson.....	12

I. Meetings.....	12
J. Negotiating Committee Vacancies.....	12
K. Officers as Team Members – Public Services, Supervisory, and Clerical Units.....	12
L. Officers as Team Members – Trades and Crafts Unit.....	12
<u>Section 6</u> Legislative Review Committee.....	12
<u>Section 7</u> Steward Committee.....	12
A. Mission.....	13
B. Election/ Appointment.....	13
C. Number of Stewards.....	13
D. Appointment by Board of Directors.....	14
E. Nominations.....	14
F. Steward Vacancy.....	14
G. Eligibility.....	14
H. Requirements.....	14
I. Steward Duties.....	14
J. Steward Removal.....	14
<u>ARTICLE IX – MEETINGS</u> .....	15
<u>Section 1</u> General Membership Meeting.....	15
<u>Section 2</u> Special membership meetings.....	15
<u>Section 3</u> Quorum.....	15
<u>Section 4</u> Affiliation.....	15
<u>Section 5</u> Attendance at Meetings.....	15
<u>Section 6</u> General Membership Action.....	16

<u>ARTICLE X – PARLIAMENTARY AUTHORITY</u> .....	16
<u>ARTICLE XI – RECALL</u> .....	16
<u>Section 1</u> Robert’s Rules of Order.....	16
<u>Section 2</u> Recall Petition.....	16
<u>Section 3</u> Unit Director.....	16
<u>Section 4</u> Special Election.....	16
<u>Section 5</u> Filling a Vacancy.....	16
<u>Section 6</u> Filling a Vacancy – Recall Action.....	16
<u>ARTICLE XII - OFFICIAL PUBLICATION</u> .....	17
<u>ARTICLE XIII - AMENDMENTS TO ARTICLES AND BYLAWS</u> .....	17
<u>Section 1</u> Articles of Incorporation.....	17
<u>Section 2</u> Adoption.....	17
<u>Section 3</u> Bylaws.....	17
<u>ARTICLE XIV - EFFECTIVE CLAUSE</u> .....	17
<u>Section 1</u> Dates.....	17
<u>Section 2</u> Amendment Date.....	17

**SAN LUIS OBISPO COUNTY EMPLOYEES' ASSOCIATION**

**Bylaws**

*(Revised as of September 19, 2012)*

ARTICLE I – ORGANIZATION

Section 1 Name

The name of this organization is the San Luis Obispo County Employees' Association, Incorporated. Unless otherwise indicated, the term "Association" as used hereinafter shall mean the San Luis Obispo County Employees' Association, Incorporated.

Section 2 Location

The principal office for the transaction of the business of the Association shall be located in the City of San Luis Obispo, State of California.

ARTICLE II - MEMBERSHIP STATUS DEFINED

Section 1 Regular Members

Regular Members shall be those employee members in bargaining units represented by the Association. With the Board of Directors approval, regular membership may be extended to County Employee's that are not represented by an association or to unrepresented employees of a Public Agency.

Section 2 Fee Payers

Fee Payers shall be those employees who pay a "fair-share" fee for representation by the Association in matters relating to wages, hours, and working conditions.

Section 3 Associate Member

The Association shall have an Associate Member classification for the purpose of offering Association insurance programs to persons not eligible for Regular Member status. Associate Members cannot be members of a recognized Association bargaining unit and will only receive the right to purchase Association insurance and other member programs as determined by the Directors for their Associate Member dues. The Board of Directors will set the dues for Associate Members.

Section 4 Retired Members

The Association shall have a Retired Member classification. Any SLOCEA member in good standing may, upon retirement from service, become a Retired Member. Retired Members have no vote and cannot serve as Directors or Officers. Retired Members

may serve on committees except that they cannot be members of the Financial Committee or the Negotiations Committee. Retired Members may participate in group insurance, recreation and social programs, and receive the Association's monthly publication and other services as designated by the Board of Directors. Retired Members shall pay dues as determined by the Board of Directors.

#### Section 5 Eligibility

Any eligible individual may become a member of this Association by signing such enrollment form as the Association may provide and by providing payment of the yearly dues as established by the Board of Directors. The payment of dues shall be made either by payroll deduction if the member is eligible for such deduction, or in cash.

#### Section 6 Membership Resignation

A Regular Member may resign from membership and become a fee payer at any time by changing his/her payroll deduction unless otherwise prohibited by a requirement of maintenance of membership during the life of a memorandum of understanding.

#### Section 7 Sanctions

Any member of the Association may have his/her membership in good standing revoked, suspended, receive restrictive sanctions, be reduced to Fee Payer or any combinations thereof by the Board of Directors for reasons deemed detrimental to the Association or for non-payment of dues, subject to the following rights and procedures:

A. Claims of conduct detrimental to the Association shall be presented to the Executive Committee for the committee's assessment. The Executive Committee may conclude that the information received does not warrant the pursuit of further action. If the Executive Committee concludes the information received does warrant the possibility of further action, as described in Article II, Section 6, a report will be presented to the Board of Directors for its review during a closed session at the next regular Board of Directors meeting or as soon as administratively feasible.

B. The Board of Directors shall determine, based upon the report from the Executive Committee, whether or not to consider further action.

C. If further action is to be considered the subject member shall be given written notice of the action under consideration, the claim of conduct detrimental to the Association that was presented to the Board, and that the member may request a timely opportunity to be heard within twenty (20) business days of the date the notice was mailed or personally served. The notice shall be given in person to such member or sent by certified mail to his/her last known address. Failure to request a timely opportunity to be heard shall be deemed a voluntary resignation pursuant to Article II, Section 6 of the Bylaws and the subject member shall be reduced to fee-payer.

D. The opportunity to be heard, if requested by the member, may be presented orally or in

writing. The hearing shall be conducted at a closed session of a regular Board of Directors meeting. The hearing shall be presided over by the President of the Association who shall allow the subject member to testify in his/her own behalf concerning the specific claims described in the written notice; allow the subject member to call witnesses to address the specific claims on his/her behalf; and allow members of the Board of Directors to question all persons testifying on the matter. The Board shall conduct the hearing in good faith and in a fair and reasonable manner.

E. The Board of Directors shall give written notice of its decision to the subject member in person or by certified mail to his/her last known address within twenty (20) business days of the date of the hearing. The notice shall include any sanctions imposed and the date in which the subject member may request reinstatement to member in good standing.

F. If the Board of Directors terminates the membership of the subject member, he/she may appeal the decision to the entire membership of the Association. The appeal shall be in writing and shall be sent to the principal office of the Association within fifteen (15) business days of the mailing of the Board's notice of termination. Reinstatement shall require a ballot vote of the entire membership; members shall have fifteen (15) business days from the date of mailing to return their ballots. The subject employee whose membership was terminated may be reinstated to membership if the number of ballots returned in favor of reinstatement is equal to or greater than two-thirds of the entire membership.

G. Reinstatement: If the subject member wishes to be reinstated he/she shall submit a written request to the Association stating that he/she would like to appear and be heard at a regular Board of Directors meeting to request reinstatement as a member in good standing. No more than one written request for reinstatement shall be submitted within a twelve (12) month period. The subject member shall be allowed to call witnesses in his/her behalf and the Board of Directors shall be allowed to question all persons testifying on the matter. A two-thirds (2/3) vote of the entire Board of Directors is required for reinstatement. The Board shall conduct the request to be reinstated to member in good standing in good faith and in a fair and reasonable manner.

### ARTICLE III - DUES

Section 1 All dues and fair share fees shall be the amount adopted and set by the Board of Directors and shall be payable either by payroll deduction or by advance cash payment.

### ARTICLE IV – OFFICERS/ ELIGIBILITY

Section 1 The Officers of the Association shall be the President, Vice President, and Secretary-Treasurer elected by all Regular Members of the Association. To be eligible, an Officer must be a Regular Member of the Association and in a bargaining unit represented by the Association, and have served as a Director for at least two years.

### Section 2 Duties



The duties of the Officers shall be as follows:

A. The President shall be the Chairman of the Board of Directors of the Association and the Chairman of the Executive Committee and shall preside over and conduct all meetings by a formal order of business; shall have general supervision and direction of the affairs of the Association in accordance with the Bylaws; shall have authority to administer all matters not otherwise expressly delegated; shall appoint all committees; and call all special meetings of the Association.

B. The Vice President shall perform duties of the President during the latter's absence. In the event of a vacancy in the office of the President, he or she shall assume the duties of that office for the remainder of the President's unexpired term of office. The Vice President, working with others on the Bylaws Committee, shall have primary responsibility for the review of the Association Bylaws.

C. The Secretary-Treasurer shall keep minutes of all meetings of the Association and may perform the usual duties of the office of Secretary. The Secretary-Treasurer may also keep a financial account of all monies of the Association as prescribed in these Articles and may submit a monthly financial statement in writing to the Board of Directors. Books shall be available to the Board of Directors and/or the Association auditor for examination at all times, and made available as otherwise directed by the Board of Directors and in compliance with state law. The Secretary-Treasurer shall chair the Association's standing Finance Committee. The General Manager may assume such duties in connection with the work of the Secretary-Treasurer as shall be designated by the Board of Directors.

Section 3 Term: The term of office shall be two years. Elected Officers shall serve until their successors are duly elected and sworn into office. No person shall serve in the same office for more than two successive terms. Service for a portion of a term greater than half shall be considered one term.

The office of Vice President shall be transitioned to be in an opposite election cycle from the election of the President and Secretary-Treasurer. For the election of the office of Vice President in 2011 **ONLY**, the Vice President's term shall be one year. The Vice President's term shall be restored to a two year term with the election cycle conducted in 2012 and in even-numbered years thereafter. The election cycle for the offices of President and Secretary-Treasurer shall remain in odd-numbered years.

Section 4 Officer Vacancy: The Board of Directors, by a two-thirds vote of those present at a duly constituted meeting, shall designate an elected member of the Board to assume the duties of an office declared vacant by the Board, for the unexpired portion of the term of that office. If this action creates a vacancy in the directorship of the appointee's bargaining unit the vacancy shall be filled as indicated in Article VI, Sections 1(D) and 2(E) respectively.

## ARTICLE V - BOARD OF DIRECTORS

Section 1 There shall be a Board of Directors consisting of the Officers and the Directors.

Officers and Directors shall be elected as specified in Article VII, except that the Past President shall be designated as a Director by the elected members of the Board pursuant to Corporation Code #7220.

### Section 2 Duties

The Board of Directors shall consider all policy matters affecting the Association, shall make policy recommendations to the membership of the Association as the occasion arises, and shall take such executive action as is deemed desirable or necessary within the limitation of the Bylaws.

### Section 3 Eligibility

A. To be eligible to serve on the Board of Directors, candidates must be a Regular Member in good standing of the Association for twelve (12) consecutive months prior to becoming a candidate for election to or appointment to the Association's Board of Directors. In the event a candidate suffered a layoff and subsequently reinstated or was hired off a reemployment list, the period of time during layoff will not be counted as a break in Regular Membership, provided the candidate resumed his or her Regular Membership immediately upon reinstatement or reemployment.

B. No two members related by birth or marriage may serve as members of the Board of Directors simultaneously.

### Section 4 Meetings

Regular meetings of the Board of Directors shall be held at least once each calendar month at a time and place determined by the Board. Attendance of one-half plus one of the filled Board of Directors seats shall constitute a quorum for the conduct of business. A special meeting of the Board may be called by the President upon four (4) business days notice by first class mail or upon forty eight (48) hours notice delivered personally or by telephone or electronic communication to each Director. Upon written request of five (5) or more members of the Board, the President shall call a special meeting of the Board.

### Section 5 Training

All newly elected or newly appointed Board members are required to attend a SLOCEA sponsored Board of Directors training prior to being sworn in and taking their seats as Board members. Directors who are reelected are required to attend Board of Directors refresher training every other year.

### Section 6 Units

It shall be the responsibility of the Board of Directors to designate Units, Chapters, Chapter membership and Directors-at-large, and to modify this composition as required to reflect growth in employment or to improve representation of the membership.

Section 7 The President shall set the order of business at regular meetings of the Board of

Directors.

Section 8 The order of business at special meetings of the Board of Directors shall be as follows:

1. Call to order and roll call
2. Purpose of the meeting as stated in call of meeting by President
3. Business of the meeting
4. Adjournment

Section 9 General Manager

A. A General Manager may be employed by the Board of Directors to perform the day-to-day business of the Association. The General Manager shall be accountable to the President, Vice-President, and Secretary-Treasurer, acting in concert as the Personnel Committee. The Personnel Committee may direct the work of the General Manager. Under no circumstances may an individual member of the Board of Directors assign work to the General Manager.

B. The General Manager shall be authorized to employ and/or terminate office staff and specify their duties.

Section 10 Contract Labor

The Board of Directors may periodically employ persons other than the General Manager's office staff when such employment is in the best interest of the Association. Their duties and compensation shall be determined by the Board of Directors.

ARTICLE VI - LEADERSHIP ORGANIZATION

Section 1 Units Defined

Units are defined as recognized bargaining units for which the Association is the exclusive representative. As of September 21, 2011 the recognized county bargaining units (BU) are as follows: BU01 Public Services; BU02 Trades, Crafts and Services; BU05 Supervisory; BU13 Clerical. Additionally, the following bargaining groups are recognized as (A) Los Osos Community Service District and (B) Superior Court Supervisory Group. Other bargaining units or groups may be recognized in compliance with these bylaws.

A. Unit Directors

Units shall elect Unit Directors to serve on the Board of Directors of the Association as provided herein, whose general responsibility will be to provide the communication between the bargaining unit membership and the Board of Directors.

## B. Unit Director Responsibilities

The duties and responsibilities of Unit Directors normally consist of ascertaining the needs and desires of the bargaining unit members, and to represent those members and their interests on the Board of Directors. Unit Directors shall also assist the President in filling committee appointments in which the President requires specific bargaining unit representation.

## C. Term of Office

The term of office for a Unit Director shall be two years.

D. Unit Director Vacancy: A vacancy occurring within a Unit directorship shall be filled by an appointment by the President subject to approval by a two-thirds majority vote of the Board of Directors.

Section 2 Directors-At-Large: Directors-at-large are defined as those Directors elected by all regular members of the Association.

A. Directorships-at-large may be designated by the Board of Directors as specified in Article V, Section 3.

B. The duties and responsibilities of a Director-at-large normally consist of ascertaining the needs and desires of the general membership, and to represent those members and their interests on the Board of Directors. Directors-at-large shall also assist the President in filling committee appointments.

C. The term of office for a Director-at-large shall be two years.

D. Director-At-Large Vacancy: A vacancy occurring within a Directorship-at-large shall be filled by an appointment by the President subject to approval by a two-thirds majority vote of the Board of Directors.

## ARTICLE VII - ELECTION TO OR REMOVAL FROM OFFICE

### Section 1 Nominating Committee

The President shall appoint a Nominating Committee in May of each year to present a slate of candidates for Association Officers and those Directors slated for an election. The slate of candidates shall be announced in the July issue of SLOCEA's publication, *The County Blade*. Following the announcement of the slate of candidates, members shall have ten (10) business days to nominate additional candidates for Officers, and members shall have ten (10) business days to nominate additional candidates for Director. The nomination must be in writing and mailed to the Association office and the candidate must express a willingness to serve.

### Section 2 Candidate Ballots

The names of all candidates will be submitted to the Association office for preparation of ballots. Each candidate may submit a brief description of capabilities, qualifications and/or platform to be mailed with the ballot.

### Section 3 Ballot Deadlines

Members shall be mailed one ballot which shall include his/her respective Unit Director, Association Officers, Directors-at-large, and a postage paid self-addressed envelope for returning his/her ballots. Ballots shall be mailed out by the first Monday in August each year and must be received by the Association office no later than the last Friday in August each year.

### Section 4 Election Results/Certification

Prior to the September meeting of the Board of Directors, the Nominating Committee shall meet and count the ballots. The results shall be certified by the signatures of the committee members who count the ballots, announced to the Board at its regular September meeting, and be published in SLOCEA's publication, *The County Blade*.

### Section 5 Uncontested Seats

At the time of election, if the seat of any officer or director of the Board of Directors is uncontested, the sitting officer or director shall be appointed to the seat by the President of the Association, in lieu of election. The sitting officer or director shall be subject to confirmation by a vote of at least two-thirds of the entire Board of Directors.

### Section 6 Director Installation

The new Officers and Directors shall be installed at the October meeting of the Board of Directors and shall act in their official capacity on behalf of the Association starting at that time in accordance with Article IV, Section 5.

### Section 7 Unexcused Absences

A. If any Officer or Director is absent for three (3) consecutive regular meetings without excuse, or for three (3) meetings in one elected year without excuse, his/her office may be declared vacant by a two-thirds vote of the entire Board of Directors. After the second consecutive unexcused absence or the second unexcused absence within one elected year, the Officer or Director will be notified by USPS mail of this condition and reminded of these Bylaws.

### B. Leave of Absence

In the event that a Director must be absent for a specified period of time greater than three (3) consecutive regular meetings for a specific personal or business reason, the Board of Directors may allow an alternate to be seated in the Director's place for the duration of the

elected Director's leave of absence. In order to qualify for the leave of absence the Director must submit a request in writing to the Board of Directors to approve the leave. Approval of the leave of absence requires a majority vote by the Board of Directors at their next regular meeting. The Director requesting the leave of absence may nominate a proposed alternate or the Board of Directors may do so. The alternate may then be seated by a two-thirds vote of the entire Board of Directors.

#### Section 8 Officer/Director Vacancy

The office of any Officer or Director shall be declared vacant when that Officer or Director becomes delinquent in his or her dues or separates himself or herself from public employment or is removed from office consistent with Article II of Section 7.

#### Section 9 Eligibility Requirements

To be eligible to serve on the Board of Directors, candidates must be a Regular Member of the Association for twelve (12) consecutive months prior to becoming a candidate for election to or appointment to the Association's Board of Directors. In the event a candidate suffered a layoff and subsequently reinstated, or was hired from a reemployment list, the period of time during layoff or termination from employment and subsequent reinstatement will not be counted as a break in Regular Membership, provided the candidate resumed his or her Regular Membership immediately upon reinstatement or reemployment.

#### Section 10 Conduct of Board Members

The Officers and Directors have a fiduciary responsibility to act in the best interest of the Association, which includes, but is not limited to, maintaining the confidentiality of Association business where confidentiality is required. Board members are precluded from taking actions that negatively reflect on the Association. A Board member who violates this policy may be removed from his/her board seat by a vote of two-thirds of the entire Board. Prior to removal, the Board member shall be served with a written notice of all allegations against him/her fifteen (15) business days in advance of any meeting in which removal will be discussed. The Board member will have an opportunity to respond to the allegations, either orally or in writing, prior to any vote for removal taking place.

The Executive Committee shall have the authority and bear the responsibility for assigning investigation of allegations against a Director to an appropriate committee or investigating entity.

### ARTICLE VIII - COMMITTEES

Section 1 Association Committees shall consist of the Executive Committee, Personnel Committee, standing committees, and special committees appointed by the President.

#### Section 2 Executive Committee

The Executive Committee shall be comprised of the elected Officers of the Association and

two members of the Board of Directors. The two (non-Officer) members shall be nominated and elected by the Board of Directors. The Executive Committee shall meet upon order of the President. The Executive Committee shall have the authority to take action on day-to-day problems of the Association and shall prepare recommendations to the Board of Directors. A report of any action taken shall be presented to the Board of Directors at its next regular meeting. Additionally, the Executive Committee shall have authority to review the Associations Bylaws as needed and to recommend amendments for consideration by the Board of Directors. A quorum of the Executive Committee consists of the President or Vice President and any two of the five members.

### Section 3 Standing Committees

Standing Committees are defined as those of a long-term nature dealing with a broad aspect inherent in the nature of the Association. The following standing committees shall be appointed at the beginning of each presidential term: Finance Committee, Bylaws, Member's Benefit Fund Committee, Academic Scholarship, Summer Childcare Reimbursement, Communications Committee and the Legislative Review Committee. Any Association Member may serve on a standing committee. However, only a Director may chair a standing committee.

### Section 4 Special Committees

The President of the Association is authorized to appoint special committees to investigate and report on any specific subject. Upon completion of the assignments the committees are automatically dissolved.

### Section 5 Negotiating Committee:

A. Prior to meeting and conferring on an initial or successor collective bargaining agreement, each bargaining group, bargaining unit or units that sit either individually or jointly at the negotiating table, shall elect a Negotiating Committee.

B. For the **Public Services, Supervisory, and Clerical Units**, the negotiating committee shall consist of a total of seventeen members as follows:

- Six (6) members from the Clerical Unit
- Nine (9) members from the Public Services Unit
- Two (2) members from the Supervisory Unit

The Negotiating Committee shall be elected by the appropriate bargaining group and shall reflect and represent the diversity of the bargaining group with respect to bargaining unit.

For the **Trades, Crafts, and Services Unit** the negotiating committee shall consist of a maximum of nine (9) members who must represent the diversity of the bargaining group job classes.

### C. Negotiating Committee Chair

The President and Vice President of the Association or his or her designee will chair and vice chair the Negotiating Committee and preside at all meetings with a regular order of business.

D. Negotiating Committee Duties

Members of the Negotiating Committee will be elected to serve for the duration of the collective bargaining agreement negotiated. Negotiating Committee members shall be responsible for identifying meet and confer issues in the workplace; bringing meet and confer issues to the Negotiating Committee; prioritizing meet and confer issues at the Negotiating Committee meetings; and communicating with the membership at large.

- E. Each year prior to meeting and conferring with the employing agency the Negotiating Committee will elect/designate a Negotiating Team from the Negotiating Committee to meet and confer with representatives from the agency.

F. Negotiating Team

The Negotiating Team shall be comprised of the Association President, Vice President, and Secretary-Treasurer or a designee; and at least one member elected from the Negotiating Committee from each bargaining unit at the table.

- G. The Negotiating Committee, by virtue of being duly elected representatives of their respective bargaining units, shall have complete authority, after review and consideration of written or oral communication with the membership, to make all negotiating decisions as follows:

1. Open Year

For initial and successor (open year) collective bargaining agreements, contracts, or memoranda of understanding (MOU), the Negotiating Committee shall have complete authority to reach tentative agreement with its respective agencies.

2. Tentative Agreement

After reaching tentative agreement on initial and successor (open year) collective bargaining agreements, contracts, or memoranda of understanding with its respective agency, the Negotiating Committee shall submit the tentative agreement to their respective membership for ratification.

3. Ratification

For all initial, or open year contracts, a ratification meeting shall be held. At least two weeks prior to the meeting, a copy of the tentative agreement reached by the Negotiating Committee and the respective agency will be made available to each member of the bargaining unit. The Association will make all



appropriate provisions for members of the bargaining unit not able to attend the ratification meeting to request and cast a secret absentee ballot to ratify or not ratify the tentative agreement. Only those ballots cast by members of the bargaining unit in attendance at the ratification meeting or who request and mail in the absentee ballot by the specified due date will be counted in the ratification vote. In the alternative, ratification shall be conducted in accordance with Article IX – Meetings, Section 1 which states in part; **A special mail ballot may be substituted for a contract ratification meeting.**

#### 4. Closed Year Negotiations

For interim (or closed) year meet and confer issues, including re-openers the Negotiating **team** shall have complete authority to make all negotiating decisions including reaching agreement with their respective agencies.

H. The General Manager or his or her designee shall normally be the chief spokesperson for the Negotiating Team at the bargaining table.

I. The Negotiating Committee will meet as needed during negotiations.

#### J. Negotiating Committee Vacancies

Immediately subsequent to the election of the negotiating committee, a list of members interested in serving on the negotiating committee, should a vacancy exist, shall be compiled by bargaining unit, and maintained throughout the life of the contract. Vacancies on the negotiating committee shall be filled by a vote of the negotiating committee members who represent the bargaining unit where the vacancy exists, utilizing the list of interested members reference above. In the event of a tie vote, the Association President shall cast the tie-breaking vote. If there is no interested candidate to fill a bargaining unit vacancy from within that unit, the position may be declared open and filled by any member on the negotiations committee interested list.

K. If the President or Vice President of the Association is not a member of the bargaining unit at the table, they shall designate their seat on the Negotiating Committee as open, and the seat shall be filled by a vote of the membership of the unit at the table.

L. If the President, Vice President or Secretary-Treasurer of the Association is not a member of the bargaining unit at the table, they shall designate their seat on the Negotiating Team as open, and the seat shall be filled by a vote of the membership of the unit at the table.

#### Section 6 Legislative Review Committee:

There shall be a Legislative review Committee (LRC). The mission and responsibility of this committee shall be to review legislation in existence or proposed that would impact the employees represented by SLOCEA or public employee in general.

The Board of Directors shall have control and direction of the LRC and shall establish and

carry out all policies and activities. The Board may delegate all or some of the responsibilities of the LRC to the Executive Committee.

The general purpose of this LRC is to support and further the mission, goals and policies of the Association. The specific purposes are:

- A. To support candidates and positions on ballot measures endorsed by the Association.
- B. To further the common good and general welfare by promoting improvements in and educating the public about the terms and conditions of public employment.
- C. To promote the welfare of our active and retired members, and public employees in general.
- D. To encourage the improvement of benefits, compensation, working conditions and retirement status of our active and retired members, and public employees in general.

SLOCEA may join a coalition of labor organizations for the purpose of engaging in political activity consistent with the goals stated in A-D above.

Members of the Association have the option of not having a portion of their dues allocated to any political activity. Should a members wish to not participate in any political activity, the member may file a written notice with the primary office of SLOCEA.

#### Section 7 Steward Committee

##### A. Mission

The mission of the SLOCEA Steward Committee is to enhance harmonious labor relations, bridge communication between SLOCEA staff and membership and promote effective representation and protection of employee's rights in the SLOCEA-represented bargaining units.

- B. The Steward Committee shall be elected or appointed by the Board of Directors and shall reflect and represent the diversity of the bargaining group with respect to bargaining unit, department, classification, geographic location, and other criteria as determined by the Board of Directors.

##### C. Number of Stewards

As negotiated in the bargaining units' contracts, the Steward Committee shall consist of up to thirty (30) representatives from Public Services, Clerical and Supervisory units, and fourteen (14) representatives from Trades, Crafts and Services unit. SLOCEA will send the current steward roster to the Human Resources office each January. SLOCEA members who are interested in becoming a representative on the Steward Committee should contact SLOCEA

staff or a member of the Board of Directors to be nominated for appointment or election.

- D. Until the Steward Committee reaches the maximum number of representatives allowed by the contracts, the Board of Directors may appoint SLOCEA members to open positions.
- E. When the maximum number of Steward Committee members has been reached, the Board of Directors may choose to solicit nominations and hold an election to fill positions as they become vacant.

F. Steward Vacancy

A position on the Steward Committee shall be declared vacant when that Steward becomes delinquent in his or her dues or separates himself or herself from public employment.

G. Eligibility

To be eligible to be a SLOCEA Steward, candidates must be a Regular Member of the Association for twelve (12) consecutive months prior to becoming a candidate for election to or appointment to the Steward Committee.

- H. Each new steward shall submit signatures from ten (10) members or fee-payers in their Department or in the County acknowledging and supporting them as an official SLOCEA steward. Each Steward Committee representative shall participate in the official SLOCEA Steward training program and shall sign a confidentiality agreement prior to commencing steward duties.

I. Steward Duties

The Stewards duties consist of the following:

- a. Distribute current SLOCEA information in the workplace to keep employees up-to-date on the Association business
- b. Orient employees on the advantages of SLOCEA membership.
- c. Update SLOCEA bulletin boards at the workplace.
- d. Attend monthly meetings and training sessions.
- e. Provide information to co-workers pertaining to labor relations, contract issues and other pertinent issues.

J. Steward Removal

Steward Committee Representatives may be removed by the Board of Directors consistent with Article VII - Section 10 for the following reasons:

- a. Absenteeism: Stewards are expected to attend the monthly meetings. Stewards who cannot attend a monthly meeting shall notify SLOCEA in advance. Stewards who are consistently unable to attend the meetings

because of their work schedule or work location shall coordinate with the SLOCEA staff liaison to stay current on pertinent information and updates. Stewards who consistently miss monthly meetings without excuse will be asked in writing to attend the meetings. Stewards may be removed or replaced for excessive absenteeism.

- b. Conduct Unbecoming: Taking action or conveying information that is contrary to the mission of the Steward Committee or SLOCEA may lead to a Steward's dismissal by the Board of Directors. Violating the confidentiality agreement or intentionally spreading information detrimental to SLOCEA may be reasons for dismissal from the Steward Committee.
- c. Other reasons as determined by two-thirds of the Board of Directors to be sufficient for dismissal from the Steward Committee.

## ARTICLE IX - MEETINGS

### Section 1 General Membership Meeting

One General Membership meeting of the Association shall be held each year. The Board of Directors shall set the time and date of any meeting. A special mail ballot may be substituted for a contract ratification meeting.

### Section 2 Special Membership Meetings

Special membership meetings may be called by the President, or five members of the Board of Directors, or a minimum of fifteen percent (15%) of the employees represented. No special meeting shall be held unless notice has been mailed by First Class Mail to each member at least ten (10) days prior to the special meeting. Notice of the special meeting shall state the time and place of the meeting, the general nature of the business to be transacted, and that no other business will be transacted. For purposes of determining a vote on any Association matter, a special mail ballot or an on-site ballot may be substituted for a special meeting.

### Section 3 Quorum

A quorum at any regular or special membership meeting shall consist of a number equal to fifteen percent (15%) of the total members represented, except as is specified in Article IX, Section 4.

### Section 4 Affiliation

In order to affiliate with any international labor organization, the issue must be presented to the entire membership for a vote. A two thirds (2/3) majority of those voting is required to effectuate any affiliation.

Section 5 Only members in good standing and invited guests may take part in any meetings or business of the Association.

Section 6 The general membership may act upon such business the Board of Directors has referred to the general membership for final determination, as well as all other business matters specifically designated elsewhere in these Bylaws.

#### ARTICLE X – PARLIAMENTARY AUTHORITY

Section 1 Meetings of the Association shall be governed so as to not be inconsistent with Robert's Rules of order insofar as they may be applicable and not inconsistent with or in conflict with these Bylaws, Articles of Incorporation or the law.

#### ARTICLE XI - RECALL

Section 1 Any Officer or Director of this Association is subject to recall for conduct unbecoming an Officer or Director of the Association. A petition for the recall of the Officer or Director must state in general terms the nature of the conduct giving rise to the petition.

##### Section 2 Recall Petition

A petition for recall of any Officer or Director elected in an at-large-election must be signed by not less than 25% of the members of Association.

Section 3 A petition for recall of any Unit Director must be signed by at least 25% of the number of members he/she represents.

##### Section 4 Special Election

Upon receipt of such petition, the President must call a special election of the general membership for an Officer or Director-at-large recall; or call a special election of the unit membership for Director recall. The Director or Officer who is the subject of the recall shall have an opportunity to address the affected membership in writing. A majority of the affected membership (50%+1) must cast affirmative votes in such special election to recall such Officer or Director.

##### Section 5 Filling a Vacancy

To fill an Officer vacancy created by a recall action, the Executive Committee shall accept nominations and hold a General Membership election by mailed ballots in accordance with regular election procedures.

Section 6 To fill a vacancy created in the Board of Directors by a recall action, the Executive Committee shall appoint a Nominating Committee who shall submit names of at least two candidates for the Directorship and hold an election by mailed ballots in accordance with regular election procedures.

## ARTICLE XII - OFFICIAL PUBLICATION

*THE COUNTY BLADE* shall be the official publication of the Association.

## ARTICLE XIII - AMENDMENTS TO ARTICLES AND BYLAWS

Section 1 The Articles of Incorporation of this Association may be amended only by the members of the Association subject to approval by the appropriate governmental agency.

Section 2 Such amendments may be adopted by a two-thirds (2/3) vote of the Regular Members present at a regular or special meeting provided all members are advised in writing at least two weeks in advance of any proposed changes and that time and place of the meeting set for their adoption. A mailed ballot may be substituted for the preceding procedure and a two-thirds (2/3) vote of the ballots received is required for passage.

Section 3 The Bylaws of the Association may be amended by a two-thirds (2/3) vote of the Board of Directors, provided all Directors have been notified in writing of any proposed changes at least two weeks in advance of any Board vote on such changes.

## ARTICLE XIV - EFFECTIVE CLAUSE

Section 1 These Articles and Bylaws originally became effective upon ratification by the membership and approval by the appropriate governmental agencies on the following dates: Ratified October 15, 1969. Approved November 25, 1969.

Section 2 This copy of the Bylaws is as amended by the Board of Directors on September 19, 2012.