



Service Employees International Union Local 49, AFL-CIO, CLC

Constitution and By-Laws and Rules of Order as Amended March, 2002



Service Employees International Union Local 49
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PREAMBLE

CONSTITUTION, BYLAWS AND RULES OF ORDER

of

SERVICE EMPLOYEES INTERNATIONAL UNION
S.E.I.U., LOCAL NO. 49, A.F.L.-C.I.O.-C.L.C.

As amended, **March, 2002**

ARTICLE I

NAME AND AFFILIATION

Section 1. The name of this Local Union shall be Service Employees International Union, Local No. 49, A.F.L.-C.I.O.-C.L.C., (**hereinafter referred to as the “Local” or the “Union”**).

Section 2. The Local Union shall be affiliated with the Service Employees International Union, A.F.L.-C.I.O.-C.L.C., the **State** Council of S.E.I.U., **the Oregon A.F.L.-C.I.O. the Healthcare, Building Services and Allied and Industrial Divisions**, as determined by the International Union, and may affiliate with such other organizations as the Union may from time to time deem advisable.

ARTICLE II

Object

Section 1. This Local Union shall, as an affiliate of the International Union, carry out all of the objects and purposes of the International Union and shall have as its particular objects and purpose to represent, protect, maintain and advance the interests of the workers within its jurisdiction; to assist them in securing employment; to improve their wages, hours and conditions of employment; **to promote the interests of the membership through organizing; and** to engage in legislative, political, educational, civic, welfare and other activities which further the interests of the membership of this Local Union or the International Union.

ARTICLE III

Jurisdiction

Section 1. This Local Union shall have jurisdiction over all workers who are eligible for membership in the Service Employees International Union, A.F.L.-C.I.O.-C.L.C., and the jurisdiction of this Local Union shall be co-extensive with the jurisdiction of the Service Employees International Union as set forth in the Article III of the Constitution and Bylaws of the International Union and as may be granted and approved from time to time by the International Union in accordance with the International Constitution and Bylaws.

Section 2. There shall be no discrimination against any member, or any applicant for membership by reason of race, creed, color, religion, sex, sexual orientation, national origin, ancestry, age or disability.

ARTICLE IV

Membership

Section 1. Any person employed in any employment within the jurisdiction of this Local Union shall be eligible for membership.

Section 2. Any person who is an employer or who does contract work, or who is not working under the jurisdiction of the Local may be admitted to membership and shall pay dues, and assessments, and shall be subject to all rules, but he/**she** shall not be allowed to attend meetings, become a candidate for, hold office in, or participate in **the** affairs of the Local Union. As soon as such a member is no longer working in the capacity of employer, or no longer does contract work **and** returns to work under the jurisdiction of the Local, he/**she** shall be entitled to all of the privileges of a regular member.

Section 3. The fact that a person may be eligible for membership of this Local Union does not mean that the Local Union must admit him/**her** to membership.

Section 4. All candidates for membership in this Union shall complete payment of the Initiation Fee within thirty-one (31) days after date of first application under penalty of forfeiture of such partial payments as may have been made. All candidates for membership in this Union should **join the Union or become a fee payer** within ninety (90) days after date of execution of application.

Section 5 **Members that leave bargaining unit status, including members who joined the Local during an organizing campaign, may retain their membership by becoming associate members of the Union, as long as they are not an employer with workers represented by this Local. Associate members are not eligible to vote in the affairs of the Local.**

Section 6. **Staff of the Union may join as Staff Members of the Local. Staff Members, who pay full dues to the Local, are eligible to vote on all governance issues within the Local and they are eligible to run for the office of President, pursuant to the requirements of Article X.**

ARTICLE V

Duties of Members

Section 1. It shall be the duty of all members of this Union to attend General Membership Meetings and their respective **Sector** or Area Meetings when held, unless they are working or are sick at the time of the meetings **and to participate in the activities of the Local.**

Section 2. It shall be the duty of all members of this Union to serve on committees when appointed.

Section 3. It shall be the duty of all members of this Union to report immediately to the Union any violation or violations by a member or by an employer of the union wage scale or working agreement.

ARTICLE VI

Good Standing

Section 1. In order for a member to be in good standing, his/her dues must be paid on or before the last day of each month.

Section 2. Members whose dues are checked off by his/her employer shall be responsible for making his/her dues payments himself/herself when he/she is absent from work due to illness, vacation, leaves or otherwise.

Section 3. Any member failing to pay dues and assessments of the Local Union on or before the last day of the month in which the same are due shall stand automatically delinquent in membership in this Local Union and shall lose all rights and privileges of good standing membership and shall be required to pay as follows:

(3-a) Any member who becomes delinquent in dues shall pay the back dues and **\$10.00** Reinstatement Fee.

(3-b) Any member who becomes sixty (60) days delinquent in dues shall pay the back dues, the current dues and **\$25.00** Reinstatement Fee.

(3-c) Any member who becomes ninety (90) days delinquent in dues shall stand automatically suspended from membership and to be reinstated shall pay the back dues, the current dues, **reinstatement fees**, and another full Initiation Fee, but in no event shall such reinstatement restore any privileges, death gratuities or other benefits.

Section 4. However, when a member is laid-off from employment or is absent from work due to employer lockout or union-authorized strike for more than twenty days in any calendar month, such member will be credited for membership dues for the period of unemployment but not to exceed six months in any calendar year.

Section 5. **Members in seasonal or intermittent jobs who have a reasonable expectation of periodic re-employment through a collective bargaining agreement that provides re-employment rights, will retain his/her right to vote on union governance issues if they are paying associate member dues at the time of the vote.**

ARTICLE VII

Withdrawal Cards

Section 1. A member wishing a Withdrawal Card must have all dues and assessments paid up-to-date and make application to the **Union business office within thirty-one (31) days of employment termination.** Failure to provide such notice will result in suspension of membership. Every member receiving a withdrawal card shall pay **Five Dollars (\$5.00)** for same, except when adjusted by action of the Executive Board.

Section 2. Members on withdrawal card returning to the jurisdiction of the Union must deposit the card with the Union not later than ten (10) days after such return. Failing to do so makes the withdrawal card null and void.

Section 3. If a member on a withdrawal card wishes to reaffiliate with the Union, he/she may do so upon payment of one month's dues; however, all applications for reaffiliation shall be governed by the same rules and regulations applicable to any new member.

Section 4. The Local may order withdrawal cards to be taken out by members working outside the trade or jurisdiction of the Local.

ARTICLE VIII

Local Death Gratuity

Section 1. The Local Union has established a death gratuity of **Two** Hundred Dollars (\$200.00) to augment the death gratuity as established by the Service Employees International Union and in conjunction therewith and in conformity with the rules and amendments thereof which are made a part hereof, as though fully herein set forth, with the exception that the Local President and the Local Executive Board shall handle all controversies arising from said Local death gratuity. The Local death gratuity shall be subject to the same rules and regulations as are contained in Article **XIX** of the International Constitution. The death gratuity provided for in this Article shall be applicable only to the Local Union and shall in no event be considered an obligation or commitment of the International Union.

Section 2. The death gratuity heretofore provided shall be acquired and maintained as follows: If the Death Gratuity Fund drops to Five-Hundred Dollars (\$500.00) or below, the Secretary-Treasurer will draw on the General Fund to reimburse the Death Gratuity Fund up to One-Thousand Five-Hundred Dollars (\$1,500.00).

Section 3. The Local Death Gratuity will coincide with Article **XIX** of the International Constitution and Bylaws.

ARTICLE IX

Sectors

Section 1. The Union may establish the following **sectors**: Hospitals, Health Care Clinics, Dental Offices, Care Facilities, Industrial, **Building Services**, and Schools, and any other sectors deemed necessary by the Executive Board and approved by the membership at a General Membership Meeting.

Section 2. **In addition to the Officers of the Local, the Executive Board will be comprised of Sector, Bargaining Unit and Geographic representatives. Specifically, there shall be one Executive Board member elected from each Sector (as long as the Local represents at least 100 workers in that sector) to serve on the Executive Board of the Local Union. One member shall be elected at large from each bargaining unit with at least 300 members. And, one member shall be elected at large from each of the following geographic areas: (1) Southwest Washington (Longview, Vancouver, Washougal, Columbia River Gorge), (2) North Willamette Valley (Corvallis, Albany, Salem), (3)**

Mid-Willamette Valley (Eugene, Springfield), and (4) Coast (Astoria, Newport) to serve on the Executive Board. The number of seats on the Executive Board will be determined at the time of election. The Executive Board can modify the number of Board seats pursuant to the provisions of Article XIX, Amendments.

Section 3. The term of office for all executive Board members shall be **three** years or until successors are duly elected and installed.

Section 4. Elections shall be in accordance with Article X.

Section 5. It shall be the duty of the President to preside at all meetings of the **Executive Board**, preserve order, enforce the Constitution and watch vigilantly over the affairs of the **Union**. When members are equally divided on any question, the President shall cast the deciding vote.

Section 6 It shall be the duty of the **Secretary-Treasurer** to keep a correct, full, accurate and impartial account of the proceedings of each meeting of the **Executive Board**.

Section 7. No member shall become a candidate or hold office **on the Executive Board** who has not been in continuous good standing in the Union or who has not been working under the jurisdiction of the Union for two years immediately preceding nomination, **unless they are in a bargaining unit organized by the Union less than two years prior to the election or unless there is a transfer of union membership from another SEIU Local under Article XVI, Section 2 of the SEIU International Constitution and Bylaws.**

ARTICLE X

Elective Local Officers

Section 1. The elected offices of this Union shall consist of a President, 1st Vice President, 2nd Vice President, Secretary-Treasurer and **one Sergeant-at-Arms**.

Section 2. Nominations of officers shall take place at the **July** General Membership Meeting. The election shall take place during the month of **August or** as determined by the Executive Board. Installation of officers shall take place at the first General Membership Meeting after the election. The term of office shall be for three years and they shall hold office until their successor is duly elected and **installed**.

Section 3. No member may become a candidate in the Union who has not been in continuous good standing for two years immediately preceding the nomination **unless they are in a bargaining unit that was organized less than two years earlier or unless this membership requirement is met through the transfer of Local membership provisions of Article XVI, Section 2 of the SEIU International Constitution and Bylaws.**

Section 4 Members placed in nomination for any office within the Union must be present at the meeting at the time of nomination to accept the nomination or have given permission to be nominated, in writing, to the **President** prior to the time of nominations.

Section 5. No member shall be a candidate for more than one office.

Section 6 No person who has been convicted of **any offense listed in Section 504(a) of the Landrum-Griffin Act, 29 U.S.C. Section 504, (or an equivalent offense in Canada)** and who is **consequently disqualified from serving as a representative or employee of a labor union by operation of Section 504(a)** shall be eligible to hold office in this Local Union.

Section 7. No candidate (including a prospective candidate) for any office in this Local Union or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of the International Union.

Section 8. No member shall be eligible to hold office in this Union unless actually employed at the crafts or working as an Officer of this Union.

Periods of unemployment during the two (2) year period preceding the nomination shall not be considered a break in active employment within the jurisdiction of the Local Union if the nominee was actively seeking and available for employment in the jurisdiction of this Local Union during such periods of unemployment.

Any question as to the eligibility of a candidate nominated at the nomination meeting shall be decided by the President of this Local Union. Any member who is ruled ineligible to run for office and has an objection to such ruling may appeal to the International Union in accordance with the International Union Constitution.

Section 9. All members shall be notified by the Secretary-**Treasurer**, in writing, **at** his or her last known address, of the time and place of the nominations and elections in accordance with applicable law.

Section 10. Each bona fide candidate for office shall have the right, once within thirty (30) days prior to any election in which he/**she** is a candidate, to inspect a list containing the names and last-known addresses of all members of this Union. Such inspection shall be arranged by the candidate with the **President** in advance. Such inspection must be made in the presence of the **President** or his/**her** designee.

Section 11. Nominees, if unopposed, shall be deemed elected without necessity for further procedures. **All duly nominated candidates for an Officer position, who are involved in a contested race, shall be invited to submit a campaign statement, not to exceed 500 words in length, uniformly formatted and camera ready, along with a scan-ready photo (optional) for a Voters' Guide, which shall be published by the Union at least thirty (30) days prior to the election. When possible, the Voter's Guide will be printed and mailed to all members' home addresses as part of the Local's regular newspaper or with some other mailing in order to minimize election costs to the Local while duly informing members about the candidates. All duly nominated candidates for Officer positions will also be provided, at their request and for actual cost, up to two (2) sets of membership mailing labels, in a manner that can be reasonably sorted on the computer or through some other method. Provision of these labels shall be conditioned on receipt of a candidate's signed and dated agreement not to reproduce such labels, release them to an outside party (other than a vendor providing services to a candidate for this election), or use them for any other purpose than this election. Upon request, candidates will be provided members' telephone numbers (except those numbers which members have requested be kept confidential) that are available in the Local's membership file.**

Section 12. All duly nominated candidates shall be given equal opportunity to post campaign materials on all designated Union bulletin boards in represented worksites. Similarly, all candidates shall be given equal access to all Union meetings and conferences, provided that the opportunity to make campaign presentations shall be consistent with the agenda and protocols for such meetings and conferences. Candidates and members shall not use Union resources, e.g., copy machines, computers, telephones, cameras, video equipment, etc. to promote any member's candidacy for Union office.

Section 13. At the meeting of the Local Union when nominations are made, after nominations have closed, a judge and five (5) **members** shall be **appointed by the Executive Board** to serve as an election board to conduct the election. No candidate for any office shall be eligible to serve on this **election** board.

Section 14. After nominations have been made and those nominated are found to be qualified, the Election Board shall **develop and adopt election procedures, working in conjunction with the President and Secretary-Treasurer.** The Election Board shall have ballots prepared, listing in alphabetical order, the names of all candidates for each respective office, beginning with President and continuing in the order named in the Constitution. Such ballots shall not contain any identifying numbers or marks.

Section 15. All voting shall be by mail ballot. There shall be no proxy **voting.**

Section 16. The **President** shall furnish the election judge, no less than ten (10) days before the election an alphabetical list of all members eligible to vote. All members in good standing and qualified shall be entitled to vote.

Section 17. The election judge shall mail or cause to be mailed to all eligible voters, an official ballot, two envelopes and a voter's instruction sheet. One envelope shall be smaller than the other and shall have the words "Official Ballot" stamped or printed on it. The larger envelope shall be pre-addressed to the Election Board and shall contain a space in the upper left hand corner where the members shall place their name and address.

Section 18. Upon receiving their ballot, the members shall mark same and enclose it in the smaller envelope marked "Official Ballot." This envelope shall be placed in the larger pre-addressed envelope and mailed to the Election Board.

Section 19. The Election Board shall select a depository to which the envelopes containing the ballots shall be mailed. This shall not be the Local Union post office box or the Local Union headquarters. (Cost of such depository shall be paid by the Local Union.) This Board shall advise the **President** of the Local Union of the location of such depository in sufficient time for the **President** to prepare the pre-addressed envelopes.

Section 20. The Election Board shall open the envelopes, remove the smaller envelope marked "Official Ballot" and deposit same in the ballot box with the other ballots. No envelope bearing a postmark later than midnight of the day announced as the last day shall be opened by the Election Board.

Section 21. The Election Board shall count the ballots and certify the results in writing to the Executive Board.

Section 22. All election records including ballots shall be preserved for one year from the date of election, after which same shall be destroyed unless a question has arisen in connection therewith.

Section 23. The candidates for office may be present or have a member as an observer present at the counting of the ballots.

Section 24. The candidates receiving the highest number of votes for each respective office shall be declared elected.

Section 25. The officers of the Union named herein shall be the only persons authorized to act for or on behalf of the Union, and the actions, declaration or conduct of any other person except those officers herein named, whether performed or made with respect to the Union or not, are not and shall not be considered to be the acts of any officer or agent of the Union and shall not constitute any authorized acts for and on behalf of the Union, nor shall they cause or form the basis for liability of any nature whatsoever on the part of the Union.

Section 26. In the event one of the offices of the Local Union becomes vacant, the Executive Board of the Local Union shall fill such office by appointment until such time as an election may be held to permanently fill the vacancy, **unless such term of office is less than one year, in which case the Executive Board appointee will serve out the remainder of the term. In the case of a vacancy in the position of President, the Executive Board will appoint a successor who shall hold the position for the remainder of the original term of office. This person may be hired from within or outside the membership of the Union. In the event this person is not a member, he/she must have been employed outside a bargaining unit represented by the Local, he/she must become a member in good standing within thirty (30) days of hire, and the two (2) year membership requirement listed in Article X, Section 3 will be waived.**

Section 27. Officers and Executive Board members who are absent from three consecutive Executive Board and General Membership Meetings without a legitimate excuse, shall be subject to having their office declared vacant. Such action may be taken **at** the third meeting by the President.

ARTICLE XI

Duties of Officers

Section 1. President: It shall be the duty of the President of this Union to preside at all meetings, to preserve order, to enforce the Constitution, to watch vigilantly over the affairs of the Union, to sign all checks and contracts, jointly with the Secretary-Treasurer **or his/her designee when the amount of the check is \$10,000 or more**, to appoint committees of which he/she shall be ex-officio member, and to transact such other business as may rightfully pertain to this office. He/she shall have the power to call special meetings. He/she shall execute to the Union a sufficient surety bond and the premium on said bond shall be paid by the Union. By virtue of this office, he/she shall be a delegate to all conventions, which may take place during his/her term of office.

The duties of the President shall be to receive all monies on behalf of the Union and receipt for same, to keep true and accurate account of all receipts and expenditures in such separate funds as may be provided for, and to make reports thereon and on the financial condition of the Union at the first regular meeting after the quarterly audit. He/she shall balance and submit

his/her books for quarterly audit. He/she shall sign all contracts and other documents. He/she shall have charge of the welfare and general business of the Union. He/she shall establish the wages paid to all employees of the Union and shall request approval of the Executive Board and the Union to adjust same. He/she shall require all persons employed by this Union who are required to handle monies in the performance of their duties to execute to the Union a sufficient surety bond, and the premium shall, on said bond, be paid by the Union. The International Secretary-Treasurer of the International Union may direct the increase or decrease of the bond when he/she deems it advisable.

Section 2 1st Vice-President: It shall be the duty of the 1st Vice-President to preside at meetings in the absence of the President and to perform all duties as may rightfully pertain to his/her office. By virtue of this office he/she shall be a delegate to all conventions, which may take place during his/her term of office.

Section 3. 2nd Vice-President: It shall be the duty of the 2nd Vice-President to preside at meetings in the absence of the President and 1st Vice-President and to perform all duties as may rightfully pertain to his/her office. By virtue of this office he/she shall be a delegate to all conventions, which may take place during his/her term of office.

Section 4. Secretary-Treasurer: **In conjunction with the President**, the Secretary-Treasurer, shall **perform the following duties**: keep all membership records and application cards, and a record of all members admitted by initiation or otherwise, as well as rejections and suspended or expelled members. He/she shall send to the International Union the correct names and addresses (with proper zip codes) and social security or social insurance numbers of all members of the Local Union and every month shall submit all changes of addresses, and the names and addresses of all members initiated or readmitted, and of all other persons from whom revenue is derived, as well as those suspended for nonpayment of dues or for any other cause; also a correct list of those who take transfer or withdrawal cards.

The Secretary-Treasurer shall promptly forward to the International Secretary-Treasurer copies of all annual audit reports and copies of all financial reports setting forth a statement of liabilities and a statement of receipts and disbursements, which are required by law.

The **Secretary-Treasurer** shall furnish the chairman of each committee a copy of such resolutions as may be adopted by the Local Union, applicable to its respective duties. The **Secretary-Treasurer** shall notify the International Union of the names and addresses (with zip codes) of all officers elected to the office within fifteen (15) days after the election. The **Secretary-Treasurer** shall, on behalf of the Local Union, receive all official communications and correspondence **that require a record**, except those addressed to the **President**. By virtue of this office he/she shall be a delegate to all conventions, which may take place during his/her term of office.

Section 6 **Sergeant-at-Arms**: It shall be the duty of the **Sergeant-at-Arms** to take charge of the doors at all meetings and to see that only members in good standing enter unless otherwise ordered, and to preserve peace and harmony in said meetings.

ARTICLE XII

Local Executive Board

Section 1. The Executive Board shall consist of the President, Secretary-Treasurer, 1st Vice-President, 2nd Vice-President, **one Sergeant-at-Arms** and Executive Board Members.

Section 2. A majority of the members of the Executive Board shall constitute a quorum and shall meet **monthly or as otherwise scheduled by the Executive Board** or on call of the President. **The schedule of Board meetings will be set by the Executive Board in December of each year and publicized within the Local.**

Section 3. In the periods between regular membership meetings of this Union the Executive Board shall have full power to act on behalf of all of the members of this Union.

Section 4. It shall be the Examining Board of the Union and shall pass on **disputes involving** new applicants, readmittances and prospective transfers into the Union.

Section 5. It shall try all members against whom charges have been filed, as provided in Article **XVII** of the International Constitution and Bylaws.

Section 6. The **Secretary-Treasurer** shall keep a book in which will be recorded the minutes of the meetings of the Board and all recommendations of the Executive Board.

Section 7. The Executive Board **shall establish overall policy for the Union and oversee** the activities, affairs and functions of this Local Union and to utilize the property and funds of this Local towards the fulfillment of the purposes and objects of this organization and the interests of its members. The Executive Board is authorized to establish, adopt, prescribe and order such procedures, working rules and regulations, consistent with this Constitution **and the duties of the President**, as are required for the direction and management of the affairs of this Local Union.

Section 8. When the Executive Board deems it advisable, it may call special meetings of the Local Union.

Section 9. The Executive Board shall nominate and elect each **September**, a Financial Review committee. This committee shall consist of three Executive Board members. **The Secretary-Treasurer will chair this committee.** This committee shall review the income, receipts, expenditures and other financial data with the **President and Secretary-Treasurer, prepare a draft budget with these officers for referral and adoption by the Executive Board** and give a financial report to the Executive Board no less than each quarter of the year.

ARTICLE XIII

Revenue

Section 1. The revenue of this Union shall be derived from Initiation Fees, monthly dues, agency shop or service fees, penalties, assessments, subsidies, rentals, and such other sources, as the Executive Board deems necessary.

Section 2. The monthly dues of this Union shall be as follows, unless permission for waiver has been granted by the International Union:

(2-a) Dues for all retired members are **\$5.00** per month when paid during the current month when due or in advance.

(2-b) Pursuant to Article XV of the SEIU International Constitution and Bylaws, union dues will increase in the amount of one dollar (\$1.00) per week on January 1 of each year from 2003 through 2005 as follows:

January 1, 2002	\$37.16
January 1, 2003	\$41.49
January 1, 2004	\$45.82
January 1, 2005	\$50.15

(2-c) In an effort to address dues parity within the membership, the Local will begin transitioning to a percentage dues system. Effective January 1, 2003, union dues will be 1.5% of gross pay but not less than the amounts listed above. Effective January 1, 2005, union dues will be 1.7% of gross pay but not less than the amount listed above.

(2-d) Effective January 1, 2002, union dues for full-time or part-time workers earning less than \$1,333 per month (\$16,000 per year), the dues will be 70% of the amounts listed in 2-b above. Specifically,

January 1, 2002	\$26.01
January 1, 2003	\$29.04
January 1, 2004	\$32.07
January 1, 2005	\$35.11

(2-e) Not Employed/Associate members will pay \$10.00 per month.

Section 3. The Initiation Fee shall be based on a member's hourly rate of pay: \$35.00 for up to \$10.00 per hour, \$75.00 for up to \$15.00 per hour and \$100.00 for amounts above \$15.00 per hour.

ARTICLE XIV

Expenditures

Section 1. Funds of the Union shall be used to defray necessary expenses.

Section 2. The officers of this Union, with the exception of the **President**, will serve as officers without pay or compensation, **other than lost time periodically approved by the Executive Board**. The salary of the **President** shall be established by the Executive Board.

Section 3. This Local Union shall pay per capita tax to the International Union for any person from whom the Local Union receives **dues** revenue.

ARTICLE XV

Preamble: Charges

In order to ensure member's protection from filing frivolous charges, the following procedures shall apply.

Section 1. All charges shall be filed in writing with the **President**. Thereafter when a member has been so charged with any violation of the provisions of this Constitution or of conduct unbecoming a member of the Union, such member shall be notified in writing of such charges by the **President**. Such charges shall be referred to the Executive Board, who will act as the trial body, who shall have power to call witnesses, investigate, and report back to the Union within **two (2) months** with recommendations. An officer under charges shall **remain in his/her** office pending investigation unless otherwise ordered by two-thirds (2/3) vote **of the Executive Board**.

(1-a) Charges and the basis for charges shall be governed by the provisions of the Constitution and Bylaws of the International Union.

(1-b) Subject to the provisions of applicable statutes, every member or officer of this Local Union against whom charges have been preferred and disciplinary action taken agrees, as a condition of membership or affiliation, and the continuation of membership or affiliation, to exhaust all remedies provided for in the Constitution, and Bylaws of the International Union and in this Constitution, and further agrees not to file or prosecute any action in any court, tribunal or other agency until those remedies have been exhausted.

(1-c) The charges must specify the events or acts, which the charging party believes, constitute a basis for charges and must state which subsection(s) of Section 1 of this Article or Section 1 of Article XVII of the International Constitution the charging party believes has been violated. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing. No charges may be filed more than six months after the charging party learned, or could have reasonably learned, of the act or acts which are the basis of the charges.

Section 2. Member shall have at all times the right to appeal as is provided in the International Constitution.

Section 3. It shall require a two-thirds (2/3) vote **of the Executive Board** to suspend, expel, fine or place on probation, unless otherwise provided herein.

ARTICLE XVI

General Membership Meetings

Section 1. This Union shall convene **regular General Membership Meetings**. **Typically, these will be held on** the second Tuesday of each **quarter (January, April, July, October)** 1:00 PM and 7:30 PM **unless otherwise scheduled by the Executive Board**.

Section 2. A special meeting of the Union may be called by the Executive Board or upon a request submitted by ten percent (10%) of the membership to the President. The request must be made in writing and shall state clearly the purpose for which the meeting is called. No other business shall be

transacted on **that** occasion. Actions taken by the Executive Board can be overturned when a petition signed by 20% of the membership is filed with the President calling for a vote on specific action taken by the Executive Board. If the 20% signature requirement is satisfied, the matter will be referred to the membership for a vote at the next membership meeting. Such vote will require a majority vote

Section 3. The **President** shall keep a record of the names and addresses (with proper zip codes) of all members, and shall notify them of a special membership meeting at least five (5) days before it convenes.

Section 4. No member shall interfere with the elected officers or **field staff** of this organization in the performance of their duties and each member shall, when requested, render such assistance and support in the performance of such duties as may be required by them; provided that this does not interfere with their individual rights as members. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any conduct that would interfere with the performance by this Local Union of its legal or contractual obligations.

Section 5. No member may be fined unless such member has been served with written, specific charges and given a reasonable time to prepare his/**her** defense and afforded full and fair hearing.

ARTICLE XVII

Quorum

A quorum shall consist of **seventy-five (75)** members assembled at a regular or special meeting, called in accordance with this Constitution, and they shall be qualified to transact such business as may properly be considered at such meeting. **Actions taken by the Executive Board can be overturned by the membership if a petition supported by 10% of the members is filed with the President requesting that such action be overturned. In such event, the issue in dispute will be reviewed by the Executive Board at its next regular meeting and subject to a 2/3 vote at the next quarterly membership meeting.**

ARTICLE XVIII

Committees

Section 1. The standing committees of this Union shall consist of the Executive Board and such other committees, as the Union may from time to time deem advisable.

(1-a) The Executive Board of this Union shall appoint a Civil Rights Committee to assist it in carrying out the Civil and Human Rights Programs and policies of the International Union.

(1-b) The Executive Board of this Local Union shall appoint a Committee on Political Education **and Political Action** to assist it in carrying out a program for sound political education and political actions, **COPE fundraising**, encouraging workers to register to vote and supporting internal and external organizing.

No Local Union shall establish its own registered federal political committee or any political candidates fund for contributions in connection with federal elections, provided however, that the International President may in his or her discretion waive this provision or establish such conditions as the International President may deem necessary.

(1-c) The Executive Board of the Local Union shall appoint a Senior Members Committee to assist it in developing a program for senior members and retired members.

(1-d) The Executive Board of this union shall appoint an Organizing Committee to assist in **promoting new worker** organizing for this Local.

(1-e) The Executive Board will appoint Stewards Councils from among the bargaining units and divisions or sectors represented by the Local. These Councils will assist with the recruitment, education and development of an effective rank-and-file representational structure. These Councils have the responsibility of assisting with all aspects of the Local's program: contract negotiations, contract administration, internal and external organizing and political action.

(1-f) The President, with approval of the Executive Board, will appoint a chair or co-chairs for each of these committees. The International Secretary-Treasurer shall be notified promptly by each Local Union of the composition of the Civil and Human Rights Committee, the Committee on Political Education, the Senior Members Committee, ~~and~~ the Organizing Committee, **and the Stewards Councils.**

Section 2 – Property Rights. Membership in this organization shall not vest any member with the right, title or interest in or to the funds, property or other assets of this Union now owned and possessed or that may hereafter be acquired and each member hereby expressly waives any right, title or interest in or to the property of this Union, including the funds of this Union. The title of all property, funds and other assets of this Union shall at all times be vested in the Executive Board of this Local Union for the joint use of the membership in this Local Union, but no member shall have any severable proprietary right, title or interest therein.

ARTICLE XIX

Amendments

Section 1. The Constitution and Bylaws of this Local Union may be amended at any General Membership Meeting by a two-thirds (2/3) vote, provided: (1) that the amendment to be voted on has been put in writing, signed and filed, with the **President** at least ten (10) days prior to a General Membership Meeting; and **the amendment is supported by signatures of 20% of the membership of the Local or referred to the General Membership by a two-thirds (2/3) vote of the Executive Board,** and (2) read at **one quarterly** General Membership Meetings prior to the meeting at which the vote is to be taken; and (3) provided further that no amendment to the Constitution and Bylaws of this Union shall be valid or effective until approved by the International Union.

Section 2. The Constitution of the Service Employees International Union and the current edition of Robert's Rules of Order shall be the laws and rules of order of this Union in the absence of any law or rule of order not herein specifically provided for.

Section 3. This Constitution shall be in full force and effect from the date of its adoption.

Section 4 Future proposed Amendments to increase monthly dues other than presently provided for under Article XIII, Revenue, Section 2b, and except for changes mandated by the International Union at Convention, shall be submitted to the membership by Mail Ballot and approved by a simple majority vote of eligible members in good standing who return their ballots.

The proposed Amendment must be read at **one (1) quarterly** General Membership Meeting before it is submitted to the membership as follows:

1. A judge and five (5) **members** shall be nominated and elected at the General Membership meeting to serve as the Ballot Committee.
2. The Secretary-Treasurer shall furnish the election judge a list of all eligible names and addresses of members in good standing.
3. The election shall be conducted in accordance with Article X, Section 16 through 20.

ARTICLE XX

Dissolution

Section 1. This Local Union cannot dissolve, secede or disaffiliate while there are seven (7) dissenting members. In the event of succession, dissolution or disaffiliation, all properties, funds and assets, both real and personal, of this Local Union shall become the property of the International Union. Under no circumstances shall this Local Union distribute its funds, assets or properties individually among its membership.

ARTICLE XXI

International Constitution and Bylaws

Section 1. This Constitution and Bylaws of this Local Union shall at all times be subordinate to the International Constitution and Bylaws, as amended. If any conflict should arise between the Constitution and Bylaws of this Local Union, or any amendments thereto, and the International Constitution and Bylaws, or any amendments thereto, the provisions of the International Constitution and Bylaws shall control.

ARTICLE XXII

Strikes

Section 1. **The Executive Board shall establish policies regarding strike authorization procedures for bargaining units represented by the Union. Where practical, a forty-eight (48) hour strike vote notice shall be given to members of an affected bargaining unit. The location of the strike vote shall be decided by the affected bargaining committee. Seventy-five percent (75%) of those in attendance must vote in favor of authorizing a strike for the bargaining unit to proceed with strike activity.**

Section 2 No member shall work as a strikebreaker or violate wage or work standards established by the Local or the International. In the event this provision is violated, charges brought against a member will be processed pursuant to Article XVII of the SEIU International Constitution and Bylaws.

ARTICLE XXIII

Collective Bargaining

Section 1. The results of any collective bargaining negotiations shall be subject to ratification by the members affected.

Section 2. The International Union shall be notified in writing when any collective bargaining negotiations or memorandum of understanding have been concluded and the number of employees covered.

Section 3. A true copy of all collective bargaining agreements and contracts entered into by this Local Union shall immediately upon execution, be filed with the International Research **Department**.

RULES OF ORDER

The Local will follow Roberts Rules of Order at all Board meetings and other official proceedings.