

SEIU LOCAL 500 CONSTITUTION AND BYLAWS

Revised February 2012

PREAMBLE

We are SEIU Local 500, united by the belief in the dignity and worth of workers and the services they provide. We seek a stronger union to build power for ourselves and to protect and develop the welfare and interest of our membership through education and collective action so that we might obtain the best possible compensation for our labor, greater control over all aspects of our work, and improvement of the conditions under which we work. We strive to enhance the strength and influence of the Union while protecting and advancing the civil liberties, rights, and the technical and professional status of our members.

Our strength comes from our unity, and that we must not be divided by forces of discrimination based on race, creed, color, religion, gender, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability. Our power and effectiveness depend upon the active participation and commitment of our members, the development of our leaders, and solidarity with each other and our allies.

We believe we have a moral responsibility to the future generations to leave the world a better place for all who come after us.

ARTICLE I. NAME AND AFFILIATION

The name of this organization shall be SEIU Local 500. This organization is affiliated as Local 500 with the Service Employees International Union, Change to Win (CTW), Canadian Labor Congress (CLC).

ARTICLE II. OBJECTIVES

To unite into one organization, regardless of race, creed, color, religion, gender, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability, all public and not for profit employees in Maryland and the District of Columbia;

To improve the working conditions and standard of living of all members through collective bargaining, political action, and all other legitimate means; and

To establish open and better means of communication between the members and the employing authority.

ARTICLE III. MEMBERSHIP

Section 1. Eligibility for Membership.

Membership shall be open to:

- A. All supporting services employees working for the Montgomery County Public Schools;
- B. All other public employees in Maryland and the District of Columbia;
- C. All employees of all non-profit institutions in Maryland and the District of Columbia;
- D. Any group of employees whose membership will enhance the strength of the existing membership and further the goals of the Local Union; and
- E. Any group of employees, not included in A-D, above, whose application for membership is voted upon favorably by the membership upon recommendation of a member in good standing by a majority of those present and voting at a membership meeting. Prior notification of this vote will be given to the membership.

Section 2. Continuation of Membership.

Membership shall be continuous until the member resigns from the Local, (during the appropriate period), no longer meets the eligibility requirements of Section 1 of this Article, fails to pay the required membership dues, or is suspended or expelled pursuant to this Constitution.

Section 3. Right to Vote, Hold Office, and Voice in Meetings.

The right to vote and hold office shall be open to all members in good standing and each member shall be entitled to a voice at all meetings of the Local.

Section 4. Member Rights, Privileges, and Duties.

A member in good standing is one whose dues are current for the membership year.

Members in good standing, and only members in good standing, shall be eligible to participate in the Union, including voting on contracts, running for office, serving on contract committees, attending Union meetings, and voting on internal Union business.

A. Rights and Privileges of Individual Members.

Every member in good standing of Local 500 shall have the right to enjoy the full benefits of the Union without discrimination as follows:

1. To vote by secret ballot on Union contracts directly affecting him/her as an employee;
2. To vote in all Union elections in accordance with these bylaws;
3. To attend all regular and special membership meetings of the Union and/or his/her Chapter or Division, and participate in the discussion and vote on all questions;
4. To be a candidate for elective office and/or position in accordance with the provisions of these bylaws and to serve on Union committees;
5. To utilize all services provided by the Union and participate in all social, educational, and cultural activities;
6. To receive a fair and open hearing in accordance with the provisions of these bylaws on any charge brought by him/her or against him/her.

B. Duties of Members.

A member of Local 500 shall have the duty and obligation to strengthen and defend the Union and its membership:

1. A member should attend General Membership meetings of the Union and regular and special meetings of his/her Chapter and Division,
2. A member shall respect the rights of fellow Union members;
3. A member shall comply with the decisions of the Union, made pursuant to this Constitution;
4. A member shall observe orderly procedure and decorum at all meetings;
5. 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 contractual obligations;
6. A member shall be encouraged to assist in organizing the unorganized and participate in such activities as he/she may be called upon to perform by the Union;
7. A member shall keep the Union advised of his/her current mailing address. Notice to the last address provided shall constitute notice to the member for all purposes under these bylaws;
8. No member shall be a party to any activity to secure the disestablishment of this local union as the collective bargaining agent for any employee.

Every member, by virtue of his/her membership in this Union, authorizes this Union to act as his/her exclusive bargaining representative with full and exclusive power to execute agreements with his/her employer governing terms and conditions of employment and to act for him/her and have final authority

in presenting, processing, and adjusting any grievance, difficulty, or dispute arising under any collective bargaining agreement or out of his/her employment with such employer, in such manner as this Union or its officers deem to be in the best interests of the Union.

This Union and its officers and Executive Director may decline to process any such grievance, complaint, or dispute if in their discretion and judgment these lack merit.

The decision by the Union to refer a grievance to arbitration shall be governed by the merits of the grievance, the financial condition of the local, the benefits of a successful grievance versus the cost of an arbitration, and other relevant factors.

No member shall engage in dual unionism.

Section 5. Membership year.

The membership year shall be October 1 of each year to September 30 of the following year.

Section 6. Retired Member.

A member as described in Section 1 above who retires from employment, and who has been a member in continuous good standing of Local 500 for at least one (1) year prior to retirement, is eligible for membership in the Retired Members' Committee. Such membership entitles the member to participate fully within the Committee, and to serve on Union committees where appointed by the Executive Board of the Union, and participate in Local-wide membership meetings in a non-voting capacity. Such retired members will not be entitled to run for Local-wide office. The Retired Members Committee shall adopt bylaws to be approved by the Executive Board of Local 500.

Section 7. Organizing Member.

An Organizing Member must be an individual who is employed in a job which is an organizing target by Local 500, and is not part of a bargaining unit for which Local 500 is the exclusive bargaining agent. Organizing Members will be allowed to attend membership meetings of the Local, as the Executive Board deems appropriate, but shall have no voting rights at such meetings or the right to nominate or run for union office. The Executive Board may determine other benefits and privileges applicable to Organizing Members. The Executive Board shall have the authority to establish an "Organizing Member" dues rate, as well as the authority to amend the rate from time to time. The Executive Board may deny Organizing Membership to individuals as it deems appropriate.

ARTICLE IV. GOVERNING LAW

The Constitution and Bylaws as amended of the SEIU, CTW, CLC, is incorporated herein by reference and made a part hereof.

APPENDIX A – MCCSSE/SEIU Affiliation Agreement, as amended, is incorporated herein by reference and made a part hereof.

In any situation where there is a conflict between the provisions of the above International Constitution and Bylaws and the Affiliation Agreement, the Affiliation Agreement shall control.

ARTICLE V. GOVERNING STRUCTURE

Section 1. Governing authority.

The governing authority of this organization, and jurisdiction of all matters pertaining to it, shall be vested in the membership, which shall exercise such jurisdiction at membership meetings, subject to the constitution and bylaws of this Union.

Section 2. Authority of membership.

The general membership is the body of this organization authorized to take lawful action, consistent with these bylaws, and to act in behalf of the Union.

Section 3. Election by membership.

The membership shall elect the officers of the Union.

Section 4. Organizational Structure.

The membership of this Union shall be divided into Divisions and/or Chapters. Such Divisions and/or Chapters shall be determined by the Executive Board and approved by the general membership. Each Chapter, or Division where a Division does not have Chapters, may hold meetings as called by the President, in consultation with the Executive Board.

Divisions and/or Chapters are at all times subject to the control and direction of the Executive Board and shall not be deemed to have identity or status separate and distinct from SEIU Local 500. Divisions and/or Chapters may not act as collective bargaining agent for or a representative of employees and may not formally or informally affiliate with any organization or group whatsoever. The sole purpose of Divisions and/or Chapters is to enable SEIU Local 500 to serve its members through an organizational structure that provides members the means to voice their particular needs in an effective manner.

Section 5. Divisions and Chapters.

The Division and Chapter structure of SEIU Local 500 shall be as follows:

- A. Early Learning Division.
- B. K-12 Division. This Division includes the following designated Chapters:
 - (1) MCPS Paraeducators
 - (2) MCPS Office Employees
 - (3) MCPS Media & Technology Employees
 - (4) MCPS Transportation Employees
 - (5) MCPS Building Service Employees
 - (6) MCPS Maintenance Employees
 - (7) MCPS Food Service Employees
 - (8) MCPS Security Employees
- C. Higher Education Division
- D. Local Government Division
- E. Nonprofit Division
- F. Childcare Division
- G. Human Services Division

Section 6. Other Bargaining Units.

Consistent with this Constitution and Bylaws, the Executive Board shall determine the chapter and/or division breakdown of other departments, agencies or organizations.

Section 7. Bargaining Unit Definition.

A bargaining unit is defined as the membership covered by a particular bargaining agreement. Bargaining units shall have the authority to ratify or reject their negotiated contracts or agreements, to take appropriate job action, all in accordance with the procedures set down in these Bylaws.

Section 8. Executive Board.

A. The Executive Board shall consist of the President, Executive Vice President, Secretary, Treasurer, and Vice Presidents. There shall be one Vice President for every 600 members, or major fraction thereof, of each Chapter or Division, in Divisions in which there is no Chapter. Each Chapter, or Division, in Divisions in which there is no Chapter, shall have a minimum of one (1) Vice President, except that if a Division without Chapters or a Chapter contains no members, that Division and/or Chapter shall not be entitled to a Vice President. The Executive Board, subject to the approval of the membership, shall authorize new Division and/or Chapter seats, and may call for special elections in newly created Divisions and/or Chapters. The number of Vice Presidents for each Division and/or Chapter shall not be reduced during the three-year terms of office for elected officers. Any member of the Executive Board missing two (2) consecutive meetings or three (3) meetings in a period of one year without being excused by the President shall stand suspended pending action of the Executive Board. It shall be the duty of all Executive Board members to attend regularly the General Membership and Division and/or Chapter meetings. Executive Board members shall make every effort to notify the President if they are unable to attend a meeting. Special meetings of the Executive Board may be called by the President or by a request to the President by a majority of the Executive Board, the meeting to be held within seven (7) calendar days of the receipt of the request. Executive Board meetings shall be held monthly. A majority of the members of the Executive Board shall constitute a quorum for the transaction of business.

B. The Executive Board has the authority to develop policies and procedures to hold itself accountable to meeting the duties and responsibilities of the positions.

Section 9. Responsibilities.

Subject to the provisions of this Constitution, the Executive Board shall be the governing body of this Union. The affairs of the Union shall be conducted through the authority vested in the Executive Board and the general membership in accordance with these Bylaws. The Executive Board is authorized and empowered to take all lawful action consistent with these Bylaws and to guide the activities, affairs and functions of the Union, and the handling of all funds of the Union. Any action of the Executive Board shall be considered the action of the Union. The Executive Board shall present a proposed budget to the General Membership for comment and discussion prior to its adoption by the Board.

Section 10. Minutes.

The actions of the Executive Board shall be recorded in minutes. Those minutes shall be made available to any member upon request.

Section 11. Authority.

The authority of the Executive Board includes, but is not limited to:

A. The establishment of plans, policies, and procedures that are required for the direction and operation of the Union and the carrying out of decisions of the membership.

B. Approval of a budget, and authorization of annual audits.

C. The hiring of an Executive Director to manage and direct the day-to-day affairs of the Union, to direct the staff and to act as the Union's administrative officer. The Executive Board shall be

empowered to determine the terms of employment of the Executive Director and to approve and co-sign a contract of employment with the Executive Director governing salary, benefits, and conditions of employment.

D. Approval of the employee contracts for the staff of the Union; and approval of all contracts for services rendered such as legal, auditing, or payroll services, member benefit programs or office leases.

E. Supervising the handling of Union funds, including approval of budgets and authorizing investment of Union funds.

F. Determining when a group of members is considered a functioning Division and/or Chapter for the purpose of representation on the Board.

G. Assuming responsibility for the legislative and political plans of the Local.

H. Establishing such committees as are necessary and consistent with the achievement of the purposes of the Union.

I. Establishing an appropriate method for selecting the negotiating team in each bargaining unit.

Section 12. Membership Complaints and Hearings.

The Executive Board shall act, or refer to an Ethics Committee to act, as a hearing board for complaints of individual members who wish to contest actions of members, officers, or Convention delegates who violate this Constitution and Bylaws or the Constitution and Bylaws of SEIU. In the event that the individual members are not satisfied with the ruling of the Executive Board or its delegated committee, the member may further appeal according to the provisions of the SEIU International Constitution and Bylaws.

Section 13. Rules of Order.

Executive Board and General Membership meetings shall be governed by Roberts Rules of Order, Revised. A parliamentarian may be appointed by the President of the Union, subject to confirmation by the Executive Board. However, business of the Executive Board which is time sensitive, and, in the opinion of the President, does not require deliberation of the body, may be conducted by telephone or email polling of the Executive Board.

Section 14. Expenses.

The Executive Board Members shall be reimbursed expenses according to lawful policies adopted by the Executive Board of the Union.

ARTICLE VI. OFFICERS- AUTHORITY, DUTIES AND RESPONSIBILITIES

Section 1. Officers.

The officers of this Union shall be the President, Executive Vice President, Secretary, Treasurer, and Vice Presidents. The officers constitute the Union's Executive Board.

Section 2. President.

A. The President shall be responsible for furthering the Union's overall interests and goals, and actively participating in the Union's governance, and political, organizing, and representation activities.

- B. The President shall conduct the affairs of the Union in accordance with this Constitution and policy decisions of the membership and shall be the presiding officer.
- C. The President shall at all times be responsible for protecting and enhancing the collective interests of the members, and to that end shall have the authority to act in the name of the Union in:
- (1) negotiating and executing collective bargaining agreements in conjunction with the Executive Board;
 - (2) enforcing collective bargaining agreements;
 - (3) informing government officials at all levels of the Union's position on all matters under their jurisdiction;
 - (4) participating in conferences;
 - (5) ensuring representation at meetings of appropriate legislative and governmental bodies;
 - (6) establishing joint programs of efforts with other unions or employee organizations;
 - (7) taking whatever other action is necessary and proper for these purposes.
- D. The President shall be authorized to call and make arrangements for all meetings, including special and/or emergency meetings, seminars and conferences.
- E. The President shall direct the following activities of the Union: research, educational, legislative, publishing, and political education activities.
- F. The President shall employ, terminate, fix the compensation and expenses, and direct the activities of such office staff, administrative assistants, technical and professional assistants, field staff, organizers and representatives, legal counsel and auditing services as are required to carry out effectively the functions of the Union. The President shall have the authority to sign checks, authorization for expenditures, contracts, and other official documents of the Union, subject to the approval of the Executive Board.
- G. The President shall preside at all meetings of the Union and the Executive Board.
- H. The President shall perform such other duties as may be required by the membership consistent with the provisions of this Constitution.
- I. The President shall not expend or commit funds in excess of the approved budget. The President may, however, transfer funds between budget categories if the need arises, subject to review by the Executive Board.
- J. The President shall appoint a Certified Public Accountant who shall audit all accounts of the Union immediately following the close of each fiscal year with the approval of the Finance Committee.
- K. The President shall make interpretations of this Constitution, and rule on all questions of law, procedure and order. A ruling or interpretation of the President may be appealed to the Executive Board which shall decide same.
- L. The President shall have the deciding vote in case of a tie on any question.
- M. The President shall be a delegate to all conventions of any affiliated organizations.
- N. The President shall make reports on Union activities at each membership meeting.
- O. The President shall keep all membership records and applications cards, and a record of all members admitted by initiation or otherwise, as well as rejections and suspended or expelled members. The President shall send to the International Union an accurate record of all dues payments and other revenue and he or she shall forward to the International Secretary-Treasurer of the International Union the correct names and addresses and social security numbers (including e-mail address and phone number, if available) of all members initiated or readmitted, and of all other persons from whom revenue is derived, as well as those suspended for non-payment of dues or for any other cause; also a correct list of those who take transfer or withdrawal cards, and other information as specified by the International Executive Board. The proper zip code shall be included for each address.
- P. The President shall serve as an ex officio member of all committees of the Union, except the Election Committee.

Q. The President may declare any office vacant if the officer fails to attend, without proper excuse, Executive Board meetings.

R. The salary and compensation of the President shall be determined by the Local Union's Executive Board, and may not be increased nor decreased by more than 10% from one year to the next. Under no circumstances shall the President's salary exceed the top step of the top grade applicable to bargaining unit employees of any established unit represented by the Local Union.

Section 3. Executive Vice President.

A. The Executive Vice President shall be responsible for furthering the Union's overall interests and goals, and actively participating in the Union's governance, and political, organizing, and representation activities.

B. The Executive Vice President shall work under the supervision of the President. The Executive Vice President shall preside over membership or Executive Board meetings in the temporary absence of the President, and shall perform such other duties as may be assigned by the President.

Section 4. Secretary.

A. The Secretary shall be responsible for furthering the Union's overall interests and goals, and actively participating in the Union's governance, and political, organizing, and representation activities.

B. The Secretary shall serve as Recording Secretary. At each regular meeting the Secretary shall read the minutes of the preceding meeting, and if said minutes shall be approved, attach thereto the Secretary's official signature and the date of approval. The Secretary shall see that all official written documents of the organization are kept in order and up to date in the office of the organization and have charge of the official seal.

Section 5. Treasurer.

A. The Treasurer shall be responsible for furthering the Union's overall interests and goals, and actively participating in the Union's governance, and political, organizing, and representation activities.

B. The Treasurer shall see that all dues and other monies received by the organization are deposited in the account of SEIU Local 500 in a bank approved by the Executive Board.

C. The Treasurer shall see that all legitimate bills, charges, and International per capita tax are paid by the organization; see that the books and official financial records of the organization are kept in order and up to date in the office of the organization.

D. The Treasurer shall ensure that the Local promptly forwards to the International Secretary-Treasurer copies of all annual audit reports and copies of all financial reports setting forth a statement of receipts and reimbursements which are required by law.

E. The Treasurer, with the collaboration of the Trustees and the President, is to research, prepare, and present the fiscal budget to the Executive Board for approval. They shall also approve a CPA to conduct annual audits. The Treasurer and the two (2) Financial Trustees are responsible for monitoring the spending and report to the Executive Board when projected spending shall be in excess of the approved budget.

F. The Treasurer shall ensure that timely and accurate reports shall be presented to the Executive Board.

Section 6. Vice Presidents.

A. Each Vice President shall be responsible for furthering the Union's overall interests and goals, and actively participating in the Union's governance, and political, organizing, and representation activities.

- B. The critical responsibilities of Vice Presidents shall include, but are not limited to:
 1. Actively participating in efforts to elect politicians committed to the interests of our members;
 2. Actively participating in lobbying for legislation which benefits the Union and its membership;
 3. Actively participating in efforts to unite non-union workers into the Union;
 4. Mentoring and supporting worksite leaders of the Union, and holding them accountable to their union leader responsibilities and commitments;
 5. Representing the local union on such occasions and in such situations as determined by the President and/or the Executive Board.
- C. Each Vice President shall commit the time and effort necessary to perform the duties and responsibilities of the position, as described herein, and as the Executive Board may determine.

Section 7. Trustees.

Two (2) Trustees shall be elected from the membership at large and shall have duties which include:

1. Acting as guardians of the finances of the Union;
2. Along with the President and Treasurer, the Trustees will serve as the Finance Committee of the Local;
3. Examining the books of the Local Union and, with the approval of the Executive Board, arranging for the audit of financial records of the Local Union at least annually and at periods of time deemed appropriate by the Trustees. At the conclusion of such audit, a report on same shall be made by the Trustees to the Executive Board.

Section 8. Terms of office.

Officers and Trustees shall be elected for a three year term. There shall be no limit on the number of terms officers and Trustees may serve as long as procedures in "Article VIII - Elections" are followed.

Section 9. Vacancies.

- A. In the event of a vacancy in the office of President, by reason of death, incapacity, or resignation, it shall be the duty of the Executive Vice President, in addition to his or her other duties, to assume the duties of the President. If the Executive Vice President is unable or unwilling to serve in this capacity, the local union Executive Board shall be convened for the purpose of filling the vacancy for the unexpired term by majority vote.
- B. In the event of a vacancy in the office of Executive Vice President, Secretary, or Treasurer, by reason of death, incapacity, or resignation, the local union Executive Board shall be convened for the purpose of filling the vacancy for the unexpired term by majority vote.
- C. In the event of a vacancy in the office of Vice President, within thirty days, the local union Executive Board shall appoint a successor after notifying the members of the affected chapter or division in writing of the vacancy and providing the members with an opportunity to apply.
- D. An office shall be declared vacant by the President when an officer resigns as a member, is suspended or is expelled as a member, or resigns his office, or when an officer no longer meets the eligibility requirements of Article III Section 1. Furthermore, the President may declare an office vacant if, after local union elections take place, no candidate has been nominated and elected by the membership.

Section 10. New Officer Positions.

If a major affiliation occurs, or if a major organizing campaign is successful, the Executive Board may create and fill an officer position to enable the affiliate or newly organized group of members to be able to have reasonable participation in the affairs of the Union, subject to the affirmation of the membership through this Constitution's amendment process as outlined in this Constitution.

ARTICLE VII. FINANCES

Section 1. Bonding.

Bonding shall be provided in accordance with law and the International Constitution.

Section 2. Financial Transactions.

All financial documents including but not limited to all checks and other draws upon the organization's bank accounts, shall be signed by the President and the Treasurer. The Executive Board shall designate two persons authorized to sign said documents in the absence of the President and/or Treasurer.

Section 3. Honoraria.

The Executive Board and Trustees shall receive an annual honorarium as follows:

Executive Vice President	\$2,000.00
Secretary	\$2,000.00
Treasurer	\$2,000.00
Vice Presidents	\$1,500.00
Trustees	\$ 500.00

A. The date of payment of the honorarium shall be determined by the Finance Committee. It shall be vested on the basis of time served in the office, and shall be paid on a pro-rata basis in the event that an officer or trustee serves less than a full term.

B. During the month of July immediately preceding the end of officers' terms, the Executive Board may, by a two-thirds (2/3) vote, increase the amount of the honoraria to become effective July 1 of the new Executive Board's term. However, each such increase may not exceed the average increase in the Consumer Price Index for all Urban Consumers (CPI-U) for the Washington-Baltimore area for the previous two (2) July-June years.

C. The amount of the honorarium is subject to pro-rata reduction if an officer or trustee has more than two unexcused absences from meetings (membership, Executive Board, chapter, Division, or other meetings as the President may convene) during a year.

Section 4. Financial Records.

All records of this Local Union pertaining to income, disbursements and financial transactions of any kind whatsoever must be kept for a period of at least six (6) years or longer if required by applicable law.

Section 5. Member Benefits.

The administration of Local 500 shall budget and spend 5% of the revenues of the local, less per capita payments, for benefits directed at and directly available to members of the local, such as discounted purchasing programs, subsidized or reduced cost recreation or entertainment programs, or similar advantages to membership. Salaries or other administrative costs of the program shall not be counted towards the 5% expenditure requirements. The provisions of this Section shall be effected only to the extent that the implementation of these provisions does not adversely affect the ability of the local union to perform its representation functions and meet its responsibilities to operate the local union in the best interests of the members.

ARTICLE VIII. ELECTIONS

Section 1. Qualifications.

Candidates for the offices of President, Executive Vice President, Secretary, and Treasurer must be members of the organization in good standing for a period not less than 24 months immediately preceding their nomination.

Candidates for President must meet the above qualifications.

Candidates for Vice President may be any member in good standing but must be a member of the Chapter or Division represented by that office, and shall be elected only by members in good standing of the Chapter or Division represented by that Vice President.

No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in Canada) shall, in accordance with the provisions of applicable law, be eligible to hold office in the local union.

Section 2. Financial Support.

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 this local Union.

Section 3. Election Procedures.

A. Nominations for President, Executive Vice President, Secretary, and Treasurer, will be made to an Election Committee by petition of at least twenty five (25) members per chapter in a minimum of four chapters, or divisions where there are no chapters. Nominations for Vice Presidents shall be made to an Election Committee by petition of fifteen (15) members of the Chapter or Division in good standing. All nominees shall be in good standing.

B. The Election Committee shall consist of one member from each chapter or division where there are no chapters, and one member-at-large. Each Vice President may nominate a member from the Chapter or Division represented by that Vice President, and the member-at-large shall be nominated by the President. All Election Committee members shall be approved by the Executive Board. In the event that more than one person is nominated from a particular Chapter or Division, other than the member-at-large, the Executive Board shall determine which individual from that Chapter or Division shall serve on the Election Committee. No members from the Executive Board shall be appointed to the Election Committee. Election Committee members shall serve for a three year period beginning January of every election year. The President shall not serve on the committee.

C. The Election Committee shall hold its first meeting within 20 days of January 1 at the call of the President at which time a Chairperson shall be elected and procedures adopted. Subsequent meetings shall be held at the call of the Chairperson.

D. Legal Counsel for the local union shall provide legal advice and staff assistance to the Election Committee in carrying out its responsibilities regarding the election. Legal advice shall concern conduct of the election including, but not limited to, applicable law and procedures, and guidance regarding the institutional interests of the local union in the election. No staff of the local union may engage in any electioneering activities unless such staff is a member of the local union, and no staff of the local union may participate in or be involved in election affairs on behalf of any candidate while on paid time. It is understood and expected that local union staff assist in the proper administration of the election.

E. The President shall advise the membership of the composition of the committee.

F. All information pertaining to nomination and election of officers shall be presented to the membership no later than the last week of February of an election year.

G. Nominations of officers and delegates shall be open on the first day of March of each election year and shall be closed on the first day of April.

H. The Election Committee must obtain the written consent of each nominee, and must submit a slate of eligible nominees to the President on or before April 15. However, for operational necessity, the Election Committee is authorized to extend the due date for submission of a slate of eligible nominees by up to one week past April 15. No individual may run for more than one office on the Executive Board. The Chairperson of the Election Committee shall notify any member nominated for more than one office and said member shall elect to which office he/she stands for election. The President will notify each nominee of their eligibility. Election committee members may not be candidates for current office. Any individual not eligible to stand for the office so nominated shall be advised of such in writing and given opportunity to request reconsideration by the Election Committee. The Election Committee will notify the President of any such requests and results thereof.

- I. In the event an office is uncontested, the eligible nominees for such position(s) shall be deemed elected without necessity for further procedures.
- J. In April of the election year, the President upon instructions of the Chairperson of the Election Committee shall notify all members of any and all pertinent election information, including but not limited to candidates and offices for each nomination, time and place of election, procedures and eligibility for voting, and procedures for appealing the conduct or constitutionality of the election.
- K. The period during which officers and delegates are elected shall be scheduled and held in May of the election year.
- L. Voting shall be done by secret mail ballot and the election to each office shall be determined by a plurality of votes cast. Each candidate will be entitled to an observer in his/her behalf to supervise the balloting and to ascertain the validity of ballots during the counting at the election meeting.
- M. Election Appeal- The Election Committee shall establish procedures for appeals concerning the conduct or constitutionality of the election. Appeals may be filed only by persons eligible to vote in the election. All such appeals must be filed within ten days following the election (ballot count), and must specify dates, times, persons involved, law, rule, or Constitution and Bylaws provision alleged to have been violated, and how the conduct being appealed may have affected the outcome of the election. The Election Committee shall distribute copies of all appeals to all candidates within three (3) business days of receiving the appeal. The Election Committee shall act upon all appeals by close of business on June 30. In the event that the Election Committee determines that a fact-finding hearing is warranted for resolving the appeal, such hearing shall be tape-recorded and shall be open to the membership. Notice to the membership shall be announced at least 5 working days prior to the hearing date. The Election Committee shall notify the appealing party of its decision on any appeal in writing, regardless of whether the appeal is upheld or denied. The written decision shall advise the party of the basis for the decision. The Election Committee based upon findings made pursuant to appeal may set aside the election in whole or part and schedule and conduct a new election in September for the offices involved. The filing of an election appeal shall not stay the process for certifying the election and for newly elected officers assuming office effective July 1. If a new election is to be conducted in September, the officers who won the contested election will continue in office until the rerun election has been completed, at which time the winners in the rerun election, if different, shall immediately take office following the election, and shall be installed at a general membership meeting in October.
- N. Run-off Elections- In the event of a tie vote for an office, the Election Committee will promptly conduct a run-off election of the tied candidates. Only those voters eligible to vote in the first election may vote in the run-off.
- O. Officers elected shall take office July 1 of election year and be formally installed during the first membership meeting in September of the election year.

Section 4. Delegates to International Convention.

Officers of this Local Union shall be by the virtue of election to their office, delegates to any International convention held during their term of office. If the number of officers of this Local Union exceeds the number of delegates the Local Union is entitled to send to the International Convention, officers shall be delegates in the following order of priority:

1. President
2. Executive Vice President
3. Secretary
4. Treasurer
5. Vice Presidents, one from each Chapter and/or Division, as appropriate, in descending order based on the seniority of each individual in SEIU Local 500, from most senior to least, and, if there are sufficient delegate seats for each Chapter and/or Division to select one delegate, additional delegates shall be determined at large, in order of the seniority in SEIU Local 500, from most senior to least. If the number of delegates authorized exceeds officers, such additional delegates and alternates shall be elected by secret ballot and in accordance with the provisions of the International Constitution. The Executive Board shall develop the procedures to be followed for such an election. The above provisions shall be followed insofar as practical in selecting representatives to attend regional conferences, AFL-CIO labor federation meetings or conferences, state labor conferences or conventions, etc.

ARTICLE IX. MEMBERSHIP MEETINGS

Section 1. Meetings.

A minimum of three (3) meetings of the general membership shall be held during the period beginning September and ending June.

A meeting may be postponed and the membership so notified where the President determines it to be in the best interests of SEIU Local 500.

The conduct of meetings shall be governed by Robert's Rules of Order. In the event of a conflict between Robert's Rules of Order and this Constitution, the Constitution shall prevail.

Section 2. Special Meetings.

Special meetings shall be called upon majority vote of the Executive Board or upon presentation to the President of a petition signed by not less than 50 members in good standing. If a special meeting is called pursuant to a petition, the petition must state the purpose or purposes of the meeting. Members must receive 10 days notice of any special meeting and said notice shall state any purpose or purposes of the meeting and whether called by petition or by action of the Executive Board. Only the business called for may be discussed at the Special meeting.

Section 3. Quorum.

Twenty five members shall constitute a quorum and the act of the majority at which a quorum is present shall be the act of the membership.

ARTICLE X. DUES

Section 1. Minimum Dues.

Minimum annual dues of this organization shall be no less than as set forth in the International Constitution.

Section 2. Initiation Fee.

The regular initiation fee of this organization shall be \$20.00. The Executive Board shall have the right to waive or set an amount below the prescribed amount.

Section 3. Membership Action.

The membership may, in accordance with Constitutional provisions, establish minimum dues. This shall include the right to make special assessments.

Section 4. Dues Rates.

- A. Only members in good standing in a Division may vote on the dues rates applicable to the members of that Division.
- B. The dues rate for those Divisions which do not yet have members shall be the SEIU International minimum dues rate.
- C. The SEIU Local 500 Executive Board shall have the authority to seek from the International Union President a waiver of the dues rate in excess of the SEIU International minimum dues rate for members in newly-organized units, notwithstanding the rates established for the particular Division.
- D. Dues rates for each Division shall be published as an Appendix to this Constitution and Bylaws.

ARTICLE XI. WORKSITE LEADERS

Section 1. Role.

Worksite Leaders are on the front lines of our Union's efforts to win power for our members and to raise their standard of living. The Worksite Leader's duties and obligations are many and shall include the following:

- A. Serve as an organizer at his/her work location, to ensure maximum active participation by members in the work of the Union;
- B. Keep all members at the work location informed of Union activities;
- C. Report potential work site problems immediately to the designated local union staff or leaders, and as requested by the Union, resolve them where appropriate;
- D. Actively promote our Union and participate in the Union's program.

Section 2. Appointment.

Worksite Leaders shall be appointed to office by the President in accordance with procedures established by the Executive Board.

ARTICLE XII. COMMITTEES

All committees of this Union, with the exception of the Election Committee, shall be advisory to the Union's Executive Board. The Executive Board shall establish Committees, and the President shall appoint members.

The standing committees of the Union shall include, but not be limited to the following:

- Civil and Human Rights
- Political Education
- Organizing
- Senior Members Committee

ARTICLE XIII. AMENDMENTS

This Constitution may be amended by a vote of the membership conducted by mail during the period of between January 15 and February 15 each calendar year. The vote shall be decided by a majority of the members who vote. Amendments submitted to the Constitution Committee by October 1 of each year shall be considered in the next ballot under this Article. Amendments may be proposed in writing to the Constitution Committee by any member during the course of the year, provided they are submitted with the signatures of sixty (60) members in good standing in support of the amendment.

The Constitution Committee shall study the amendment and report to the membership its recommendations prior to the ballot being sent to members. The Committee may make changes in the proposed amendments that clarify its intent or eliminate contradictions with other provisions of the Constitution.

The Election Committee shall conduct the vote following rules set by the Executive Board of the Union.

ARTICLE XIV. SEVERABILITY

Any provision of this Constitution which is in conflict with the International Constitution or applicable law is of no force or effect but will not affect the validity of the remaining provisions.

ARTICLE XV. TRIALS AND APPEALS

Preamble. In order to ensure members' protection from the filing of frivolous charges, the following procedures shall apply:

Section 1. Charges.

The Local Union, its officers or members, and officers of the International Union as the case may be, may be charged with:

1. Violation of any specific provision of this constitution or of the Constitution and Bylaws of the International Union;
2. Violation of an oath of office;

3. Gross disloyalty or conduct unbecoming a member;
4. If an officer, gross inefficiency which might hinder and impair the interests of the Local Union;
5. Financial malpractice;
6. Engaging in corrupt or unethical behavior or racketeering;
7. Advocating or engaging in dual unionism, including but not limited to aiding a rival labor organization, or secession in violation of Article XXV of the SEIU Constitution and Bylaws;
8. Violation of democratically and lawfully established rules, regulations, policies, or practices of the Local Union or the International Union;
9. The wrongful taking or retaining of any money, books, papers, or any other property belonging to the Local Union; or the wrongful destruction, mutilation or erasure of any books, records, bills, receipts, vouchers, or other property of the Local Union;
10. Working as a strikebreaker, or violating wage or work standards established by the Local Union; and
11. The bringing of false charges against a member or officer without good faith or with malicious intent.

Charges must be specific and in writing.

Section 2. Procedures.

All trials of members and officers of this union shall follow the procedures under the appropriate article as set forth in the SEIU Constitution and Bylaws.