

# CSEA SEIU Local 2001 CONSTITUTION

## **1. Name and effective date.**

- 1.1 Name. The name of this union shall be CSEA SEIU Local 2001.
- 1.2 This Constitution was adopted December 8, 1982 and became effective upon that date.

## **2. Object and Methods.**

- 2.1 Objects of the Union shall be:
  - 2.1.1 To unite and organize employees and retirees of the State of Connecticut, of its political subdivisions, and of any publicly funded private sector group of employees for mutual welfare, protection and advancement.
  - 2.1.2 To work for the establishment and maintenance of fair wages and hours, civil service classifications, affordable health care, and good working conditions and to work for appropriate benefits for retirees (including cost of living increases).
  - 2.1.3 To foster and promote better understanding between employees of the State of Connecticut and its political subdivisions and the public.
  - 2.1.4 To assist in promoting and maintaining better public service.
  - 2.1.5 To promote the union philosophy in all workplaces.
  - 2.1.6 To establish divisions, councils and chapters to aid and assist in carrying out the aforementioned purposes.
  - 2.1.7 To represent its members individually or collectively in any negotiated contract related matter.
- 2.2 Methods. The methods of obtaining the objects of this Union shall be:
  - 2.2.1 By the collective bargaining process.
  - 2.2.2 By creating and fostering sentiment favorable to proposed reforms.
  - 2.2.3 By working with government officials.
  - 2.2.4 By promoting legislation.
  - 2.2.5 By other ethical lawful means.
  - 2.2.6 By organizing unorganized employees and retirees in the Union's jurisdiction.

## **3. Membership**

- 3.1 Active membership. All persons employed by the State of Connecticut, by any of its political subdivisions, and by any publicly funded private sector entity, and also represented by CSEA for purposes of collective bargaining, are eligible for active membership in CSEA. Joining CSEA shall be by affiliation with a chapter. Active members may also include dues paying members performing the same or similar jobs to those performed by employees of the State of Connecticut, its political subdivisions and/or in publicly funded private sector entities.
- 3.2 Retiree membership. Any person who is retired under the provisions of a state sponsored retirement system, or the spouse or domestic or civil union partner, or the surviving spouse or domestic or civil union partner of said person or any person who is retired from a retirement system of a political subdivision of the State of Connecticut, or the spouse or domestic or civil union partner or the surviving spouse or domestic or civil union partner of said person who is receiving a pension payment from a retirement system of said political subdivision, or a person who has terminated state service with vested rights or a person who has terminated service from a political subdivision with vested rights in the retirement system of that subdivision, or a CSEA member who has retired, may choose or retain membership in the CSEA by becoming a member of a chapter established for retirees. A spouse or domestic or civil union partner or the surviving spouse or domestic or civil union partner would have the same rights as those of an affiliate member, and only those rights. Council 400

delegates may vote to expand retiree membership to other retirees subject to approval by the CSEA Executive Council.

- 3.3 **Affiliate membership.** Any state employee, not otherwise represented by CSEA, **(new) or any person belonging to a group with the stated goal of protecting and promoting public services,** may choose affiliate membership in order to receive news and information on CSEA.
- 3.3.1 Affiliate members may choose membership in an existing chapter or form chapters along bargaining unit lines, subject to Executive Council approval.
- 3.3.2 Affiliate members shall not have voting privileges nor shall they hold office in the Union, except retiree affiliate members may vote, and hold office at the chapter level if permitted by the chapter bylaws, but shall not hold an elective office or elective position beyond the chapter level.
- 3.4 **Charge and Trial Board.**
- 3.4.1 Charges against a member shall be preferred only by another member of this Union in writing to the Director of Administration of the Union. The Director of Administration shall report the charges to the Secretary/Treasurer of the Union. The Secretary/Treasurer will report the filing of the charges to the Executive Council at the first meeting following the filing of the charges. The Secretary/Treasurer will update the Executive Council on the status of the charges.
- 3.4.2 A member may be charged with:
- (1) Violation of any specific provision of this Constitution or any bylaws of a Division, Council or chapter;
  - (2) Violation of an oath of office;
  - (3) If an officer, gross inefficiency which might hinder or impair the interests of the Union;
  - (4) Financial malpractice;
  - (5) Engaging in corrupt or unethical practices or racketeering;
  - (6) Violation of democratically and lawfully established rules, regulations, policies or practices of the Union;
  - (7) The wrongful taking or retaining of any money, books, paper or any property belonging to Union; or the wrongful destruction, mutilation or erasure of any books, records, bills, receipts, vouchers or other property of the Union;
  - (8) The bringing of false charges against a member or officer with out good faith or with malicious intent.
- Charges must be specific and in writing.
- 3.4.3 The Director of Administration shall immediately refer the charges to the Charge and Trial Board which shall be the standing committee with jurisdiction over such matters.
- 3.4.4 The Charge and Trial Board shall be comprised of three (3) members appointed by the CSEA Executive Council within sixty days following the CSEA Biennial Convention. Members shall serve a term of two years ending upon their replacement by the CSEA Executive Council. If a member of the Charge and Trial Board vacates his or her position, the CSEA Executive Council shall appoint another member to fill the remaining term of office in accordance with the process for making the initial appointments.
- 3.4.5 The Charge and Trial Board shall select from its members a chairperson. The Chairperson shall report to the Secretary/Treasurer the status of pending charges and the disposition of the charges. The Chairperson may seek the assistance of the Director of Administration regarding the scheduling of hearings and other support services need for the Board.
- 3.4.6 The Charge and Trial Board shall be assisted by an attorney familiar with labor law and membership rights of union members. The attorney will advise the Board on legal and procedural matters. The attorney will draft any decision of the Board for their approval and signature. The attorney shall not advise the Board on how render its decision. The attorney shall not influence the Board on how to render its decision. The attorney will be an individual not employed by CSEA SEIU Local 2001. The attorney upon recommendation of the Director of Administration shall be approved by CSEA SEIU Local 2001 Executive Council. The attorney will be compensated by CSEA SEIU Local 2001.

- 3.4.7 The Director of Administration will assign clerical support to the Chairperson of the Charge and Trial Board. The clerical support shall include, but not be limited to, keeping a record of actions taken by the Board, maintaining a file of all materials related to the charge at CSEA's office, and the typing and disseminating of any signed decision of the board.
- 3.4.8 No charge 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.
- 3.4.9 It shall be the duty of the Charge and Trial Board to review the charges and may conduct a Merit Assessment Review of said charges under policies adopted by the CSEA Executive Council. In reviewing the charges, the Board shall interview the accuser and the accused and shall review all relevant documentation of the charges. The Board shall complete its review and conduct its hearing, if required, within sixty days of the filing of the charges. The Board shall render its decision within fifteen days following the close of the hearing. If the Board sustains the charges, or any portion thereof, then the Board shall render judgment and impose the disciplinary action as provided for in this Constitution.
- 3.4.10 The Charge and Trial Board shall fix a date for a hearing and shall notify accuser and the accused of the date, place and time of hearing. The Board shall not be bound by technical rules of evidence and the hearing will be conducted to give both parties due process of law and a fair hearing.
- 3.4.11 At a hearing, both the accused and the accuser may produce witnesses in their behalf.
- 3.4.12 The Charge and Trial Board shall furnish each party with a copy of its decision. A copy of the decision shall also be provided to the Secretary/Treasurer and the Director of Administration. The decision of the Board will provide the name of the parties, statement of facts, position of the parties, decision of the Board, and, if the charge is sustained, the disciplinary action imposed by the Board.
- 3.4.13 In cases wherein the charges are sustained, the Charge and Trial Board shall reprimand, fine, suspend, expel, or impose any other penalty deemed appropriate by the Board upon the member.
- 3.4.14 In cases wherein the charges are withdrawn, the chairperson and/or Director of Administration shall notify the Secretary/Treasurer of such action.
- 3.4.15 An appeal to the CSEA Executive Council may be taken by either the accused or the member filing the charges from any decision of the Charge and Trial Board with respect to such charges, provided such decision is a final decision under the term of the Constitution. Any such appeal shall be filed in writing with the Director of Administration within 15 days after the decision. During the pendency of such appeal, the decision on the matter shall remain in force. Appeals to the CSEA Executive Council shall be decided at the next Executive Council meeting following the filing of the appeal, provided the appeal is filed within seven days of the CSEA Executive Council meeting. If the appeal is filed within the seven day period, the CSEA Executive Council may decide the appeal at its next meeting or the next following meeting. Appeals from any decision of the CSEA Executive Council may be taken in accordance with the SEIU Constitution and Bylaws.
- 3.4.16 The accused or the member filing the charges may appeal a decision of the CSEA Executive Council to an arbiter prior to taking an appeal in accordance with the SEIU Constitution and Bylaws. A permanent arbiter will be appointed to hear and decide the charges and who shall be selected by the Executive Council and compensated by funds appropriated by said Executive Council. The arbiter shall fix a date for a hearing and shall notify the Union, the accuser and the accused of the date, place and time of hearing. The arbiter shall not be bound by technical rules of evidence and the hearing will be conducted to give both parties due process of law and a fair hearing. At a hearing, the Union, the accused and the accuser may produce witnesses in their behalf. The arbiter shall furnish each party with a copy of his or her decision.
- 3.4.17 An expelled member may be readmitted to membership after one hundred and eighty (180) days and suspended members after sixty (60) days or one-half the term of suspension, whichever is shorter, upon vote of the Executive Council and after payment of all fees, dues and indebtedness owing to the Union.

#### **4. Revenues.**

- 4.1 The chief source of revenue of the Union shall be the dues of its members. Agency fees collected from employees represented by CSEA shall be paid to the Union.
  - 4.1.1 Dues for CSEA members, active, retired and affiliate, shall be established by the Executive Council based upon their respective needs for basic services from the Union.
- 4.2 Rebates for members.
  - 4.2.1 Not less than thirty-two cents per active member bi-weekly dues shall be paid to the treasurer of the division to which the member belongs. If a division has two or more councils, then the rebate shall instead be made to the treasurers of the councils. In addition to the rebate described in the first sentence of this subsection, each Council shall receive a three hundred dollar (\$300) quarterly rebate paid in accordance with Section 4.3. Not less than two percent (2%) of all active member bi-weekly dues shall be paid to the treasurer of the chapter to which the member belongs. For Divisions, Councils or Chapters without treasurers or established bank accounts in the name of the Division, Council or Chapter, the rebate will be held in a custodial account by CSEA and may be drawn upon by an action of the Division, Council or Chapter. In order for a Division, Council or Chapter to be eligible for a rebate, it must have on record duly elected officials and adopted bylaws.
  - 4.2.2 Union dues for retiree members shall be rebated to the treasurer of the retiree division in an amount to be not less than \$.75 per month per member.
  - 4.2.3 Chapters will be rebated twenty-five cents bi-weekly dues for each active affiliate member.
- 4.3 All rebates shall be paid quarterly.
- 4.4 Special assessments may be made by majority vote of the Executive Council and shall be used solely for the promotion of the welfare of the Union. Only one special assessment may be levied in any one calendar year.
- 4.5 Initiation fees may be established by a majority vote of the Executive Council.
- 4.6 With the approval of the CSEA Executive Council, a division, council or chapter may establish a higher dues rate than those dues established under Section 4.1.1. A division, council or chapter shall approve of such higher dues rate in accordance with their bylaws. The amount of dues over and above the dues established under Section 4.1.1 shall be rebated pursuant to Section 4.3.

## **5. Structure.**

- 5.1 All active and retiree chapters shall be assigned to one of the following four divisions:
  - 5.1.1 State Employees
  - 5.1.2 Municipal Employees
  - 5.1.3 Private Sector Employees
  - 5.1.4 Retiree Members
    - 5.1.4.1 The Division for retiree members shall be known as Council 400.
- 5.2 Exceptions to the above may be approved by a majority vote of the Executive Council.
- 5.3 Divisions.
  - 5.3.1 Each division shall establish at least one chapter.
  - 5.3.2 A division shall be composed of delegates from its constituent chapters except if the division has only one chapter in which case the division shall be composed of its members. For divisions with councils, a division shall be composed of delegates from its constituent councils.
  - 5.3.3 A division shall establish bylaws with the approval of the Executive Council. Changes to division bylaws must be submitted to the Executive Council for their approval. Furthermore, when the CSEA Constitution is amended pursuant to Section 9, notice of amendment or amendments shall be given to each division within sixty days of action of the Convention. After receipt by the division, the division shall submit its current bylaws or its amended bylaws, as appropriate, to the Executive Council for their approval.

- 5.3.4 A division shall hold regular meetings, but not less than quarterly.
- 5.3.5 A division shall elect its officers annually, or biennially. If elected biennially, the election shall take place in the year of the CSEA convention and must be held before the date of the convention.
- 5.3.6 A division shall also elect delegates to the Executive Council which election shall be held biennially before the biennial convention. The term of office for each Executive Council delegate shall be two years. The installation of delegates shall occur at the biennial convention. Their term of office shall be until the next biennial convention.
- 5.3.7 Each division shall determine its own member/delegate ratio. Each chapter shall be entitled to at least one delegate to the division. For divisions with councils, each council shall be entitled to at least one delegate to the division.
- 5.3.8 CSEA and/or each division may hold a meeting during the year in which the CSEA convention is not being held for the purpose of educating and training its membership and/or delegates to the goals and objectives of the Union and methods of obtaining those goals and objectives.

#### 5.4 Chapter

- 5.4.1 All active and retiree members shall be members of a chapter.
- 5.4.2 Chapters may be formed in various localities of the state where they may be of the greatest practical service and accessibility to CSEA members. They shall have no less than twenty-five (25) members (**new**), **unless, in the case of a municipal or board of education bargaining unit, the number of members in the bargaining unit is less than twenty-five (25), in which case the minimum member requirement shall be waived.** A chapter shall establish bylaws with the approval of the Executive Council. Furthermore, when the CSEA Constitution is amended pursuant to Section 9, notice of amendment or amendments shall be given to each chapter within sixty days of the action of the Convention. After receipt by the chapter, the chapter shall submit its current bylaws or its amended bylaws, as appropriate, to the Executive Council for their approval.
- 5.4.3 Chapters shall be chartered by the Executive Council and will be recognized upon the issuance of a charter signed by the President and Secretary/Treasurer.
- 5.4.4 The Executive Council shall have the power to revoke the charter of a chapter and the assets of the chapter shall become the property of CSEA. The Executive Council, by a vote of two-thirds (2/3) of those of the Executive Council that are present and voting, may revoke a charter. Revocation of the charter can be done if the Executive Council has reason to believe that:
  - a. The chapter has less than the required number of members after having been given three (3) months to bring their membership up.
  - b. That chapter is not functioning properly.
- 5.4.5 A chapter shall hold regular meetings.
- 5.4.6 With the approval of the Executive Council, chapter(s) may form into Councils or a Council.

#### 5.5 Council

- 5.5.1 Formation. Councils shall be established for each state employee bargaining unit represented by CSEA for purposes of collective bargaining. Councils may be established for paraprofessionals, other education employees, municipal employees, school bus drivers and child care/early education employees.
- 5.5.2 Councils shall establish at least one chapter in their unit. Groups of members can petition formation of chapters by application to their council with an appeal to the Executive Council.
- 5.5.3 A council shall be composed of delegates from its constituent chapters except if the Council has only one chapter in which case the Council shall be composed of its members.
- 5.5.4 A council shall establish bylaws with the approval of the Executive Council. Changes to council bylaws must be submitted to the Executive Council for their approval. Furthermore, when the CSEA Constitution

is amended pursuant to Section 9, notice of amendment or amendments shall be given to each council within sixty days of the action of the Convention. After receipt by the council, the council shall submit its current bylaws or its amended bylaws, as appropriate, to the Executive Council for their approval.

- 5.5.5 A council shall hold regular meetings.
- 5.5.6 A council shall elect its officers annually, or biennially. If elected biennially, the election shall take place in the year of the CSEA convention and must be held before the date of the convention.
- 5.5.7 A council shall also elect delegates to the Executive Council which election shall be held biennially before the biennial convention. The term of office for each Executive Council delegate shall be two years.
- 5.5.8 Each council shall determine its own member/delegate ratio. Each chapter shall be entitled to at least one delegate to the council.

## **6. Executive Council.**

- 6.1 The Executive Council shall be made up of delegates from each division of the Union. Divisions shall be represented on the Executive Council on the basis of one (1) delegate for the dues equivalent of five hundred full time active employees or major fraction thereof.
  - 6.1.1 Divisions with Councils shall apportion the delegates to each council. Such apportionment shall be done in a manner so that the 1:500 ratio specified in 6.1 is preserved, provided however, no council shall have less than one delegate.
  - 6.1.2 The chief elected officer for each division or state employee council shall, by their election as a chief elected officer, be an automatic delegate to the Executive Council. Such appointment shall not result in an increase of delegates to the Executive Council.
  - 6.1.3 Vacancy in the office of Executive Council delegate or Executive Council alternate delegate.

In the event of a vacancy in the position of an Executive Council delegate or an alternate delegate to the Executive Council during the term of office of such position, the Council or Division where the vacancy exists shall fill the vacancy for the remainder of the term of office in accordance with that Council's or Division's bylaws. Once the vacancy has been filled by operation of said bylaws, the delegate or alternate delegate, as applicable, shall be seated at the following Executive Council meeting.
- 6.2 The Executive Council shall be the governing body of the Union and its authority shall include, but not be limited to, responsibility for collective bargaining. An annual budget shall be approved by the Executive Council.
- 6.3 The Executive Council shall meet within thirty (30) days following the close of the biennial convention and monthly thereafter.
- 6.4 The Executive Council may also meet at the call of the president of the Union and at such times as the majority of the members of the Executive Council deem necessary.
- 6.5 A quorum for the Executive Council shall consist of representation of a majority of the divisions with elected delegates and a majority of the members of the Executive Council.
- 6.6 Regularly scheduled meetings of the Executive Council shall be held only upon at least seventy-two (72) hours written notice to each member of the Executive Council.
- 6.7 Special meetings of the Executive Council shall only be held upon actual and verifiable notice of at least twenty-four (24) hours to each member of the Executive Council.
- 6.8 There shall be one alternate delegate elected for the dues equivalent of every thousand full time active members from each division who will be entitled to attend and vote at an Executive Council meeting if the regularly elected delegate(s) from his or her division is unable to attend.
  - 6.8.1 Divisions with councils shall apportion the alternate delegate(s) to each council. Such apportionment shall be done in a manner so that the 1:1000 ratio is preserved, provided however, no council shall have less than one alternate delegate. An alternate delegate from a council shall attend and vote at an Executive Council meeting if the regularly elected delegate(s) from his or her council is unable to attend. In the event

a council does not have an alternate delegate to attend and vote at an Executive Council meeting when the regularly elected delegate(s) from his or her council is unable to attend, then that council may request the seating of another individual division alternate delegate.

6.8.2 The installation of alternate delegates shall occur at the biennial convention. Their term of office shall be until the next biennial convention.

6.9 In the event of a temporary or permanent vacancy of an officer, the Executive Council, by majority vote, can elect one of its members to fill that position during the officer's absence.

6.10 The Executive Council shall submit to the president and secretary of each division or council the minutes of each Executive Council meeting.

6.11 SEIU Convention and/or Special Convention. Upon notification by SEIU of its convention or any special convention and the number of delegates and alternate delegates CSEA is entitled to send to said convention, the CSEA Executive Council shall vote on the number of delegates and alternates delegates for active employees CSEA will send to said convention. Once the number of delegates and alternate delegates to the SEIU Convention or special convention has been voted on by the CSEA Executive Council, the CSEA Executive Council shall set a time, date and place to receive nominations for said number of delegate and alternate delegate positions. The time, date and place to take nominations shall be posted in the CSEA News. Following the receipt of nominations at a time, date and place as stated in the notice for nominations, nominations shall be closed to further nominations. If the number of nominations is the same or less than the number voted on by the CSEA Executive Council, those nominated shall be considered elected to represent CSEA. If there are more nominations than positions for delegates and alternate delegates for active employees to the SEIU Convention and/or special convention, the CSEA Executive Council shall set the date, time and place(s) for the election of candidates. The election notice shall be posted in the CSEA News. Those candidates receiving the most votes for the number delegate and alternate delegate positions shall be declared the elected delegates and alternate delegates. Retiree delegates to the SEIU Convention and/or special convention shall be determined in accordance with the SEIU Constitution.

The CSEA Executive Council shall elect from its membership delegates and alternate delegates to any other affiliated body to which CSEA is a member.

## **7. Convention.**

7.1 There shall be a biennial convention to be held during the months of September or October.

7.2 The delegates to the convention shall have the power to amend the Constitution and Bylaws when two-thirds of the delegates present and voting vote to so amend. The delegates to the convention shall have the power to elect the officers of the Union from among the members of the Executive Council. Resolutions can be submitted to the convention.

7.3 The convention shall only have the powers set forth in 7.2 aforementioned.

7.4 The biennial convention and special conventions shall be formed by active/retiree delegates from the chapters as assigned by the divisions who are active/retiree members of CSEA. Executive Council delegates shall also be delegates to the biennial and special conventions.

7.5 Divisions of members shall be represented at the convention on the basis of one (1) delegate for the dues equivalent of every thirty (30) full time active CSEA members or a major portion thereof.

7.5.1 Active divisions or councils shall apportion the delegates to which they are entitled among their chapter divisions unless an active council has formed a statewide chapter/council/division structure. Such apportionment shall be done in a manner so that the 1:30 ratio specified in 7.5 is preserved. To the extent that chapter or council divisions of an active division have to be combined for the sole purpose of apportioning delegates, the division shall have the power to do so.

**(new) 7.5.2 A municipal or Board of Education chapter with less than thirty bargaining unit members shall elect one convention delegate to represent the chapter.**

7.6 The retiree division shall be entitled to no more than 25% of the total active delegates eligible to attend any

biennial or special convention. Retiree delegates may be apportioned among the chapter divisions in a manner to be determined by the retiree division.

- 7.7 A special convention may be called by a majority of the membership of the Executive Council or by petition of a majority of the divisions. Such a petition shall be authorized by majority vote of the total number of members at a division meeting.
- 7.8 Delegates and alternates to a special convention shall be the same as those elected to the last regular convention.

## **8. Officers and Executive Director.**

- 8.1 Number. There shall be two (2) officers of the Union who shall be president and secretary/treasurer.
  - 8.1.1 Officers must be qualified to hold office and carry out the duties and functions of that office.
- 8.2 Election of officers and term of office. The officers of the Union shall be elected and installed from among the delegates to the Executive Council. Said election and installation shall occur at the biennial convention. Election of the president and secretary/treasurer shall be by a majority vote of the convention delegates by secret ballot and their term of office shall be until the next biennial convention.
- 8.3 Duties of the President. The president of the Union shall have the following duties:
  - 8.3.1 Said president shall preside at all conventions, and at all meetings of the Executive Council.
  - 8.3.2 Said president shall sign all authorized orders of the secretary/treasurer of the Union drawn against the funds of the Union that can be legitimately charged against a budgeted account of the Union in which there is a balance on hand.
  - 8.3.3 Said president shall submit an annual report to the Union regarding the progress and standing of the Union.
  - 8.3.4 Said president shall appoint such committees as are required for the convention, which committees shall be submitted for approval by the convention on the first day of the convention.
  - 8.3.5 Said president shall provide general supervision to the Executive Director.
  - 8.3.6 Said president shall serve as the administrative authority for the Union in the event of the incapacity of the Executive Director or a vacancy in the office of the Executive Director.
- 8.4 Duties of the Secretary/Treasurer. The secretary/treasurer of the Union shall have the following duties:
  - 8.4.1 The secretary/treasurer shall deposit all money received to the credit of the Union in a financial institution selected and approved by the Executive Council.
  - 8.4.2 Said secretary/treasurer shall invest the surplus funds of the Union as directed by the Executive Council.
  - 8.4.3 Said secretary/treasurer shall make all disbursements by check upon written order of the president when such disbursement can be legitimately charged against a budgeted account of the Union in which there is a balance on hand.
  - 8.4.4 Said secretary/treasurer shall keep an accurate record of receipts and disbursements and shall render a monthly report thereon to the Executive Council.
  - 8.4.5 Said secretary/treasurer shall submit his or her books and records for an audit annually, or more frequently when required by the Executive Council.
  - 8.4.6 With the approval of the Executive Council, the methods by which the record of his or her office shall be prepared and maintained shall be prescribed by the secretary/treasurer.
  - 8.4.7 A monthly report to the Executive Council on the financial condition of the Union shall be submitted by the secretary/treasurer and he or she shall recommend changes that appear desirable to be made in budgeted accounts.
  - 8.4.8 Said secretary/treasurer shall submit a biennial report to the Union at the biennial convention regarding the

financial condition of the Union.

8.4.9 Said secretary/treasurer shall keep a record of the proceedings of the convention and at the Executive Council.

8.4.10 Said secretary/treasurer shall submit a biennial report to the Union at the biennial convention regarding the membership of the Union.

8.5 A bond shall be furnished for the president and secretary/treasurer in the amount established by the Executive Council and the cost of this bond shall be paid by the Union.

8.6 Executive Director. The Union shall employ an Executive Director.

8.6.1 The Executive Director shall perform all duties as assigned to him or her by the Executive Council and shall perform his or her duties under the general supervision of the president of the Union.

8.6.2 The employment of any person by the Union shall be made only with approval of the Executive Council and such person must be employed only in the service of the Union as a whole. All persons, other than the Executive Director, shall be under the supervision and direction of the Executive Director.

8.6.3 The Executive Director may elect membership in any active chapter of the Union.

## **9. Constitutional Amendments.**

9.1 Regular Procedure. Amendments to the Constitution may be proposed by any member of the Union and shall be submitted, in writing, to the secretary /treasurer of the Union at least sixty (60) days in advance of the biennial or special convention and thereafter submitted by the secretary/treasurer to the chapters at least thirty (30) days in advance of such convention. The secretary/treasurer shall refer said proposals to the constitution and bylaws committee for its recommendations to convention delegates.

9.2 These proposed amendments shall be voted upon at the convention.

9.3 Emergency Amendments. In case of an extreme emergency, additional amendments may be brought into the constitution and bylaws committee on the first day of the convention. The committee will make recommendations to the convention as to the validity of the emergency amendment and will recommend acceptance or rejection of the emergency amendment. The delegate sponsoring the amendment must submit a statement of the emergency and provide copies of the emergency amendment and the cause of the emergency so that each delegate at the convention will have a copy at the time it is presented.

9.4 Copies of the amendments thus presented to the convention, if favorably acted upon by the convention, shall be made and sent to each chapter.

9.5 A two-thirds (2/3) vote of the delegates present and voting at the convention shall be necessary for adoption of regular and emergency amendments.

## **10. The Bernard H. McCusker Memorial Scholarship Fund.**

10.1 There shall be established the Bernard H. McCusker Memorial Scholarship Fund.

10.2 The purpose of this Fund is to provide for education, training or scholarly advancement of such person or persons as shall be selected to receive scholarships, grants or other awards, to be given for the purpose of education and/or scholarly advancement of children and grandchildren of such members of the CSEA SEIU Local 2001.

10.3 Trustees.

10.3.1 Number. Each council shall have one member to serve as a trustee to the fund.

10.3.2 Eligibility. Any member in good standing is eligible to be elected a trustee of the Bernard H. McCusker Memorial Scholarship Fund.

10.3.3 Election. The election of trustees to the McCusker Scholarship Fund shall be conducted by each council prior to the biennial convention.

- 10.4 Reports of Accounts. The chairperson of the board of trustees shall present a report to the biennial convention regarding the management of the fund.
- 10.5 The Union shall set aside February of each year as Bernard H. McCusker Memorial Scholarship Fund Month and the president of the Union shall send a letter to each chapter, council, and division in the Union urging the members, chapters, councils and divisions to make a donation to the fund.
- 10.6 Each person eligible to sign checks for the fund elected from the membership of CSEA shall be bonded by a bonding company in an amount to be determined by the trustees in order to protect the CSEA, the trustees and the beneficiaries of the fund.
- 10.7 The duties of the trustees and the disposition of assets will be done in accordance with the bylaws of the fund.

**11. Parliamentary Authority.**

- 11.1 The rules contained in Robert's Rules of Order Revised shall be the governing rules of the Union on any subject matter not provided for in the Constitution and Bylaws in all cases to which they are applicable and in which they are not inconsistent with the Constitution and Bylaws of the Union.

**12. Employee Contracts.**

- 12.1 Copies of any proposed employee contract shall be distributed to the employees affected by the contract one (1) calendar week prior to the date voting on the proposed contract begins, or as otherwise provided in council/chapter bylaws.

**13. Nature.**

- 13.1 This Union shall be non-partisan.
- 13.2 This Union may become affiliated with or disaffiliated from another group, society or organization with similar goals by a majority vote of the membership through a procedure established by a majority vote of the delegates to the biennial convention, or special convention of the CSEA called for that purpose.

**14. Savings Provision.**

- 14.1 If any provision of this Constitution shall be modified or declared invalid or inoperative by any competent authority of the executive, judicial or administrative branch of the state or federal government, the Executive Council shall have the authority to suspend the operation of such provision during the period of its invalidity or modification and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purposes of the invalid or modified provision. If any article or section of this Constitution should be modified or held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such article or section to persons or circumstances, other than those, as to which it has been held invalid or modified, shall not be affected thereby.

**15. Auditors**

- 15.1 Each division and council shall have an audit committee.
- 15.2 The duties of the audit committee auditors shall be to examine all accounts of their division or council after the close of the fiscal year on June 30, and render a report thereon within 120 days. An inventory of assets and liabilities of the division or council shall be included in the auditors' reports.
- 15.3 A copy of the audit reports shall also be sent to the Secretary/Treasurer of the Union.
- 15.4 An audit committee for the CSEA SEIU Local 2001 shall be elected at the biennial convention of the Union. Three auditors shall be elected for staggering term of four years. The auditors shall be members in good standing with the Union. In initially establishing the audit committee, two auditors shall be elected for a four year term and one auditor for a two year term. Thereafter, all auditors will be elected to a four year term. The audit committee shall meet on a quarterly basis to review the books of the union and to make a report to the CSEA Executive Council. The audit committee shall also meet with the firm contracted by the Executive Council to perform the annual audit. The audit committee shall also assist the Secretary/Treasurer in reviewing the financial statements and/or audit reports of divisions and councils.

Constitution amended on September 5, 2014 by delegates to CSEA's 73rd Anniversary Convention

## **By-Laws for the Bernard H. McCusker Scholarship Fund**

### **Section 1. Name**

The name of the scholarship fund shall be the BERNARD H. McCUSKER SCHOLARSHIPFUND.

### **Section 2. Purpose**

The purpose of this scholarship fund is to provide for the education, training or scholarly advancement of such person or persons as shall be selected to receive scholarships, grants or other awards, to be given for the purpose of education and/or scholarly advancement of children, grandchildren and legal dependents of such members of the CSEA SEIU Local 2001. Legal dependents are those dependents that are reported on such members' federal income tax filings and, for the purposes of these bylaws, shall be considered to be children of such members.

### **Section 3. Trustees**

a) Number. There shall be one trustee for each council.

b) Eligibility. Any member of the CSEA SEIU Local 2001 in good standing is eligible to be elected to a trustee from their council.

c) Election. The election of trustees shall be held prior to the CSEA SEIU Local 2001 's biennial convention.

d) Term of Office. The term of office shall be four years, except that the term of office of those elected in 1992 shall be as follows: three delegates, four years; three delegates, two years. Effective at the 2008 biennial convention, the term of office for all trustees shall be four years.

### **Section 4. Power of Trustees**

The trustees shall have without limitation the following powers:

a) To purchase or otherwise acquire, invest and reinvest in and retain any and all stocks, bonds, notes or other securities or any variety of real or personal property, including stocks, or interest in investment trusts and common trust funds, as the trustees may deem advisable whether or not such investments be of the character permissible for investment by fiduciaries. The trustees may deposit the entirety of the fund in a savings bank or may invest as aforesaid. Investment need not be diversified, and may be made or retained with a view to a possible increase in value.

b) To exercise generally in respect of all stocks, bonds, real estate, other personal property or other investments at any time held by the trustees hereunder all such rights, powers and privileges as are or may be lawfully exercised by any person owning similar property in his own right.

c) To determine whether or not money or property coming into the trustees' possession shall be treated as income or principal and to charge or apportion expenses or leases either to the principal or income accounts, or both, in such manner as it may in its discretion deem just and proper.

d) To cause the securities or other property which may comprise the fund to be registered in its name.

e) To vote any corporate stock in the fund by proxy with or without power of substitution and to execute proxies to one or more nominees.

f) To exercise any option or privilege to convert bonds, notes, stocks or other securities belonging to the fund into other bonds, notes, stocks, or other securities of the same corporations or other corporations; to exercise any privilege to subscribe for additional or other bonds, notes, stocks or other securities; to make such conversions and subscriptions, to make payment therefor, and to advance or borrow money for the purpose of exercising such option, privilege, or right; and to hold such bonds, notes, stocks and other securities so acquired as investment for the fund.

g) To unite with other owners of property or securities similar to any which may be held any time in the fund in carrying out any plan for the consolidation or merger, dissolution or liquidation, foreclosure, lease or sale of the property of, incorporation or reincorporation, reorganization, or readjustment of the capitol or financial structure of

any corporation, company or association, the securities of which may form a portion of fund; to deposit such securities in accordance with such plan; to pay any assessments, expenses, and sums of money which it may deem expedient or which may be required for the protection or furtherance of the interests of the fund with reference to any such plan; and to receive and retain as investment of the fund any new securities issued as a result of the execution of such plan, whether or not the same may be authorized by law for the investment of funds.

#### **Section 5. Bonding**

Each person eligible to sign checks for the fund elected from the membership of CSEA SEIU Local 2001 shall be bonded by a bonding company in an amount to be determined by the trustees in order to protect CSEA SEIU Local 2001 trustees and beneficiaries of the fund.

#### **Section 6. Donation to the Fund**

Any person, corporation, member, council, chapter or Division may, upon consent of the trustees, add, from time to time, to the fund other property, real or personal, or money, and if, as and when such additions are to be made, the same shall be transferred or conveyed to the trustees in a manner and form satisfactory to it, and shall be thereafter held, administered and distributed as provided herein.

#### **Section 7. Bernard H. McCusker Memorial Scholarship Fund Month**

The CSEA SEIU Local 2001 shall set aside February of each year as Bernard H. McCusker Memorial Scholarship Fund Month and the president of the CSEA SEIU Local 2001 shall send a letter to each chapter, council and division in the Union urging the members, chapters, councils, and divisions to make a donation to the fund.

#### **Section 8. Reports of Accounts**

The chairperson of the board of trustees shall present a report to the biennial convention of the CSEA SEIU Local 2001 regarding the management of the fund.

#### **Section 9. Recall of a Trustee**

Charges against a trustee shall be preferred only by a member, in writing, to the secretary/treasurer of the CSEA SEIU Local 2001 in accordance with Section 3.4 of the Constitution of the CSEA SEIU Local 2001.

#### **Section 10. Filling a Vacancy of a Trustee**

In the event a trustee shall die, resign, terminate or become incapable of acting as a trustee or is remove in accordance with Section 9 above, such Council, from which the trustee was elected, shall elect a replacement to serve out the term of that trustee at such Council's next scheduled meeting.

#### **Section 11. Eligibility for Scholarships, Grants or Awards**

Children, grandchildren and dependents of members shall be eligible for scholarships, grants or awards provided, however, the member must have been a member in good standing prior to the selection of such child, grandchild or dependent. Employees of the CSEA SEIU Local 2001 for a period of not less than five years, and who continue to be employed by the Union at the time of the selection, shall be considered to be members in good standing and their children shall be eligible, but shall not receive special preference.

#### **Section 12. Number and Dollar Amount of Scholarships**

The number of scholarships or other aid granted and amounts of such grants shall be determined by the trustees, but the number of scholarships or grants to grandchildren shall be 10%, or fraction thereof, of the awarded scholarships.

#### **Section 13. Organization or Person(s) to Select Recipient(s)**

The trustees shall recommend to the Executive Council of CSEA SEIU Local 2001 the name(s) of organization(s), or person(s) to select the recipient(s) of the scholarship or grants. It shall remain the sole prerogative of the Executive Council to decide the organization(s) or person(s) to select the recipients. The actual selection of the recipient(s) shall be made by an impartial organization or group of otherwise qualified candidates, none of whom are members or have been members of CSEA SEIU Local 200 I.

#### **Section 14. Criteria for Selection of Recipients**

The selection of the recipient(s) shall be based upon: scholastic ability as determined by scholastic record and/or

competitive examination; financial need; and social adaptation. Each is to be given equal consideration. No recipient shall be selected more than twice to receive a scholarship or grant.

**Section 15. Officers**

The trustees shall elect from their membership a Chairperson and a Treasurer. The officers shall be elected at their first meeting following the CSEA Convention.

**Section 16. Voting and Quorum**

All determinations of the trustees shall be made by a simple majority with a quorum consisting of not less than four persons present and voting. Trustees may participate and may vote telephonically in a meeting and such trustee(s) shall be considered as present for the purpose of meeting the quorum requirement.

**Section 17. Amendments**

Amendments to these by-laws shall be made in accordance with Section 9 of CSEA SEIU Local 2001 Constitution.

**Section 18. Correlation with the Constitution of the CSEA SEIU Local 2001**

Any provision of these by-laws which are found to be contrary to the Constitution of the CSEA SEIU Local 2001 shall not invalidate any other section of the by-laws.

Constitution amended on October 22, 2016 by delegates to CSEA's 75th Anniversary Convention