

SEIU LOCAL 1021

CITY OF BERKELEY CLERICAL

CHAPTER BYLAWS

The Clerical Chapter of the City of Berkeley has adopted the following bylaws, which provide for election of officers, conduct of meetings, and governance. Should bylaws be silent on any provisions, the Local 1021 bylaws shall apply.

PREAMBLE:

We, the employees of the City of Berkeley Clerical Chapter, working as free and responsible individuals, recognize that the labor movement in general and SEIU Local 1021, CtW in particular, can be instrumental in improving our status and resolving the social and health problems of our community; therefore, we enter into union and agree to adopt these bylaws, consistent with the Constitution of Local 1021, as an instrument for concerted action and collective bargaining in the interest of our members and for the community we serve.

ARTICLE 1. NAME AND JURISDICTION:

Our Chapter will be known as the City of Berkeley Clerical Chapter, referred to herein as “Chapter” of Local 1021, referred to herein as “Local”. The jurisdiction of our Chapter shall be all employees in the bargaining unit represented by the Union.

ARTICLE 2. AFFILIATION:

Our Chapter is part of SEIU Local 1021, CtW and shall be subject to the Constitution of that Union and all policies adopted pursuant thereto.

ARTICLE 3. MEMBERSHIP:

All persons, without regard to race, creed, color, religion, gender, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age, disability status, or political affiliation shall be eligible for membership.

ARTICLE 4. CHAPTER STRUCTURE:

- (1) The General Membership is the highest authority within the Chapter structure.
- (2) The Chapter membership shall elect the following Chapter officers every 3 years:
 - President
 - Vice President
 - Secretary
 - Treasurer
 - Chief Steward
- (3) Subject to recommendations by the Steward Council, the Chapter Officers shall have power to act on behalf of the Chapter between General Membership meetings. The Chapter officers shall meet at least once a month or more often as deemed necessary by the Chapter officers. Three (3) members shall constitute a Chapter officers quorum.
- (4) The Steward Council shall serve as advisor to the President.
- (5) The Chapter shall hold regularly scheduled General Membership meetings every other month. Twenty percent (20%) of the General Membership shall constitute a quorum. Special membership meetings may be called by the Steward Council or by petition of ten percent (10%) of the membership.
- (6) The Chapter shall maintain a file of Chapter minutes and make available a copy thereof to the Secretary of the Local upon request.
- (7) The Chapter shall maintain financial records. All funds, including income and expenditures, shall be recorded and financial records shall be maintained in accordance with procedures established by the Local. These records shall be transmitted to the Executive Board of the Local upon request. All fiscal records shall be kept for a period of at least six (6) years or longer if required by applicable law. Two (2) signatures (of Chapter officers) shall be required to expend Chapter funds. Chapter financial records shall be regularly audited by a Chapter officer or the Steward Council who is not a signer on the Chapter account.

ARTICLE 5. CHAPTER OFFICERS AND DUTIES:

- (1) President:
 - Subject to the authority and direction of the General Membership, the President shall be the presiding officer of the Chapter and shall preside over all Chapter Officers, Steward Council and General Membership meetings. In addition:
 - a. Oversees the implementation of directives voted on by the Chapter Membership

- b. Oversees all programs, finances and committees of the Chapter in accordance with these bylaws
- c. Serves as a non-voting participant (ex officio) in any committee by request
- d. Appoints committees and committee chairs in concurrence with the Steward Council
- e. Collaborates with the Chapter Officers and Steward Council for the preparation of an agenda prior to General Membership meetings
- f. Serves as the Chapter's First Delegate to all conventions to which the Chapter is entitled to send delegates
- g. Represents the Chapter before all boards, committees, departments, other official bodies and organizations affiliated with the Chapter and when appropriate designates another member for such purpose
- h. Serves as the chief spokesperson for the Chapter, representing the Chapter in the community, in the media, at meetings, conferences and/or conventions affiliated with the Chapter
- i. May authorize up to \$200 in expense from the Chapter account per month with counter-signatures by the Vice President and Treasurer
- j. Serves as one of three (3) officers authorized to withdraw funds from the Chapter account for expenditures approved by the Chapter Officers, Steward Council and/or General Membership
- k. Provides financial reports of any expenditures at the next Steward Council and General Membership meetings
- l. Serves as a member of the Steward Council
- m. Serves as a negotiator on the bargaining team.

(2) Vice President:

- a. Acts as President in the absence of the President.
- b. Serves as one of three (3) officers authorized to withdraw funds from the Chapter account for expenditures approved by the President and General Membership
- c. Serves as the Chapter's Second Delegate to all conventions to which the Chapter is entitled to send delegates
- d. Serves as a member of the Steward Council.

(3) Secretary:

- a. Records proceedings of all Chapter Officer, Steward Council and General Membership meetings and provides a copy thereof to the Secretary of the Local upon request
- b. Receives all correspondence and communications on behalf of the Chapter
- c. Serves as an Alternate Delegate to all conventions to which the Chapter is entitled to send delegates
- d. Notifies Secretary of Local Union of any dissenting action taken by the Chapter on decisions or actions of the Local Union Executive Board.

(4) Treasurer:

The Treasurer shall be responsible for carrying out the duties described in Article 4, Subsection (7) herein. In addition:

- a. Makes deposits and dispersals for the Chapter account
- b. Prepares the Chapter financial records for audit at the direction of the Treasurer of the Local or his/her representative
- c. Serves as an Alternate Delegate to all conventions to which the Chapter is entitled to send delegates
- d. Countersigns along with the President all expenditures from the Chapter account following approval by the President and general membership.

(5) Chief Steward:

The Chief Steward is responsible for the duties described in Article 6. In addition:

- a. Serves as a resource for shop stewards in carrying out their duties at the worksite
- b. Coordinates grievances, Skelly hearings, and other proceedings
- c. Serves as an Alternate Delegate to all conventions to which the Chapter is entitled to send delegates.
- d. Receives complaints and grievances and works with the Steward Council to seek solutions of same.

ARTICLE 6. STEWARDS:

Stewards are the face of the union at the worksite, and are critical to building a strong, engaged and active membership. Stewards' roles and responsibilities include, but are not limited to: ongoing training; welcome and orientation of new members; mobilize, educate, and inform members on union activities and other issues; resolve worksite issues; process grievances; provide timely and effective representation of the members.

Stewards may be determined by election or appointment by the President to represent members under the collective bargaining agreement. The maximum number of stewards is not to exceed eight (8). Stewards are members of the Steward Council. Stewards selected through appointment must be confirmed at the next scheduled chapter meeting.

ARTICLE 6.1 STEWARD COUNCIL:

The Steward Council is a committee made up of all stewards and presided over by the Chapter President. The President, Vice President, Secretary and Treasurer are also members of the Steward Council. The Steward Council:

- a) Confers and makes recommendations regarding arbitrations, grievances, Skellies, negotiations, etc.
- b) Acts as advisor to the President on City-wide issues
- c) Serves as coordinator for the Contract Action Team (CAT)
- d) Develops strategies for public relations including but not limited to training and outreach to members, the City and community
- e) Disseminates information and materials to the General Membership.

ARTICLE 7. COPE COORDINATOR AND COUNTY COPE COMMITTEE:

The COPE Coordinator is appointed in accordance with Article 9 of these bylaws and shall be responsible for providing political information and education to the members of the chapter. The COPE Coordinator:

- a) Assists and coordinates with turn-out, COPE cards, and other duties related to political activities of the Chapter and Local
- b) Represents the Chapter at the Local 1021 County COPE Committee meetings
- c) Presents an audit of COPE Committee finances at least twice yearly or by vote of 10% of the Chapter General Membership or at the request of the Steward Council
- d) Report on activities of Local COPE Committee at each membership meeting.

ARTICLE 8. WEB SITE STEWARD:

A Web Site Steward may be appointed in accordance with Article 9 of these bylaws to maintain and update the Chapter web page.

ARTICLE 9. DELEGATES:

In collaboration with the Steward Council, the Chapter President shall appoint representatives to attend meetings of Local 1021 industry councils, committees, etc. from the Chapter Officers, Steward Council and/or the General Membership.

ARTICLE 10. CONVENTION DELEGATES:

The Chapter shall send the minimum number of Delegates to all conventions to which the Chapter is entitled to send delegates. The President and Vice President shall serve as automatic delegates to the convention. If the President and/or Vice President are unable to attend, the President may choose alternates in the order cited in Article 5

herein. Additional delegates may be assigned if Local bylaws permit. Should the number of delegates permitted exceed two (2), the seats shall be available to one of the alternate delegates.

ARTICLE 11. CONTRACT NEGOTIATIONS:

The President shall be a member of the negotiating committee. The General Membership shall elect the remaining members of the committee. One (1) representative shall be elected from Unit K-2. An additional three (3) shall be elected from members at large of Unit K-1, the number of members to be in compliance with the Chapter's current agreement. Any contract must be ratified by a vote of the membership conducted by secret ballot. Upon completion of negotiations, a copy of the collective bargaining agreement shall be forwarded to the SEIU 1021 Executive Board by the chapter Secretary. In the event that no K-2 member is elected, the position will be filled by a K-1 member appointed by the President.

ARTICLE 12. CHAPTER ELECTIONS:

- (1) Election Schedule:** Chapter elections shall be held within 90 days of the date of adoption of these bylaws. Thereafter, Chapter elections shall be held every three (3) years on the second Tuesday in October. Terms shall be for three (3) years, beginning November 1st and ending October 31st.
- (2) Election Committee:** No later than the second Tuesday in August, the Chapter Officers shall appoint three (3) members to an Election Committee. Members of the committee may not be candidates for office in the election. The committee shall adopt all rules and regulations necessary to assure a fair and honest election and nominations procedure, and shall provide each candidate with a copy of same. The committee also hears challenges to the conduct of the election. The Election Committee shall submit a written report to the Chapter Officers and Local 1021 President within three working (3) days following the ballot count. The report shall include the election rules, procedures, schedule, candidate/issue vote totals, any challenges filed, and names and phone numbers of Election Committee members. Election results shall be provided to the membership following the election.
- (3) Eligibility:** In order to run for and serve as a Chapter Officer, candidates shall have been members in good standing for at least one (1) year and employed within a bargaining unit represented by the Chapter.
- (4) Notice:** Notice of the election shall be given to each Chapter member in good standing at least thirty (30) days prior to the date set for the election by written notice and/or Chapter newsletter (notice must be at least 30 days in advance of the deadline for nominations). The notice must include method of nomination (at

a chapter meeting), deadline for nominations, deadline for submission of candidates' statements, method of election (whether at meeting, worksite, or mail ballot), date, time, and place of voting, procedures for obtaining duplicate ballots, and challenge procedure, and the location, date, and time of the ballot count. The election notice—and the election ballot—must include the number of convention delegates the Chapter is eligible to elect and list Chapter officers who serve as convention delegates or alternates by virtue of their office. All official election materials and communications must be reviewed by the Election Committee and the assigned Local 1021 staff member prior to publication.

- (5) Nomination for Office:** Nominations for office will be made from the floor at a general membership meeting or submitted in writing to the Election Committee. Nominees must be present or submit written notice of acceptance of nomination within three (3) days of the deadline set for nominations.
- (6) Voting:** Chapter elections must be conducted by secret ballot. Only members in good standing are eligible to vote. Proxy voting and write-in candidates are prohibited. The Chapter must provide a method for members to obtain duplicate ballots. Voting will take place at worksites specified by the Election Committee. A plurality of valid ballots cast shall determine the elected candidates. In the event of a tie vote, a run-off election shall be conducted.
- (7) Ballot count:** The Election Committee shall count ballots at a location, date, and time announced to the membership.
- (8) Election Materials:** All election ballots and duplicate ballots—marked, unmarked, voided, unused—must be saved for three (3) years (all ballots printed must be accounted for).
- (9) Challenges:** Challenges to or disputes arising from a Chapter election must be submitted to the Chapter Election Committee within three (3) working days of the submission of the committee's election report to the Chapter Officers. Challenges must be submitted in writing and must cite specific violation(s) of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Constitution. Challenges to the election will be considered valid only if they cite specific violations of election rules and procedures or the Local 1021 Constitution and if the alleged violation may have affected the outcome of the election. The Chapter Election Committee shall investigate and resolve challenges within ten (10) working days of receipt of the challenge. The Election Committee may order a re-run of all or part of the election.
- (10) Appeals:** Challenges or disputes which are denied or cannot be resolved by the Chapter Election Committee may be appealed in writing to the Local 1021 Executive Board within five (5) working days of receipt of the Chapter Election Committee's decision. The Local 1021 Executive Board shall investigate and respond within fifteen (15) working days of receipt of the challenge. Challenges to

the election will be considered valid only if specific violations of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Constitution are cited, and if the alleged violation(s) may have affected the outcome of the election.

ARTICLE 13. VACANCIES:

An elective office shall be declared vacant when the holder of the position resigns from office, resigns from the Union, is no longer a member in good standing, is on an extended leave of absence, or is recalled. Vacancies that occur within twelve (12) months of the expiration of the term may be filled by appointment of the Chapter President; otherwise, vacancies shall be filled by election of the General Membership.

ARTICLE 14. RECALL:

Recall of officers may be originated by a petition signed by at least twenty-five percent (25%) of the membership. After the recall has been originated, the Steward Council shall appoint an Election Committee and conduct a secret ballot election of the General Membership within sixty (60) days of the presentation of the recall petition. A majority of votes cast shall determine the recall.

ARTICLE 15. CONTRACT RATIFICATION:

Ratification or rejection of a tentative agreement shall be referred to the General Membership at a membership meeting(s) called for that purpose or through a mail ballot. The ratification vote shall be by written, secret ballot. Proxy voting shall not be allowed. At least three (3) days' written notice must be given prior to a contract ratification vote.

ARTICLE 16. STRIKE:

The Chapter may not initiate a strike without a majority concurrence vote of the total membership by secret ballot in compliance with the International Union Constitution. The strike vote may be conducted at a membership meeting or through a mail ballot. Proxy voting shall not be allowed. At least three (3) days' written notice shall be given prior to a meeting at which a strike vote is in order. If a strike vote is rendered, the Chapter shall obtain a sanction from the Local 1021 Executive Board. The Chapter shall not strike without previous notification to the SEIU President or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which notice the Chapter states that it has complied with all applicable notice requirements. Strike sanction shall also be received from the local central labor council prior to a strike.

ARTICLE 17. PROCEDURE AND DEBATE:

Chapter meetings shall be governed by Robert's Rules of Order.

ARTICLE 18. AMENDMENT:

Amendments to these bylaws may be originated by a majority vote of the Steward Council or by petition signed by at least twenty percent (20%) of the membership. These bylaws may be amended by majority vote of the General Membership at a membership meeting or a mail ballot. Members must be notified at least thirty (30) days prior to the consideration of any amendment and provided with the proposed amendments and the original sections of the bylaws. Amendments to these bylaws shall be submitted to the Committee on Structural Integrity c/o the Local Union headquarters office (100 Oak St., Oakland, CA 94607) to be reviewed for conformity to the Local 1021 Constitution and to be kept on file. No amendment shall be valid or become effective until approved by the Executive Board of the Local. Amendments required to bring these bylaws into compliance with the Constitution or bylaws of the Local or the International Union may be made by vote of the Chapter Executive Committee without submission to the General Membership.

Accepted by SEIU 1021 Executive Board on 11/19/2011