

# **VALLEY MOUNTAIN REGIONAL CENTER CHAPTER**

## **BY-LAWS SEIU LOCAL 1021**

### **PREAMBLE:**

We, as employees of Valley Mountain Regional Center, recognize that the labor movement in general and SEIU Local 1021 in particular can be instrumental in improving our status and resolving the social and health problems of our community; working as free and responsible individuals, in an attempt to promote increased public understanding of social issues, to improve community and health services legislation and administration, and to improve working conditions within our agency, enter into union and agree to adopt these By-Laws as an instrument for concerted action in the interest of our members and for the community in which we serve. We affirm the principle of collective bargaining, leading to a written contract as a principal means of achieving these goals.

### **ARTICLE I. NAME, JURISDICTION & AFFILIATIONS:**

- Section 1. This organization shall be known as the Valley Mountain Regional Center Chapter, SEIU Local 1021 (hereinafter referred to as the “Chapter”).
- Section 2. The jurisdiction of this Chapter shall include all non-management, non-supervisory, or non-confidential employees of Valley Mountain Regional Center represented by the Union.
- Section 3. The Chapter is part of SEIU Local 1021 and these By-Laws shall be in accord with the By-Laws and Constitution of Local 1021 and all policies adopted pursuant thereto. If chapter bylaws are silent, provisions in the Local’s Bylaws would apply.

### **ARTICLE II. MEMBERSHIP:**

- Section 1. All persons who are within the Chapter’s jurisdiction shall be eligible for membership without regard to race, creed, sex, color, religion, gender, gender expression, sexual orientation, citizenship status, marital status, ancestry, disability status, political affiliation, age, or national origin. A member in good standing has full rights of membership.
- Section 2. Any member, who is on a leave of absence without pay from the Agency may remain a member in good standing at a reduced dues rate of the minimum dues established by Local 1021. Any member, who is on a leave of absence without pay and remains a member in good standing shall have the right to attend

meetings and vote.

### **ARTICLE III. CHAPTER EXECUTIVE BOARD:**

- Section 1. The governing body of the Chapter shall be the Chapter Executive Board (hereinafter referred to as the “Chapter Board”). The Chapter Board shall consist of the President, Vice- President/Chief Steward, Secretary-Treasurer, Shop Stewards, up to two (2) Delegates to the State Developmental Disabilities Council.
- Section 2. The Chapter Board shall meet at least once every two (2) months. Fifty percent (50%) of all the Chapter Board members shall constitute a quorum. Special meetings may be called by the President upon written request of thirty percent (30%) of the Chapter Board members, or upon the President’s own initiative.
- Section 3. In the event of an unexcused absence of any Chapter Board member for three (3) consecutive scheduled meetings, such member may be subject to removal from office by two-thirds (2/3) majority vote of the Chapter Board members . The Chapter Board shall notify the chapter membership of the intent to remove such member from office prior to the next scheduled Chapter Board meeting. Chapter Board meetings shall be announced in advance in writing and shall be considered open meetings.

### **ARTICLE IV. OFFICERS:**

- Section 1. President:
- a. The President shall be elected by all the members of the Chapter.
  - b. The President shall be the executive officer of the Chapter and presides over all Chapter Board and General Membership Meetings.
  - c. The President shall be one (1) of two (2) officers authorized to countersign all orders regarding funds, contracts, and agreements concerning the Chapter, after such expenditures have been approved by the Chapter Board and/or General Membership.
  - d. The President shall have the authority to appoint any committee necessary for the functioning of the Chapter. He/she shall also appoint the Chairperson of all standing committees; and shall be an ex-officio member of all committees.
  - e. The President shall be the first (1<sup>st</sup>) Alternate Delegate to the State Developmental Disabilities Council meetings, when an elected Delegate is unable to attend.
  - f. The President shall be the primary member authorized to officially

represent the actions and views of the Chapter to the community, agency, and the press. The President, with the approval of the Chapter Board, may delegate this responsibility.

Section 2. Vice-President/Chief Steward:

- a. Vice-President/Chief Steward shall be elected by all the members of the Chapter. He/she shall be a member in good standing and must have completed at least one full term as Shop Steward.
- b. The Vice-President/Chief Steward shall assume all the duties of President in the absence of the President.
- c. The Vice-President/Chief Steward shall be the second (2<sup>nd</sup>) Alternate Delegate to the State Developmental Disabilities Council meetings, when an elected Delegate is unable to attend.

Section 3. Secretary-Treasurer:

- a. The Secretary-Treasurer shall be elected by all the members of the Chapter.
- b. The Secretary-Treasurer shall be one (1) of the two officers authorized to countersign all orders regarding funds, contracts, and agreements concerning the Chapter, after such expenditures have been approved by the Chapter Board and/or General Membership.
- c. The Secretary-Treasurer shall keep an accurate recording of the proceedings of all Chapter Board and General Membership Meetings, and shall keep a file of such records. He/she shall make copies available to all Chapter members. The Secretary-Treasurer shall make the minutes of the Chapter meetings available to the Secretary of the Local upon request.
- d. The Secretary-Treasurer shall keep an accurate record of all pertinent membership information and shall record the status of all members. This information shall be made available to each Shop Steward.
- e. The Secretary-Treasurer shall keep an accurate record of attendance at all Chapter Board and General Membership Meetings, and shall be responsible for determining if a quorum is present.
- f. The Secretary-Treasurer shall receive all correspondence and communications on behalf of the Chapter, and write replies as directed by the Chapter Board.
- g. The Secretary-Treasurer shall be responsible for the recording and records of all income and disbursements. He/she shall issue a receipt as

needed. The Chapter's financial records shall be maintained in accordance with procedures established by the Local Union. All financial records shall be kept for a period of at least six (6) years or longer, if required by applicable law. These records shall be transmitted to the Executive Board of the Local Union upon request. Chapter financial records shall be regularly audited by a Chapter officer or member of the Chapter Executive Board, who is not a signer on the chapter account.

- h. The Secretary-Treasurer shall be responsible for completing the Authorization to Issue Chapter/Bargaining Unit Funds and providing all necessary documentation to the Local, per Local policy & guidelines. All Authorization requests must be signed by two (2) officers authorized to withdraw funds, in accordance with these By-Laws and Local policy and guidelines.
- i. The Secretary-Treasurer shall submit a monthly report to the Chapter Board on the Chapter's financial activities and status. He/she shall present the Chapter's financial records for audit at the discretion of the Treasurer of the Local or his/her designated representatives.

Section 4. Delegate(s) to the State Developmental Disabilities Council:

The Delegate(s) shall be elected by all the members of the Chapter. The Chapter may elect up to two (2) Delegates. The duties of the Delegate(s) to the State Developmental Disabilities Council shall include, but are not limited to: representing the Chapter at the State Development Disabilities Council meetings and reporting to the Chapter Board on action taken by the State Development Disabilities Council.

Section 5. Shop Stewards:

- a. Shop Stewards shall be elected by each work location, Modesto, Stockton, San Andreas, Tracy and any future worksites at the ratio cited in the most recent VMRC-SEIU Collective Bargaining Agreement, currently 1:50, with no less than 4 Stewards in Stockton, 3 in Modesto & 1 in San Andreas, Tracy and any future worksites.
- b. Each Shop Steward shall attempt to satisfactorily resolve the job-related problems of any employees in their work location, including the filing of written Grievances.
- c. Each Shop Steward shall advise and represent each employee fairly, equitable, and to the best of his/her ability and knowledge.

**ARTICLE V. ELIGIBILITY AND ELECTIONS:**

Section 1. Term of Office:

The term for all officers of this Chapter shall be two (2) years. No officer may serve more than three (3) consecutive terms in the same office.

- Section 2. Vacancies:  
Any office shall be declared vacant when the officer terminates employment, resigns from the Union, leaves their job in the jurisdiction of this Chapter, is no longer a member in good standing, or is recalled. Vacancies may be filled through appointment by the Chapter Board if it occurs within twelve (12) months of the expiration of the term of office; otherwise vacancies will be filled by an appropriate secret ballot election. In the event that a position is unfilled due to no candidate running in the election, the position can be filled after the first quarter following the election by the President and Chapter Board using the appointment process. Delegates to the Local 1021 convention must be elected by the general membership in a secret ballot election (they may not be appointed). Convention delegates who are appointed will not be eligible to vote.
- Section 3. Election To More Than One Office:  
A member may run for and be elected to more than one Chapter office at the same time. However, no member may run for more than one of the following offices at the same time: President, Vice-President/Chief Shop Steward or Secretary-Treasurer. A member elected to more than one office shall have only one vote on the Chapter Board.
- Section 4. Eligibility To Run:  
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 be employed within a bargaining unit represented by the Chapter. If the chapter has been in existence for less than one (1) year, the candidate must have been a member in good standing since the Chapter was recognized by Local 1021. No member shall be a candidate for more than one (1) of the following Chapter Board offices or seats at a time: President, Vice-President/Chief Stop Steward or Secretary-Treasurer. Only members in good standing are eligible to participate in chapter elections.
- Section 5. Eligibility To Vote:  
The President, Vice-President/Chief Shop Steward, Secretary-Treasurer, and State Developmental Disabilities Council Delegate(s) shall be elected by all eligible members in the Chapter. The Shop Stewards and Negotiators shall be elected by all the eligible members in their classification and/or work location.
- Section 6. Voting Procedures:
- a. The Chapter Board shall appoint an Elections Committee, consisting of three (3) members who are not running for office. Each agency office shall have a member of the Elections Committee.

- b. Written nominations for all offices shall be submitted to any member of the Elections Committee during October. Members may nominate themselves for an office.
- c. The elections shall be held by secret ballot no later than December 31<sup>st</sup> of the election year.
- d. The Elections Committee shall be responsible for making ballots and polling places available to all members. The Committee shall also be responsible for protecting the sanctity of the ballot box and the voting roster.
- e. The official tally sheet for each agency office shall be signed by the member of the Election Committee, attesting to the validity and fairness of the election. The election tally sheet shall be submitted to the Secretary-Treasurer.
- f. The candidate for each office who receives a plurality of votes cast for that office shall be declared elected.
- g. All ballots shall be retained in a sealed envelope for thirty (30) days after the election by the Secretary-Treasurer. Any member may audit these ballots upon written request to the Secretary-Treasurer.
- h. Officers shall be installed at a General Membership meeting within thirty (30) days of the election.

Section 7. Elections to Fill Vacant Offices.

- a. The Chapter Board shall declare an office vacant, in accordance with these By-Laws. The Chapter Board shall then appoint an Elections Committee of three (3) members, one (1) from each agency office, who do not hold an office and are not seeking the vacant office.
- b. The Election Committee shall take nominations for the vacant position for two (2) full weeks from the date of the appointment of the Election Committee. The election shall be held within two (2) full weeks of the close of the nominations. All other election procedures shall remain the same for an election to fill a vacant office.

**ARTICLE VI. FINANCES:**

This Chapter may raise additional specific purpose funds, provided that any method of collecting funds shall not be in conflict with any policy of the Local.

**ARTICLE VII. MEETINGS:**

- Section 1. All General Membership Meetings of this Chapter shall be conducted in accordance with Roberts Rules of Order.
- Section 2. The Chapter shall have regular quarterly General Membership Meetings.
- Section 3. General Membership Meetings can be called by the Chapter Board or by petition of thirty percent (30%) of the current membership.
- Section 4. Members shall receive written notice of time and place of all General Membership Meetings. A quorum for a General Membership Meeting shall consist of fifteen percent (15%) of the current membership.
- Section 5. Any action taken by the membership at a General Membership Meeting held pursuant to this Article, shall be the action of the Chapter and shall prevail over any contrary action taken by the Chapter Board.

#### **ARTICLE VIII. RECALL PROCEDURE:**

- Section 1. A recall of an officer may be originated by a petition signed by thirty percent (30%) of the current membership.
- Section 2. After such recall action has been originated, the Chapter Board shall call a special General Membership Meeting within thirty (30) days, but not sooner than ten (10) days, for presentation of the recall. The publication announcing such meeting shall state clearly the matters and issues raised by the recall. Upon majority decision of the membership present at the special General Membership Meeting, the recall shall be referred to the entire current membership by secret ballot. A majority of the votes cast shall decide the issue.

#### **ARTICLE IX. NEGOTIATIONS AND AGREEMENTS:**

- Section 1. Negotiations and Negotiating Team:
- a. The Negotiating Team shall be composed of one (1) Negotiator elected by clerical members, one (1) Negotiator elected by the professional employees, one (1) by Modesto/San Andreas office and two (2) elected at-large.
  - b. Based on the direction from the membership and the Chapter Board, the Negotiating Team shall be authorized to meet and confer with the Center's representatives, with the purpose of reaching a tentative agreement on a successor contract.
  - c. The Negotiators shall be responsible for the preparation of the Chapter's negotiation demands.

- d. The Negotiators shall make periodic reports to the membership on the progress of negotiations.
- e. The Negotiators shall be elected no later than 4 months prior to the end of the contract and shall serve until the successor contract is ratified and all shall serve on all contract reopeners during the term of the contract.

Section 2. Contract Ratification:

- a. A special General Membership Meeting(s) must be held before any tentatively agreed to contract between the Union and the Employer may be ratified.
- b. This meeting shall be called by the Chapter Board.
- c. Any contract must be ratified by a majority vote of the current membership in the bargaining unit who cast a ballot, voting in a secret ballot election.
- d. The Chapter Board shall decide the method of conducting the ratification of the contract. All members shall be given at least forty-eight (48) hours notice before a vote is to take place. All members shall be given a fair and equal opportunity to vote.

Section 3. All other agreements with the Agency may be ratified by a majority vote of the members present at the next General Membership meeting.

Section 4. Strikes:

- a. A special General Membership Meeting must be held for any strike vote to be taken.
- b. Any special General Membership Meeting to consider the possibility of a strike may be called by the Chapter Board or by a petition of the current membership.
- c. The Chapter Board shall decide the method of conducting a strike vote. All members shall be given at least forty-eight (48) hours notice before a strike vote is to take place. All members shall be given a fair and equal opportunity to vote.
- d. In order for a strike to be authorized, a majority concurrence vote of the voting membership in a secret ballot must take place.
- e. Following memberships concurrence in any strike vote, the Chapter will request strike sanction from the Executive Board of the Local Union.



**ARTICLE X. AMENDMENT PROCEDURE:**

- Section 1. Proposed amendments of these By-Laws may be originated by thirty percent (30%) of the membership signing a petition to be submitted to the Chapter Board, or by a two-thirds (2/3) vote of all members of the Chapter Board.
- Section 2. Amendments may be ratified by a majority vote of all the members casting a ballot, in a secret ballot election.
- Section 3. Any amendment to these By-Laws that is adopted by the membership of the Chapter shall be submitted to the Local Union headquarters to be reviewed for conformity with the Local 1021 Constitution & By-Laws. No amendment shall be valid or become effective until approved by the Executive Board of the Local Union. Amendments required to bring these By- Laws into compliance with the Constitution or guidelines of the Local Union or the International Union may be made by vote of the Chapter Executive Committee without submission to the General Membership.

**ARTICLE XI. OTHER PROCEDURES:**

- Section 1. The Chapter Board shall make available to the membership, the minutes of the Chapter Executive Board upon request.
- Section 2. The Chapter shall notify the Local 1021 Executive Board of any dissenting action taken on the minutes or action of the Local 1021 Executive Board.