

**CONSTITUTION OF
Marin County Office of Education Chapter No. 327, CSEA
Adopted January 16, 1996
Latest Revision January 12, 2022**

This Constitution is the local operating document for this Chapter as formulated under Article III, Section 8 of the Association Constitution.

Where used throughout this document, "Association" means the California School Employees Association, the statewide governing body for this organization; "organization" and "Chapter" are interchangeable and mean Marin County Office of Education Chapter No. 327, CSEA.

APPROVED

California School Employees Association

Date: May 9, 2022

By: *Deana M. Craig*, Executive Coordinator

TABLE OF CONTENTS

	<u>Page</u>
Article I – Name and Objects	3
Article II – Membership	3
Article III – Dues and Assessments	6
Article IV – Officers & Executive Board / Election Procedures.....	7
Article V – Authority of Executive Board/Duties of Officers.....	9
Article VI – Meetings.....	13
Article VII – Control of Funds / Budget	15
Article VIII – Committees	15
Article IX – Union Stewards	18
Article X – Site Representatives	19
Article XI – Recall or Removal from Office	19
Article XII – Delegates to Conference.....	20
Article XIII – Contract Ratification	21
Article XIV – Concerted Activities	23
Article XV – Amendments to Constitution	23
Article XVI – Disbandment of Chapter	24
Article XVII – Parliamentary Authority.....	24
Article XVIII – Fiscal Year	24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

**ARTICLE I
NAME AND OBJECTS**

Section 1. Name: The name of this organization shall be Marin County Office of Education Chapter No. 327 of the California School Employees Association.

Section 2. Objects: The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system, and to secure for them reasonable hours, fair wages and improved working conditions; to establish a spirit of cooperation, good faith and fair dealings with the employer; to safeguard, advance and promote the principle of free collective bargaining in a democratic society; to promote such legislation as may be in the best interests of the members of this organization; to promote the efficiency and raise the standards of service of its members and other public service workers; to instill confidence, good will and understanding among the members and their employers; to promote the economic and social welfare of the members of the Association through unity of action and mutual cooperation.

23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

**ARTICLE II
MEMBERSHIP**

Section 1. Membership in this Chapter shall be as follows:

(a) **Active:** "Active" membership, which carries with it the privilege of full participation in Chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in a bargaining unit represented by this Chapter, without regard to race, creed, color, national origin, sex, age, sexual orientation or political belief. Active membership status shall cease at such time as the member becomes eligible for any other category of membership defined herein, except as follows:

(1) Active members who are laid off may continue in Active status until expiration of their 39-month reemployment period or until reemployed, whichever comes first, upon continued payment of the established dues in effect at the time of layoff.

(2) Active members who are appealing an involuntary termination action by the employer may continue in Active status until the appeal(s) process has been terminated and the status of their employment has been finally decided, upon continued payment of the established dues in effect at the time of the involuntary termination.

(3) Nothing herein shall be construed to require continued Active status of members under paragraphs (1) and (2) above for the purpose of continued CSEA representation regarding their employment/reemployment rights. However, retention of Active status shall be required for such employees to continue to be eligible to hold appointed or elective offices within the Association and Chapter and to have voice and vote and otherwise participate in Chapter and Association affairs.

1 (4) Active members of this Chapter must also be Active members of
2 the Association as defined in the Association's Constitution.

3
4 (b) **Inactive:** Any Active member of this Chapter who (1) is granted an
5 unpaid leave of absence by the employer, or (2) is placed on a reemployment list for
6 reasons other than layoff and is not otherwise in a paid status with the employer, or (3)
7 is laid off and elects not to continue as an Active member under provisions of paragraph
8 (a)(1) above, may continue membership in an "Inactive" status until expiration of the
9 approved leave of absence or reemployment list, or until returned to paid employment
10 status in an eligible position [as defined by paragraph (a) above], whichever occurs first,
11 upon continued payment of dues at half (1/2) the rate required of them as an Active
12 member at the time the leave or placement on the reemployment list occurred. Such
13 dues shall be paid annually in advance, or for the number of months of the approved
14 leave if less than one (1) year. Such members shall be eligible to continue to receive
15 such membership benefits as are generally made available to the Active membership,
16 unless specifically excluded by contract. They shall not, however, be accorded voice or
17 vote in Chapter or Association affairs.

18
19 (c) **Lifetime Retired:** Any person who was a member of the Chapter at the
20 time of retirement may become a "Lifetime Retired" member of this Chapter upon
21 payment of a one-time fee of \$36.00. Such members shall be permitted to attend
22 Chapter meetings and social functions and to receive the Chapter newsletter as long as
23 they live in the local area. They shall not otherwise be accorded voice, vote or other
24 participation in Chapter affairs.

25
26 (d) **Active Retired:** Any person who was a member of the Chapter at the
27 time of retirement and who also maintains a retired membership in good standing with
28 the Association may continue as an Active member of this Chapter upon payment of the
29 regular Chapter dues required of Active members. Such dues shall be paid annually in
30 advance or monthly in advance direct to the Chapter Treasurer. Such members shall
31 be entitled to continued full participation in Chapter affairs, including the right to hold
32 appointive or elective offices and the right to vote, with the exception of the right to vote
33 in contract ratification and concerted activities matters.

34
35 Should such member cease to be a retired member in good standing of the
36 Association, his/her Chapter membership shall automatically terminate.

37
38 **Section 2.** Active membership shall be effective upon the completion, dating,
39 and signing of an official CSEA application form as provided by the Association, and
40 execution of a valid authorization for payroll deduction of dues or payment of at least
41 one (1) year's dues in advance. The application shall be immediately forwarded,
42 together with advance dues received if any, to the Association. The Association shall
43 send payroll deduction authorizations to the appropriate district office.

44
45
46
47
48
49

1 **Section 3. Membership "In Good Standing"**
2

3 (a) Membership "in good standing" shall be effective and shall continue upon
4 receipt of the required dues for the current month. For purposes of establishing voting
5 rights and eligibility to hold an elected or appointed office, Active members whose dues
6 are paid via payroll deduction shall not be deemed to be in good standing until the first
7 of the month following the month in which the first dues are deducted, unless s/he pays
8 dues in cash for the interim period.
9

10 (b) Membership shall terminate with:

11 (1) The effective date of layoff for members who are laid off and who
12 choose not to continue in either an Active or Inactive status under provisions of Sections
13 1(a)(1) or 1(b) above.
14

15 (2) The effective date of an unpaid leave of absence or placement on a
16 reemployment list for reasons other than layoff, for such members who choose not to
17 continue in an Inactive status under provisions of Section 1(b) above.
18

19 (3) The date of termination of their 39-month reemployment rights or
20 approved leave of absence for members who have continued in an Active or Inactive
21 status, if such members have not been returned to active employment.
22

23 (4) The date of execution of a document terminating payroll deduction
24 of dues, unless arrangements have been made with the Chapter Treasurer for advance
25 cash payment. However, the dues authorization signed by a member is a contract which
26 by law is not terminable without reasonable advance written notice being provided to the
27 appropriate CSEA Field Office. CSEA views the minimum notice that is reasonable as
28 being five (5) days.
29

30 (5) The effective date of removal from the bargaining unit, or voluntary
31 termination of employment.
32

33 (6) The effective date of involuntary termination of employment, unless
34 the member is eligible to continue and elects to retain Active status as permitted under
35 provisions of Section 1(a)(2) above.
36

37 (7) Actions pursuant to Sections 4 or 5 below.
38

39 **Section 4. Delinquency & Resignation:**
40

41 (a) Members who no longer wish to retain that status may resign CSEA
42 membership by providing a five (5) day advance written notification to the Area's
43 assigned CSEA Field Office. Such notification must include the member's name,
44 address, employer's name or Chapter name, the last four (4) digits of his/her social
45 security number, and his/her CSEA ID number or Employee ID number.
46
47
48
49

1 (b) Any member failing to pay all dues owed for the current month shall be
2 deemed delinquent and shall not be considered to be in good standing until such
3 delinquency has been remitted.

4
5 (c) Members who have resigned shall, upon reapplication, be admitted as
6 new members.

7
8 **Section 5. Expulsion, Suspension, Discipline:**

9
10 (a) No member may be involuntarily removed from the membership rolls
11 except as provided for in Sections 3 and 4 above, or in accordance with the procedures
12 for expulsion, suspension and discipline of members as specified in the Association
13 Constitution.

14
15 (b) All matters for proposed disciplinary action against members shall be
16 referred to the Association for action, except that members may be recalled from office
17 in accordance with provisions of Article XI of this Constitution.

18
19
20 **ARTICLE III**
21 **DUES and ASSESSMENTS**

22
23 **Section 1. Association Per Capita Dues**

24
25 (a) Per capita dues to the Association for Active members shall be assessed
26 at the rate of 1.5% of the first \$3,150 of monthly gross salary (*excluding overtime*, but
27 *including* longevity, professional growth and anniversary increments), but not to exceed
28 a maximum of \$472.50 for the 12-month period commencing each September 1st and
29 continuing through the following August 31st. Said dues shall be payable by payroll
30 deduction or annually in advance direct to the Association.

31
32 (1) Payroll deduction shall commence in September of each year and
33 continue through the following August for each month the member is in a paid status, or
34 until the maximum of \$472.50 has been deducted, whichever comes first.

35
36 (2) Annual in advance payments must be remitted direct to the
37 Association's accounting office no later than September 30, or within thirty (30) days
38 following membership application for new members after September. Such annual
39 payments shall be as calculated by the Association's Accounting Office in accordance
40 with the Association's Bylaws.

41
42 **Section 2. Chapter Dues.** Local Chapter dues for Active members of this
43 Chapter shall be \$40.00 per year, payable by payroll deduction during each of the
44 months September through June in which the member is in regular paid status; or
45 payable annually in advance to the Chapter Treasurer.

46
47 **Section 3.** The local Chapter dues plus the Association per capita dues equals
48 the member's total dues requirement.

1 **Section 4. Assessments:** No assessments shall be levied in this Chapter
2 other than those approved by three-fourths (3/4) of the Chapter membership present
3 and voting on the question by secret ballot, provided that each member has been
4 notified in writing at least ten (10) days in advance of the nature of the proposal and the
5 time, date and place where the matter will be voted on.

6
7 **Section 5. Fund Solicitation:** No funds shall be solicited in the name of the
8 Chapter without authorization of the Executive Board. All funds collected (together with
9 an accounting of source) shall be delivered to the Chapter Treasurer within five (5)
10 working days of receipt, for deposit in the Chapter’s account.
11

12
13 **ARTICLE IV**
14 **OFFICERS & EXECUTIVE BOARD/ELECTION PROCEDURES**
15

16 **Section 1. Officers:** The following officers shall be elected by and from
17 among the total Active membership of the Chapter, regardless of the location of their
18 employment: President, 1st Vice President, 2nd Vice President Secretary, Treasurer,
19 Communications Officer, Chief Union Steward.
20

21 **Section 2. Executive Board:** The elected officers designated in Section
22 1, plus the Immediate Past President, shall constitute the Executive Board of this
23 Chapter. To be eligible, the Past President must have completed at least one (1)
24 full term in office as Chapter President.
25

26 **Section 3. Eligibility to Hold Office:** Officers shall be elected from among
27 the Active members of the Chapter who are in good standing.
28

29 (a) Nominees for elected office shall be Active members of the Chapter in
30 good standing at the time of nomination and can only accept nomination for one (1)
31 Executive Board office.
32

33 **Section 4. Nominating and Election Procedures:**

34 (a) Nominations to fill the elective offices listed in Section 1 shall be accepted
35 annually.
36

37 (b) Nominations for these offices shall be accepted from the floor at the
38 October and November Chapter meetings.
39

40 (c) If, after nominations are closed at the November Chapter meeting there is
41 only one (1) nomination for an office, the single nominee shall be declared elected to
42 the office, and no balloting or other action shall be required. The Chapter President
43 shall so notify the membership in writing as soon thereafter as possible.
44
45
46
47
48
49

1 (d) When there is more than one (1) nominee for an office, an election shall
2 be conducted at the December Chapter meeting by secret ballot vote of Active
3 members in good standing present at said meeting. It shall require a plurality vote to
4 elect any officer. Write-in votes shall not be accepted. If a tie exists, the election shall
5 be determined by lot (draw) between the tied candidates.
6

7 (e) Notices of the time, date, and place for nominations and balloting, and all
8 other procedural matters relating to conducting these elections, shall be in accordance
9 with provisions of Association Policy 618.
10

11 (f) All candidates shall be provided an opportunity to address the members
12 present at the election meeting prior to the balloting, and they or their designated
13 representative shall be accorded the right to observe the ballot tally process.
14

15 (g) All ballots, including used, unused, invalid and challenged ballots, tally
16 sheets and related election documents, including notices of nomination and election
17 procedures, shall be retained by the Chapter Secretary for one (1) year, or until any and
18 all challenges to the election or charges of misconduct in the running of the election
19 have been resolved, whichever is the longer period.
20

21 **Section 5. Terms of Office:** Elected officers shall take office and assume
22 their duties on the January 1 following their election and shall continue to serve for
23 one (1) year or until their successors are elected, provided that any officer shall
24 automatically forfeit such office if they cease to be an Active member in good standing.
25

26 **Section 6. Vacancies:**
27

28 (a) A vacancy in the office of President shall be filled by the 1st Vice
29 President.
30

31 (b) A vacancy in the office of 1st Vice President shall be filled by the 2nd Vice
32 President.
33

34 (c) For vacancies in any other elected office, the Executive Board shall submit
35 its recommendation via email to fill the office in writing to the Chapter membership at
36 least five (5) working days in advance of a designated Chapter meeting. Nominations
37 from the floor shall also be accepted at said meeting. If there are no nominations from
38 the floor, the Executive Board's candidate shall be declared elected. If nominations
39 from the floor are made, a secret ballot election shall be conducted among the Active
40 members in good standing present.
41
42
43
44
45
46
47
48
49

1
2 **ARTICLE V**
3 **AUTHORITY OF EXECUTIVE BOARD/DUTIES OF OFFICERS**

4 **Section 1. Executive Board:** The Executive Board shall have general
5 supervision of the affairs of the Chapter between the general membership meetings. It
6 shall transact the routine business of the Chapter as authorized and required herein,
7 prioritize and determine recommendations on matters requiring discussion and action
8 by the general membership, and perform such other duties as are specified in this
9 constitution. The Board shall be subject to the orders of the Chapter membership, and
10 none of its actions shall conflict with actions taken by the Chapter membership.

11
12 A report on all actions taken by the Executive Board shall be made to the
13 membership at the next regular or special Chapter meeting, with such actions subject to
14 membership ratification if appropriate.

15
16 Minutes of Chapter and Executive Board meetings shall be kept on file for at
17 least five (5) years. Chapter financial records shall be kept on file for at least five (5)
18 years.

19
20 The Executive Board shall meet at the call of the President or at such times and
21 places designated by it; the President shall call a special meeting upon the written
22 request of a majority of the Board.

23
24 A majority of the members of the Executive Board shall constitute a quorum.

25
26 **Section 2. Duties of Officers, General:** Upon separation from office, an
27 officer shall immediately turn over to his/her successor or other properly designated
28 CSEA official all books, records, money and other effects of the Chapter in his/her
29 possession.

30
31 **Section 3. President:** The President shall:

32
33 (a) Be chairperson of the Executive Board, call and preside over all meetings
34 of the Chapter and Executive Board at which s/he is in attendance.

35
36 (b) Fix the time and place of meetings except as otherwise directed by the
37 membership.

38
39 (c) Set the agenda for Chapter meetings, as noted in Article VI.

40
41 (d) Appoint and direct the activities of the various committees, standing or
42 special, required by this constitution or established by the Executive Board, or as may
43 be ordered by vote of the membership, except as otherwise provided herein.

44
45 (e) Attend all regional presidents' meetings (RPMs) and such other meetings
46 as required by the Association or direction of the Chapter, and report back to the
47 Executive Board and Chapter membership at the next Chapter meeting, with
48 recommendations for Chapter action or as otherwise required.

49

1 (f) Perform such other duties as normally pertain to the office of President or
2 ordered by this constitution.

3
4 **Section 4. 1st Vice President:** The 1st Vice President shall:

5
6 (a) In the absence or disability of the President, possess all of the powers and
7 perform all of the duties in his/her stead.

8
9 (b) At all times assist the President in the performance of his/her duties.

10
11 (c) Assume the office of President if a vacancy occurs.

12
13 (d) Serve as Chairperson of the Membership Committee.

14
15 (e) Coordinate and direct the activities of the Site Representatives.

16
17 (f) In coordination with the Chief Union Steward, call and conduct periodic
18 meetings between the Site Representatives and Union Stewards to ensure an
19 appropriate level of communication and coordination between these two (2) programs.

20
21 (g) Coordinate the activities of the standing committees.

22
23 (h) Perform such other duties as may be assigned by the President/Executive
24 Board or ordered by this constitution.

25
26 **Section 5. 2nd Vice President:** The 2nd Vice President shall:

27
28 (a) In the absence or disability of the 1st Vice President, possess all of the
29 powers and perform all of the duties in his/her stead.

30
31 (b) At all times assist the President in the performance of his/her duties.

32
33 (c) Assume the office of 1st Vice President if a vacancy occurs.

34
35 (d) Serve as Vice Chairperson of the Membership Committee.

36
37 (e) Coordinate and direct the activities of the Site Representatives, together
38 with the 1st Vice President.

39
40 (f) In coordination with the 1st Vice President and Chief Union Steward, call
41 and help conduct periodic meetings between the Site Representatives and Union
42 Stewards to ensure an appropriate level of communication and coordination between
43 these two (2) programs.

44
45 (g) Coordinate the activities of the standing committees, together with the 1st
46 Vice President.

47
48 (h) Perform such other duties as may be assigned by the President/Executive
49 Board or ordered by this constitution.

1 **Section 6. Secretary:** The Secretary shall:
2

3 (a) Keep an accurate record of all proceedings of Chapter and Executive
4 Board meetings, including an accurate roll of members and officers in attendance at
5 each.
6

7 (b) Keep an accurate roster of the officers of the Chapter and see that such
8 information is forwarded to the Association as required.
9

10 (c) Issue notices of all meetings of the Executive Board and Chapter
11 meetings, which shall include notice of matters for discussion at same.
12

13 (d) Notify members of all committees of their appointment/election.
14

15 (e) Have custody of all correspondence, official documents and historical
16 records of the Chapter, which shall be open at all times for the inspection of the
17 President or his/her agent and members of the Executive Board.
18

19 (f) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the
20 Association and the constitution of this Chapter and see that copies of same are
21 available for reference at all Executive Board and Chapter meetings, and available for
22 inspection by the general membership upon request.
23

24 (g) Perform such other duties as normally pertain to the office of Secretary or
25 as may be assigned by the President/Executive Board or ordered by this constitution.
26

27 **Section 7. Treasurer:** The Treasurer shall:
28

29 (a) Receive all funds of the Chapter and keep and disburse same under the
30 direction of the President and as required by the Constitution & Bylaws of the
31 Association and this Chapter.
32

33 (b) Keep or cause to be kept regular books and full accounts which shall be
34 open at all times to inspection of the President or his/her agent and the Auditing
35 Committee.
36

37 (c) Provide access to all records, vouchers and statements to the Auditing
38 Committee for annual inspection at the close of each fiscal year.
39

40 (d) Report at each meeting of the Executive Board and Chapter as to the
41 financial condition of the treasury with a detailed statement of receipts and expenditures
42 and accounts payable, to include per capita dues/fees paid and owed to the Association
43 if any. The report to the Executive Board should also include copies of the bank
44 statement(s)/reconciliation(s).
45

46 (e) Prepare the annual financial report to include the last day of the fiscal
47 year, and immediately submit same to the President for review and forwarding to the
48 Association, and the membership.
49

1 (f) Promptly forward membership applications and dues payments to the
2 Association. The Association shall send payroll deduction authorizations to the
3 appropriate district office for processing.
4

5 (g) Maintain an accurate record of members in good standing, and prepare
6 such monthly reports and remittances as may be required by the Association and
7 promptly forward to CSEA Headquarters within thirty (30) days of request.
8

9 (h) Assist in preparation of the Chapter budget.
10

11 (i) Upon leaving office, sign such bank signature cards or other documents
12 necessary for the transfer of all Chapter accounts to the new Treasurer.
13

14 (j) Perform such other duties as normally pertain to the office of Treasurer or
15 as may be assigned by the President/Executive Board or ordered by this constitution.
16

17 **Section 8. Communications Officer:** The Communications Officer shall:
18

19 (a) Edit and distribute a newsletter or similar publication as may be authorized
20 by the Executive Board and the Chapter membership.
21

22 (b) Write articles of interest pertaining to Chapter affairs for local newspapers
23 and official publications of the Association.
24

25 (c) Perform such other duties as normally pertain to the Communications
26 Officer or as may be assigned by the President/Executive Board or ordered by this
27 constitution.
28

29 **Section 9. Chief Union Steward:** The Chief Union Steward shall:
30

31 (a) Ensure that the Union Steward program of the Chapter functions
32 according to the requirements set forth in this constitution, and maintain necessary
33 records on matters of contract enforcement to permit the chapter to effectively represent
34 bargaining unit employees.
35

36 (b) Process all grievances not settled at the immediate-supervisory level,
37 unless CSEA staff assistance is required.
38

39 (c) Serve as Chairperson of the Grievance Committee, and keep the
40 Executive Board informed on all grievance activity.
41

42 (d) In coordination with the 1st Vice President, call and conduct periodic
43 meetings between the Site Representatives and Union Stewards to ensure an
44 appropriate level of communication and coordination between these two (2) programs.
45
46
47
48
49

1 **Section 10. Immediate Past President.** The Immediate Past President shall
2 be a member of the Executive Board and perform such duties as may be assigned by
3 the President and/or the Executive Board, and shall, in the absence or disability of both
4 the President and 1st Vice President, possess all of the powers and perform all of the
5 duties of the President.
6

7
8 **ARTICLE VI**
9 **MEETINGS**

10
11 **Section 1.** Regular business meetings of this Chapter shall be held every
12 other month during the months of August through June, including December. The
13 schedule of such meetings shall be established in January of each year for the
14 succeeding twelve (12) month period and shall be provided to the membership.
15

16 **Section 2.** Special meetings of the Chapter may be called by the Chapter
17 President as deemed necessary, or shall be called by a vote of two-thirds (2/3) of the
18 Executive Board or upon petition to the President of twenty percent (20%) of the
19 Chapter membership.
20

21 **Section 3. Meeting Notices:**
22

23 (a) **Regular Meetings.** Unless otherwise specified herein, a meeting notice
24 shall precede all Chapter meetings at least five (5) days in advance to allow members a
25 reasonable opportunity to attend. Said notice shall include a summary of the business
26 to be acted upon, and the time, date and place of the meeting.
27

28 (b) **Special Meetings.** Notice for special meetings shall include the specific
29 topic(s) for discussion/action at said meeting, and unless otherwise required herein, a
30 notice of less than five (5) days, but not less than twenty-four (24) hours in advance,
31 may be given in an emergency situation.
32

33 **Section 4. Electronic Meeting.** Meetings of the Chapter may be conducted
34 through use of Internet meeting services designated by the President that support
35 voting, support visible displays identifying those participating, identifying those seeking
36 recognition to speak, showing (or permitting the retrieval of) the text of pending motions,
37 and showing the results of votes.
38

39 Meetings of the Chapter may be held electronically when the Chapter President
40 has obtained consent from two-thirds (2/3) of the Executive Board; or, in the case of
41 Special Meetings, when so directed by those calling the special meeting. Meetings held
42 electronically shall be subject to the following rules:
43

44 (a) **Meeting notices.** Appropriate login information necessary to connect to
45 the meeting and information on how to participate in the meeting shall be included in the
46 meeting notice including phone login information to participate aurally by telephone.
47 Members joining by phone should announce themselves at the direction of the chair at
48 the first opportunity.
49

1 (b) **Voting.** Votes shall be taken by the voting feature of the Internet meeting
2 service, unless a different method such as a roll call or raised hand vote is approved by
3 the members. Members participating by phone only shall vote by roll call at the direction
4 of the chair. Internet meeting service shall not be used for secret ballot votes.

5
6 (c) **Obtaining the floor or interrupting a member.** A member has the floor
7 and may unmute once recognized by the chair. A member may only interrupt a speaker
8 for a specific motion or request which under the rules permits a member to do so. A
9 member who intends to make such a motion or request shall so indicate to the chair and
10 then shall wait a reasonable time for the chair's instructions before attempting to
11 interrupt the speaker by voice.

12
13 (d) **Member participation and forced disconnections.** All chapter members
14 in attendance have the right to participate in the meeting including making motions and
15 speaking in debate. However, the chair may cause or direct the muting or disconnection
16 of a member's connection if it is causing interference with the meeting (such as
17 interrupting other members when not permitted by the rules or when not recognized by
18 the chair or if there is repeated, disruptive background noise). The chair's decision to do
19 so must be announced to all participants prior to any action taken and is subject only to
20 an undebatable appeal that can be made by any member present. To be in order, the
21 appeal must be made immediately, before business moves onto the next subject. If
22 appealed, a majority vote of members present is required to overturn the decision of the
23 chair.

24
25 (e) **Technical requirements.** Each member is responsible for their own audio
26 and Internet connections. No action shall be invalidated on the grounds that the loss of,
27 or poor quality of, a member's individual connection prevented participation in the
28 meeting.

29
30 **Section 5.** Unless otherwise ordered by two-thirds (2/3) vote of the members
31 present, the order of business at regular Chapter meetings shall be:

- 32
33 (1) Pledge of Allegiance to the Flag
34 (2) Approval of Minutes of the Previous Meeting
35 (3) Communications
36 (4) Report of Executive Board Actions
37 (5) Treasurer's Report
38 (6) Committee Reports
39 (a) Report of the Membership Committee/Recognition of New Members
40 (b) Report of the Negotiating Committee
41 (c) Union Steward/Site Representative Reports
42 (d) Other Committees as Required
43 (7) Unfinished Business
44 (8) New Business
45 (9) Good of the Order
46 (10) Adjournment
47

48 **Section 6. Quorum for Meetings:** It shall require at least five (5) members in
49 good standing in attendance at any Chapter meeting for business to be conducted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

ARTICLE VII
CONTROL OF FUNDS / BUDGET

Section 1. All funds received shall be deposited in the name of Marin County Office of Education Chapter No. 327, CSEA, in such bank or other financial institution as approved by the Executive Board. The use of chapter debit cards is strictly prohibited. No funds shall be disbursed except by check, duly authorized and signed by the Treasurer and the President. In the event of absence of, inability to act by, or vacancy in the office of Treasurer, funds shall only be disbursed upon signature of the President and one (1) of the following: 1st Vice President, Secretary.

Section 2. The Executive Board shall prepare an annual budget for approval of the Chapter membership no later than January of each year, which shall contain itemized estimated receipts and expenditures, and amounts to be set aside as a reserve fund, if any. The approved budget shall then regulate the expenditures of the Chapter. Expenditures in excess of those approved in the budget must have prior approval of the Chapter membership, except that expenditures under \$100 may be approved by the Executive Board and reported to the Chapter membership at the next Chapter Meeting.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

ARTICLE VIII
COMMITTEES

Section 1. Standing Committees: The following shall be the standing committees of the Chapter: Auditing, Elections, Membership, Negotiating, Political Action. Unless otherwise specified herein, the President shall within thirty (30) days of being elected to office, but in no case later than the first (1st) scheduled Chapter meeting in January following her/his election, appoint the chairpersons and members of the standing committees. Appointment shall be subject to the ratification by a majority vote of the Executive Board. If a majority of the Executive Board does not approve the appointments, the Executive Board will meet to discuss alternate recommendations for appointment. The President shall determine the number of members to be appointed to each, except as otherwise provided herein.

Section 2. Ad Hoc Committees: Such other committees as the President or the Chapter membership may deem necessary to perform a specified task for the welfare of the Chapter may be appointed. The President shall determine the composition of such committees and the timelines for completion of their assigned duties. Such ad hoc committees shall cease to function upon completion of their specified task.

Section 3. The 1st Vice President shall act as coordinator of all appointed committees, and shall be Chairperson of the Membership Committee.

Section 4. The President shall be an ex-officio member of all committees, except the Auditing and Elections Committees.

Section 5. Quorum: A majority of the members of any committee must be present at any meeting to constitute a quorum.

1 **Section 6. Terms:** Unless otherwise provided herein, the term of office for all
2 committees shall be twelve (12) months, from January 1 until the end of the Chapter
3 and fiscal year or until their successors are appointed, provided that any committee
4 member shall automatically forfeit the office if they cease to be an Active member in
5 good standing.
6

7 **Section 7. Auditing Committee:** It shall be the duty of this committee to
8 receive and audit the books and records of the Treasurer immediately after the close of
9 each fiscal year, and at such other times as may be directed by the President, and
10 report its findings to the Chapter membership.
11

12 **Section 8. Elections Committee:** It shall be the duty of this committee to
13 supervise and assist in the preparation, distribution, and counting of the ballots in all
14 elections (including contract ratifications) within the Chapter, and certify the results to
15 the Chapter President. In addition, the committee shall ensure that election procedures
16 are in accordance with applicable provisions of the Association's Constitution & Bylaws
17 and Policy, and this constitution.
18

19 **Section 9. Membership Committee:** It shall be the duty of this committee to
20 strive for 100% CSEA membership within the represented bargaining unit(s), and to
21 prepare and execute a program designed to secure new members and stimulate
22 membership attendance at Chapter meetings on an ongoing basis.
23

24 **Section 10. Negotiating Committee (Team):**

25
26 (a) The Negotiating Committee shall consist of the Chapter President plus
27 one (1) representative from the membership at large.
28

29 (b) The committee member shall be appointed by the President from among
30 the members in good standing of the chapter.
31

32 (c) Term of office for the appointed member shall commence upon their
33 appointment and continue for one (1) year or until their successor is appointed.
34

35 (d) A vacancy shall be filled by appointment by the President for the
36 remainder of the original term only.
37

38 (e) **Duties:** It shall be the duty of the Negotiating Committee to:

39
40 (1) Research issues and prepare and submit initial bargaining
41 proposals (including proposals on re-openers) for review and approval of members in
42 good standing of the bargaining unit(s) prior to commencement of negotiations.
43

44 (2) Negotiate the contract (including re-openers and modifications) for
45 and on behalf of the Chapter with assistance from CSEA field staff.
46

47 (3) Keep the Executive Board and the membership informed on the
48 progress of negotiations and solicit membership input where advisable.
49

1 (4) Ensure that all bargained agreements are submitted for ratification
2 of the bargaining unit(s) in accordance with Article XIII of this constitution.
3

4 **Section 11. Political Action Committee:** It shall be the duty of this committee
5 to:
6

7 (a) Develop and implement a Chapter alert system designed for emergency
8 contact of the membership when immediate Chapter action is necessary on contract
9 matters, legislative and political issues, and other items of importance to the Association
10 and Chapter.
11

12 (b) Keep the members informed about the legislative program of the
13 Association, and may recommend to the Chapter membership legislative proposals it
14 deems desirable for submission to the Association's Legislative Committee for
15 consideration and inclusion in the Association's legislative program.
16

17 (c) Work cooperatively with the Political Action Coordinator (PAC),
18 appropriate staff and PACE and Legislative Committee area representatives in
19 furtherance of the Association's legislative and political goals, rendering regular reports
20 at Chapter meetings regarding the same and recommending any Chapter support or
21 activity it considers appropriate.
22

23 (d) Encourage all members to financially support PACE of CSEA and the
24 Victory Club, and educate the membership regarding the necessity for active
25 participation in the political process in accordance with Association and Chapter goals.
26

27 (e) Make recommendations to the Chapter membership regarding
28 endorsement of candidates for school board, in accordance with the following
29 procedures:
30

31 (1) The committee shall conduct a pre-screening of candidates to be
32 recommended for endorsement, through direct interviews or questionnaires sent to the
33 candidates. Following the pre-screening process, the committee shall present its
34 recommendations for endorsement at a designated Chapter meeting for action by the
35 Chapter membership. A majority vote shall be required for endorsement.
36

37 (2) Whenever possible, the committee shall arrange for a candidates'
38 forum to provide Chapter members an opportunity to hear and question the candidates
39 on relevant issues prior to hearing the committee's recommendation and the
40 endorsement vote being taken.
41

42 (f) The committee shall determine the amount of financial support, if any, to
43 be requested from PACE of CSEA, and shall submit said request to PACE of CSEA on
44 such forms as may be required.
45

46 (g) The committee shall solicit volunteer activity by the Chapter membership
47 on behalf of endorsed candidates, and shall be responsible for coordinating and
48 directing such member activities.
49

**ARTICLE IX
UNION STEWARDS**

Section 1. Appointment: The Chapter President shall appoint Union Stewards, subject to the ratification of the Executive Board, to serve each job classification. The President shall determine the number of Stewards to be appointed for each area of representation.

Section 2. Term of Office: Term of office for Union Stewards shall be from their appointment to the end of the Chapter fiscal year, or until their successors are appointed, provided that any Union Steward shall automatically forfeit such office if they cease to be an Active member in good standing employed within the designated service area. Vacancies shall be filled by appointment of the President, ratified by the Executive Board, from among the qualified members in good standing employed within the affected service area, for the remainder of the original term only.

Section 3. Union Steward(s): The Union Steward(s) shall:

(a) Attend annual training sessions for Union Stewards provided by the Association and/or other appropriate training as directed by the President.

(b) Attend periodic Site Representative/site council meetings as directed by the Chief Union Steward.

(c) Educate bargaining unit employees about their rights under the contract and determine how problems arising under the contract can best be handled.

(d) Act as the basic channel of communication between the employees and the Chapter and relay specific member concerns to the Chapter's Negotiating Committee for incorporation into the bargaining proposals.

(e) Investigate and prepare grievances for processing and handle grievances at the immediate-supervisory level, and be present as required during other steps of the grievance procedure.

(f) Immediately inform the Chief Union Steward of all grievances received; immediately report to the Chief Union Steward the settlement of grievances processed or the failure to settle within contractual timelines.

(g) **Preserve the confidentiality** of personal grievances, resolve differences among the membership in grievance handling; maintain a file on all grievances handled which shall be turned over to the Chief Union Steward upon completion.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

**ARTICLE X
SITE REPRESENTATIVES**

Section 1. Site Representatives to serve each worksite shall be appointed by the President and ratified by the Executive Board.

Section 2. Site Representative duties shall be to:

(a) Recruit employees into CSEA membership and educate employees about CSEA.

(b) Distribute Chapter newsletter, bulletins, and other CSEA information at the worksite; keep CSEA bulletin boards up-to-date and clear of non-CSEA material.

(c) Conduct periodic site-level meetings to keep the members informed of actions taken at Chapter meetings, to explain CSEA benefit plans and services, and to keep members informed of Association and/or Chapter activity regarding grievances, PERB decisions, contract negotiations, legislative and political activity, and other matters of importance.

(d) Relay member concerns to the appropriate Union Steward or other Chapter officer.

(e) Attend Chapter meetings; attend training workshops and other seminars as directed and approved by the Chapter President; attend joint Union Steward/Site Representative (site council) meetings as may be called by the Chief Union Steward and/or the 1st Vice President.

33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

**ARTICLE XI
RECALL OR REMOVAL FROM OFFICE**

Section 1. Recall of Elected Offices

(a) Any member of the Executive Board, and conference delegates and alternates, may be recalled from office upon a two-thirds (2/3) secret ballot vote of Active members of the Chapter in good standing present and voting at a meeting called for the purpose of a recall action.

(b) Recall may be initiated by a petition of two-thirds (2/3) of the Executive Board or thirty percent (30%) of the members in good standing eligible to vote on the individual being recalled. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Executive Board and to the individual.

(c) Upon receipt of the petition, the Executive Board shall arrange for a special meeting to be held not less than fifteen (15) days nor more than thirty (30) days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, including presentation and cross-examination of witnesses as may be appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting

1 shall be restricted to members of the Executive Board and members of the Chapter in
2 good standing who are eligible to vote on the particular recall action, authorized
3 representatives of the Association, and such witnesses as may be pertinent to the
4 action. Notice specifying time, date, and place and the specific nature/purpose of the
5 meeting shall be issued to those eligible for attendance at least ten (10) days in
6 advance.

7 8 **Section 2. Removal of Appointed Offices**

9
10 (a) Any appointee of the President/Executive Board may be removed from
11 office by a two-thirds (2/3) vote of the Executive Board, a quorum being present,
12 provided such person shall be provided at least five (5) days advance notice of the
13 reasons for removal and the time, date and place where the Board will meet to vote on
14 the matter. At said meeting the member shall be afforded an opportunity to provide
15 rebuttal argument prior to the vote being taken.

16
17 (b) Any appointed committee chairperson or member failing to attend three
18 (3) consecutive committee meetings, unless excused for cause, shall be automatically
19 removed from the committee.

20 21 **Section 3. Resignation from Office**

22
23 (a) A resignation by an elected officer is not effective until accepted by the
24 Active members in good standing present at a Chapter meeting.

25
26 (b) A resignation by any appointee of the President/Executive Board is not
27 effective until accepted by the President/Executive Board.

28 29 30 **ARTICLE XII** 31 **DELEGATES TO CONFERENCE**

32
33 **Section 1. Delegates:** Voting delegates to an annual conference of the
34 Association (and their alternates) shall be designated from among the Active members
35 in good standing as follows:

36
37 (a) The Chapter President.

38
39 (b) Additional delegates in such number as may be authorized by the Chapter
40 for attendance, but not to exceed the total number authorized by the Bylaws of the
41 Association, shall be elected as provided in Section 2 below.

42 43 **Section 2. Election:**

44
45 (a) Nominations for the authorized delegate positions, other than the
46 President, shall be taken at the regular Chapter meeting in February, and election shall
47 be by secret ballot at the regular Chapter meeting in March. Alternates in sufficient
48 numbers for each of the authorized delegates, to include an alternate for the President,
49 shall also be elected.

1 (b) Notification of nominations and election and all other procedural matters
2 relating to delegate and alternate election shall conform to Association Policy 618 and
3 shall be conducted under the supervision of the Elections Committee.
4

5 (c) In the event a delegate cannot attend, the Executive Board shall
6 determine which alternate shall replace the authorized delegate.
7

8 **Section 3. Responsibilities:** Delegates shall attend all conference business
9 and other sessions of importance to the Chapter. In addition, the delegates shall:
10

11 (a) Attend at least one (1) orientation meeting at the regional or area level of
12 the Association concerning the resolutions to the upcoming conference, as directed by
13 the President/Executive Board.
14

15 (b) Provide written and oral reports on conference activities to the Chapter
16 membership at the first Chapter meeting following the conference.
17

18 **Section 4. Delegate Expenses:** The Chapter shall provide delegate
19 expenses (housing, travel, per diem/meal allowances, registration fees, etc.) in
20 accordance with Association Policy and subject to the approval of the Chapter
21 membership.
22

23
24 **ARTICLE XIII**
25 **CONTRACT RATIFICATION**
26

27 **Section 1.** Contract ratification procedures will comply with the provisions of
28 Association Policy 610.
29

30 **Section 2. Initial Proposals:**
31

32 (a) The initial bargaining proposal will be determined by a vote of the
33 membership.
34

35 (b) Copies of the Chapter's initial proposal and the employer's initial proposal
36 shall be submitted to the Field Director and Labor Relations Representative for review.
37

38 **Section 3. Negotiated Agreement:**
39

40 (a) When the Negotiating Committee has negotiated a contract, tentative
41 agreement, or modifications to an existing contract, it shall immediately submit one (1)
42 copy to the CSEA Labor Relations Representative assigned to service the Chapter, for
43 review by the Association prior to membership ratification.
44

45 (1) All contract modifications shall be submitted to the Labor Relations
46 Representative for review by the Association. However, membership ratification shall
47 not be required for those items listed as exceptions to the definition of "modifications"
48 within the provisions of Association Policy 610, unless they are included as part of
49 contract re-opener negotiations.

1 **Section 4. Ratification Procedures:**
2

3 (a) A copy of the tentative agreement or a summary of the tentative
4 agreement shall be provided each CSEA member of the bargaining unit(s) prior to the
5 ratification meeting. The Negotiating Committee shall include a statement
6 recommending ratification of the agreement. If a summary only is provided, copies of
7 the tentative agreement containing the exact language of the proposal shall be provided
8 at the meeting.
9

10 (b) The Chapter President shall set the date, time and place for the ratification
11 meeting, which shall be open to attendance by all employees within the bargaining
12 unit(s), whether or not they are CSEA members.
13

14 (c) Notice of the ratification meeting shall be issued to all bargaining unit
15 employees no later than five (5) working days in advance of the scheduled date.
16 Distribution of said meeting notice shall be at the discretion of the Chapter President,
17 utilizing any of the following methods which s/he determines to be most efficient:
18

- 19 (1) To individual bargaining unit employees utilizing the U.S. mail or
20 the employer's mail system;
- 21 (2) Distribution by Site Representatives or others;
- 22 (3) Posting in prominent locations at each worksite.
23

24 **Exception to the above:** The Association's Executive Director, or designee,
25 may approve a notice period of less than five (5) working days upon request of the
26 Chapter President, if it is determined that an immediate ratification meeting would be
27 advisable.
28

29 (d) **Conduct of Meeting and Vote:**
30

31 (1) The Negotiating Committee shall review the provisions of the
32 tentative agreement and indicate its recommendations for ratification.
33

34 (2) If the Association recommends rejection of the tentative agreement,
35 an Association representative shall be in attendance at the ratification meeting and shall
36 be provided ample opportunity to outline the recommendation for rejection and the
37 reasons therefore.
38

39 (3) Polls for voting shall not be opened until the period for discussion,
40 debate, and answering of questions has begun. Non-CSEA members of the bargaining
41 unit(s) in attendance shall be granted the right to participate in the discussion and
42 debate. **They shall not, however, have the right to make motions or vote.**
43

44 (4) The ratification vote shall be by secret ballot conducted at the
45 ratification meeting under the supervision of the Elections Committee and in accordance
46 with procedures required by Association Policy 610. Only Active CSEA members of the
47 bargaining unit(s) who are in good standing and present at the ratification meeting shall
48 be entitled to vote on the ratification or rejection of the agreement. Absentee or proxy
49 votes shall not be permitted.

1 (5) Ballots shall be tallied and results announced prior to close of the
2 meeting. A majority vote shall ratify.
3

4 **Section 5. Executed Agreement:** Every collective bargaining agreement
5 shall be executed by both the Association and appropriate representatives of this
6 Chapter. No contract shall be valid which has not been ratified by the Chapter
7 membership.
8
9

10 **ARTICLE XIV**
11 **CONCERTED ACTIVITIES**
12

13 **Section 1.** No concerted withholding of service shall be instituted by this
14 Chapter unless such concerted action has been approved at a regular or special
15 membership meeting, advance notice having been given, by secret ballot vote of not
16 less than sixty-five percent (65%) of the Active members in good standing present and
17 voting; and approval for such concerted activity has been granted by the Association's
18 Board of Directors.
19

20 **Section 2.** If the dispute relates to contract negotiations, no concerted
21 withholding of service shall be instituted unless the last offer of the employer has been
22 submitted to the Chapter membership in accordance with Article XIII of this constitution
23 and has been rejected, and the requirements of Section 1 above shall have been met.
24
25

26 **ARTICLE XV**
27 **AMENDMENTS TO CONSTITUTION**
28

29 **Section 1.** This Constitution shall at all times conform to all provisions of the
30 Association Constitution & Bylaws and Policy, and where any conflict should occur, the
31 Association Constitution & Bylaws and/or Policy shall prevail.
32

33 **Section 2.** Any member in good standing of the Chapter (or the Executive
34 Board) may submit a written proposal to amend this constitution (containing the exact
35 text of the proposed change) at any Chapter meeting, which shall constitute a first
36 reading. The Chapter President shall then cause the proposed amendment(s) to be
37 placed on the agenda of the next regular or a special Chapter meeting where the matter
38 will be read a second time and acted upon, and shall cause written notification of the
39 proposed amendment(s) and the date, time, and place of the designated Chapter
40 meeting to be issued to all members in good standing at least ten (10) days in advance
41 of said meeting. Said notification shall include at least a written summary of the
42 proposed changes. The exact text of the proposed changes shall be made available for
43 review by members upon request prior to the second reading if not provided with said
44 notification, and shall be distributed to all members in attendance at the second reading.
45

46 **Section 3.** Approval by two-thirds (2/3) of the Active members in good
47 standing present and voting at the second reading shall be required to adopt the
48 amendment(s). If the amendment relates to a revision of Chapter dues, the vote shall
49 be conducted by secret ballot.

1 **Section 4.** All amendments shall be submitted to the Association's Executive
2 Director immediately following their adoption by the Chapter. **No amendment shall**
3 **become operative until approved by the Executive Director, or designee, or action**
4 **of the Association's Board of Directors in accordance with Article III, Section 8 of**
5 **the Association's Constitution.**

6 7 8 **ARTICLE XVI** 9 **DISBANDMENT OF CHAPTER**

10 **Section 1.** Should the Chapter disband for any reason, all financial accounts
11 shall be transferred to the control of the Association, and a final audit of the financial
12 books and records of the Chapter shall be made in conjunction with the Association's
13 Financial Analyst/Auditor. Upon conclusion and certification of such audit, final
14 distribution of funds shall be as follows:

15
16 (a) All outstanding obligations of the Chapter shall be promptly paid.

17
18 (b) All funds due and owing the Association shall be promptly remitted to the
19 Association's general fund.

20
21 (c) Funds then remaining shall then be distributed for purposes as
22 appropriate and authorized in accordance with provisions contained in Association
23 Policy 612.
24
25

26 27 **ARTICLE XVII** 28 **PARLIAMENTARY AUTHORITY**

29 The rules contained in the current edition of *Robert's Rules of Order, Newly*
30 *Revised* shall govern the Chapter in all cases in which they are not inconsistent with this
31 constitution, the Constitution & Bylaws or Policy of the Association, and any special
32 rules the Chapter may adopt.
33
34

35 36 **ARTICLE XVIII** 37 **FISCAL YEAR**

38 The fiscal year of this Chapter shall extend from January 1 through December
39 31, inclusive.
40
41
42
43
44
45
46
47
48
49