



**SEIU Local 1021
Napa Valley College
Association of Classified Professional Bylaws**

PREAMBLE:

We, the employees of Napa Valley College, 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:

This chapter will be known as the Napa Valley College Association of Classified Professionals (hereafter referred to as NVC-ACP), a chapter of SEIU Local 1021. The jurisdiction of this chapter shall be all employees in the bargaining unit represented by the Union.

Article 2. AFFILIATION:

The 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. OBJECTIVE:

The objective of this organization shall be to improve the hours, wages, and working conditions of its members, to represent its members in all disputes between members and the employer, and to foster cooperation, efficiency, and harmony among classified employees; to promote the welfare of classified employees in all ways compatible with the public interest; to encourage the highest standards of employee conduct in college affairs; to promote the improvement and development of the college resources; and to render the most effective service to the members of the Napa Valley College community.

The object of this Constitution and Bylaws is to provide rules not in conflict with any higher authority and to govern the members of the Chapter. The sole intent is to establish rules of acceptable self-government applied on the principle that all dues paying members shall enjoy absolute equality.

Article 4. MEMBERSHIP:

All regular classified employees 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 5. CHAPTER STRUCTURE:

(1) The Chapter membership shall elect, in odd-numbered years, an Executive Board of the following officers:

- President
- Vice President

Secretary
Treasurer
Chief Steward
COPE Coordinator
School Industry Council Delegates (3 positions)

The term of office shall be two (2) years for all elected officials of the Board.

(2) The Executive Board shall have power to act for the Chapter between General Membership meetings. The Executive Board shall meet at least once a month or as often as deemed necessary by the Board. Five (5) members shall constitute an Executive Board quorum.

(3) Any elected or appointed officer missing three (3) unexcused General Membership or Executive Board meetings in a row may be replaced by interim appointment of the President until the next election of the general membership or, in the case of the Negotiations Team, the next election of Negotiations Team members.

(4) The General Membership is the highest authority within the Chapter structure.

(5) The Chapter shall hold regularly scheduled General Membership meetings at least once each quarter. Five (5%) percent of the General Membership shall constitute a quorum. Special membership meetings may be called by the Chapter Executive Board 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 Union upon request.

(7) The Chapter shall notify the Local 1021 Executive Board of any dissenting action taken on the minutes or action of the Executive Board of the Local Union.

(8) The Chapter shall maintain financial records. All funds, including income and expenditures, shall be recorded and proper financial records shall be maintained in accordance with procedures established by the Local Union. These records shall be transmitted to the Executive Board of the Local Union 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 member of the Chapter Executive Board who is not a signer on the Chapter account.

(9) The membership will pay \$1.00 per month above the Local 1021 dues rate to maintain the chapter account.

Article 6: OFFICERS AND DUTIES:

(1) **President:** The President shall officiate at all meetings and shall be responsible for directing the implementation of directives voted on by the Chapter Executive Board or membership. The President shall be an ex-officio member of all committees. The President shall be one of three (3) officers authorized to withdraw funds from a chapter account, after such expenditures have been approved by the Executive Board and/or General Membership.

(2) **Vice President:** The Vice President shall act as President in the absence of the President. The Vice President shall be one of three (3) officers authorized to withdraw funds from a Chapter

account, after such expenditures have been approved by the Executive Board and/or General Membership.

(3) **Secretary:** The Secretary shall keep a correct record of the proceedings of all Executive Board and General Membership meetings and shall provide a copy thereof to the Secretary of the Local Union upon request. The Secretary shall receive all correspondence and communications on behalf of the Chapter. These minutes shall be available to any member of the chapter upon request.

(4) **Treasurer:** The Treasurer shall be responsible for Chapter account deposits and dispersals and for carrying out the duties of Treasurer. The Treasurer shall be one of three (3) officers authorized to withdraw funds from a Chapter account, after such expenditures have been approved by the Executive Board and/or General Membership. The Treasurer shall present the Chapter financial records for audit at the direction of the Treasurer of the Local Union or his/her representative. 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.

(5) **Chief Steward:** The Chief Steward shall serve as a resource for shop stewards in carrying out their duties at the worksite.

(6) **COPE Coordinator and County COPE Committee:** The COPE Coordinator shall be responsible for providing political information and education to the members of the Chapter. S/he shall assist and coordinate with turn-out, COPE cards, and other duties related to political activities of the Chapter and Local Union. The coordinator will also be the Chapter representative to the Local 1021 County COPE Committee. Additional members may attend County COPE Committee meetings.

(7) **School Industry Council Delegates:** The School Industry Council Delegates will attend meetings of the Local 1021 School Industry Council. Three delegates shall be elected to the council. The role of the SIC Delegate is to share information, resources, and strategies and to strengthen member engagement and participation in achieving the goals and objectives of the Union.

In addition, each officer of the Chapter shall present a report to the Board of Trustees of Napa Valley College at least once a year.

Article 7. STEWARDS:

Stewards may be determined by election, petition, or appointment to represent members under the collective bargaining agreement. Stewards selected through appointment or petition must be confirmed at the next scheduled Executive Board meeting. 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 shall meet in a Stewards Council called by the Chief Steward twice a semester.

Article 8. WEB SITE STEWARD:

A Web Site Steward shall be appointed by the Chapter President and/or Chief Steward to maintain and update the Chapter web page hosted on the SEIU Local 1021 Website.

Article 9. CONVENTION DELEGATES:

Chapter delegates to the SEIU 1021 biennial convention shall be elected by secret ballot by Chapter members in good standing based on the following formula:

- two (2) delegates for each Chapter and
- two (2) additional delegates for every additional one hundred fifty (150) members in Chapter.

Article 10. CONTRACT NEGOTIATIONS:

The General Membership shall elect a contract negotiations committee of members by secret ballot of the general membership. In addition the chapter President or chapter Executive Board member designated by the chapter President will serve as one of the team members. Upon completion of negotiations, a copy of the collective bargaining agreement shall be forwarded to the SEIU 1021 Executive Board.

Article 11. RECALL:

Recall of officers may be initiated by a petition signed by at least twenty-five percent (25%) of the membership. After the recall has begun, the Chapter Executive Board 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 to the board. A majority of votes cast shall determine the recall.

Article 12. 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, with the exception of convention delegate, that occur within six (6) 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. 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.

Article 13. COMMITTEES

The President upon installation in office shall oversee the appointment of the following committees if such committees are active and have been approved by the Executive Board. All committees work for the betterment of the classified body and will report to the Board who is accountable for the classified body.

Chairs of these committees shall be elected by members of the committees for two (2) year terms. In the event of the elected chairs being unable to complete their terms, the committee can elect an interim chair for the remainder of the two (2) year term.

No committee may act on its own accord or commit the Chapter to a course of action without the approval of the Executive Board. Committee chairs will submit regular reports to the Executive Board.

- Classified Classification Review Committee (CCRC): to study and make recommendations on classifications, job descriptions, salary, wages, and other matters affecting economic conditions of employment. The field representative will serve as an advisor to the extent that his/her schedule permits.
- Membership Committee: to study and make recommendations for the recruitment and retention of members and internal and external public relations programs.

- Strike Committee
- Scholarship Committee

Article 14. CONTRACT ACTION TEAM

In addition to the elected Negotiations Team the Executive Board will oversee a Contract Action Team. The Contract Action Team (CAT) is made up of Chapter members who are responsible for working with the Negotiations Team during the contract campaign. The purpose of the CAT is to organize our diverse membership to give us strength on our membership issues.

CAT members work with bargaining team members and serve as the communication tool on what's happening at the table. CAT members talk one-on-one with co-workers and give feedback to the bargaining team. CAT members write and distribute fliers, plan strategy and actions, and recruit new leaders. All chapter members may be members of the CAT and will have equal access to meetings and information.

The primary functions of the CAT team are:

- to liaison between the negotiations team and membership to talk about negotiations and bargaining issues;
- answer questions about bargaining developments;
- listen to what members are saying, and listen for broader issues (issues that affect nearly everyone are the best ones around which to mobilize);
- organize and lead workplace CAT meetings to plan actions;
- motivate members to take action;
- always strive to build unity.

Article 15. CHAPTER ELECTIONS:

Election Schedule: Chapter election of Officers/Stewards/Delegates shall be held biennially in odd-numbered years and must be completed by May 31.

Election Committee: The Executive Board or the president shall appoint a minimum of 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 nomination procedure and shall provide each candidate with a copy of same;
- hears challenges to the conduct of the election;
- shall submit a written report to the Chapter Executive Board and the 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.
- shall provide election results to the membership following the election.

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 be employed within a bargaining unit represented by the Chapter. Only members in good standing are eligible to participate in Chapter elections.

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 email.

The notice must include:

- method of nomination

- deadline for nominations
- deadline for submission of candidates' statements
- method of election
- date, time, and place of voting
- procedures for obtaining duplicate ballots
- challenge procedure.

For elections of convention delegates, the election notice—and the election ballot—must include the number of convention delegates the Chapter is eligible to elect. The notice and ballot must include the method for election of convention alternates (i.e., by election, by status as runner-up to delegate, etc.).

All official election materials and communications must be reviewed by the Election Committee and the assigned field representative prior to publication.

Nomination for Office: Nominations for office will be submitted by petition to the Election Committee. Nominees must submit written notice of acceptance of nomination within three (3) days of the deadline set for nominations.

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 if voting is done via mail. The Election Committee shall determine if voting is conducted in person at the worksite or email through a secured mailbox or a combination of these methods. 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.

Ballot count: The Election Committee shall count ballots at a location, date, and time announced to the membership.

Election Materials: All election ballots and duplicate ballots—marked, unmarked, voided, unused—must be saved for one (1) year (all ballots printed must be accounted for).

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 Executive Board, and 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 roles and procedures, Chapter bylaws, 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.

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 they cite specific violations of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Constitution, and if the alleged violation may have affected the outcome of the election.

Article 16. CONTRACT RATIFICATION:

Approval 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 approval/rejection vote shall be by written, secret ballot. Proxy voting shall not be allowed. At least three (3) days' notice must be given prior to a contract ratification vote.

Article 17. 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 18. PROCEDURE AND DEBATE:

Chapter meetings shall be governed by The Manual of Common Procedure, Rules of Debate and Order of Business set forth in the Constitution of the International Union and/or Robert's Rules of the Order. Every member shall follow and be subject to such rules governing debate at all meetings of the Chapter.

Article 18. AMENDMENT:

Amendments to these bylaws may be originated by a majority vote of the Executive Board or by petition signed by at least fifteen percent (15%) 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 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 Union. Amendments required to bring these bylaws into compliance with the Constitution or bylaws of the Local Union or the International Union may be made by vote of the Chapter Executive Board without submission to the General Membership.

GLOSSARY

- CHAPTER: Branch of a society or organization.
- CAT: Contract Action Team
- COPE: Committee on Political Education
- Ex-officio: As a result of the official position someone holds.
- Governance: The system or manner of government; the act or state of governing a place; control or authority.
- Local: Branch of an organization; a local branch or office, especially of a labor union.
- Secret Ballot: A type of voting in which each person's vote is kept **secret**, but the amassed votes are revealed publicly.

SEIU MEMBER BILL OF RIGHTS AND RESPONSIBILITIES IN THE UNION

- The right to have opinions heard and respected, to be informed of union activity, to be educated in union values and union skills.
- The right to choose the leaders of the union in a fair and democratic manner.
- The right to a full accounting of union dues and the proper stewardship over union resources.
- The right to participate in the union's bargaining efforts and to approve union contracts.
- The right to have members' concerns resolved in a fair and expeditious manner.
- The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's coworkers and all workers.
- The responsibility to be informed about the internal governance of the union and to participate in the conduct of the union's affairs.
- The responsibility to contribute to the support of the union.
- The responsibility to treat all workers and members fairly.
- The responsibility to offer constructive criticism of the union.

SEIU MEMBER BILL OF RIGHTS AND RESPONSIBILITIES ON THE JOB

- The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.
- The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term planning by one's employer as well as the training necessary to take part in such planning.
- The right to fair and equitable treatment on the job.
- The right to share fairly in the gains of the employer.
- The right to participate fully in the work of the union on the scope, content, and structure of one's job.
- The responsibility to participate in the union's efforts to establish and uphold collective principles and values for effective workplace participation.
- The responsibility to recognize and respect the interests of all union members when making decisions about union goals.
- The responsibility to be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry.
- The responsibility to participate fully in the union's efforts to expand the voice of workers on the job.
- The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

MANUAL OF COMMON PROCEDURE

Debate

The following rules shall be used to govern debate:

Rule 1. The regular order of business may be suspended by a vote of the meeting at any time to dispose of urgent business.

Rule 2. All motions (if required by the chair) or resignations must be submitted in writing.

Rule 3. Any conversation, by whispering or otherwise, or any other activity which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business shall be deemed a violation of order.

Rule 4. Sectarian discussion shall not be permitted in the meetings.

Rule 5. A motion to be entertained by the presiding officer must be seconded, and the mover as well as seconder must rise and be recognized by the chair.

Rule 6. Any member having made a motion can withdraw it with consent of the seconder, but a motion once debated cannot be withdrawn except by a majority vote.

Rule 7. A motion to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted.

Rule 8. A motion shall not be subject to debate until it has been stated by the chair.

Rule 9. A member wishing to speak shall rise and respectfully address the chair, and if recognized by the chair, she or he shall be entitled to proceed.

Rule 10. If two or more members rise to speak, the chair shall decide which is entitled to the floor.

Rule 11. Any member speaking shall be confined to the question under debate and avoid all personal, indecorous, or sarcastic language.

Rule 12. Attending meetings under the influence of liquor or any controlled substance not lawfully prescribed is basis for removal.

Rule 13. No member shall interrupt another while speaking, except to a point of order, and the member shall definitely state the point, and the chair shall decide the same without debate.

Rule 14. Any member who is called to order while speaking shall be seated until the point of order is decided, after which, if decided in order, such member may proceed.

Rule 15. Any member who feels personally aggrieved by a decision of the chair may appeal such decision to the body.

Rule 16. When an appeal is made from the decision of the chair, the Vice President shall act as chairperson; the appeal shall be stated by the chair to the meeting in these words: "Shall the decision of the chair be sustained as the decision of this Union?" The member will then have the right to state the grounds of appeal and the chair will give reasons for its decision; thereupon the members will proceed to vote on the appeal without further debate, and it shall require a majority vote to overrule the chair.

Rule 17. No member shall speak more than once on the same subject until all who wish to speak have spoken, nor more than twice without unanimous consent, nor more than five (5) minutes at any one time without consent of a two-thirds vote of all members present.

Rule 18. The presiding officer shall not speak on any subject unless such officer retires from the chair, except on a point of order or to make an official report or give such advice and counsel as

the interests of the organization warrant. In case of a tie the presiding officer shall have the deciding vote.

Rule 19. When a question is before the meeting, no motion shall be in order except:

- To adjourn;
- To lay the question on the table;
- For the previous question;
- To postpone to a given time;
- To refer or commit;
- To amend.

These motions shall have precedence in the above order. The first three of these motions are not debatable.

Rule 20. If a question has been amended, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall be put as follows:

- Amendment to the amendment.
- Amendment.
- Original proposition.

Rule 21. When a question is postponed indefinitely, it shall not come up again except by a two-thirds vote.

Rule 22. A motion to adjourn shall always be in order, except:

- When a member has the floor;
- When members are voting.

Rule 23. Before putting a question to vote, the presiding officer shall ask, "Are you ready for the question?" Then it shall be open for debate. If no member rises to speak or the debate is concluded, the presiding officer shall then put the question in this form: "All in favor of this motion say 'aye'"; and after the affirmative vote is expressed, "Those of the contrary opinion, say 'no.'" After the vote is taken, the presiding officer shall announce the result in this manner: "It is carried [or lost] and so ordered."

Rule 24. Before the presiding officer declares the vote on a question, any member may ask for a division of the house. The chair is required to comply with this request. A standing vote shall thereupon be taken.

Rule 25. When a question has been decided it can be reconsidered only by two-thirds vote of those present.

Rule 26. A motion to reconsider must be made and seconded by two members who voted with the majority.

Rule 27. A member ordered to be seated three (3) times by the chair without complying shall be debarred from participating in any further business at that session.

Rule 28. All questions, unless otherwise provided, shall be decided by a majority vote.

Rule 29. The presiding officer of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.