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OREGON SCHOOL EMPLOYEES ASSOCIATION OSEA CHAPTER 101 - UNITED CLASSIFIED PROFESSIONALS OF NORTHWEST REGIONAL ESD

CONSTITUTION

PREAMBLE

This Constitution is the operating document for OSEA Chapter 101 and is permitted under Article IV, Section 1 of the Constitution of the Oregon School Employees Association (“Union”). This Constitution is intended to be consistent with the Constitution and the expressed values, including the Code of Ethics, of the Union.

ARTICLE I - NAME

The name of this Chapter of the Oregon School Employees Association shall be OSEA Chapter 101 - United Classified Professionals (UCP) of Northwest Regional ESD.

ARTICLE II - PURPOSE

The purpose of OSEA Chapter 101 - UCP shall be:

- a. To promote the interests of our members in the areas of collective bargaining, grievances, labor disputes, wages and rates of pay, and other working conditions; and to empower our members to take concerted action when appropriate to further their interests.
- b. To represent all bargaining unit members in grievances, contract administration, and other matters of interest that relate to their employment with Northwest Regional ESD.
- c. To develop, establish, and maintain solidarity, fellowship, and communication among the members of the Union.
- d. To promote the economic and social welfare of classified professionals at Northwest Regional ESD and to participate in the Oregon School Employees Association’s statewide legislative and other efforts and in the labor movement in general.
- e. To promote the betterment of the employment relations between the employer and

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the Union with regard to classified professionals.

ARTICLE III - COMPOSITION

Section 1. OSEA Chapter 101 - UCP shall be composed of four (4) Local Unions (Locals). The four (4) Locals shall be the Clatsop County Local, the Columbia County Local, the Tillamook County Local, and the Washington County Local. The boundaries of the aforementioned Locals shall be the same as the boundaries of the Northwest Regional ESD Service Areas in the same respective counties and membership in each Local shall be based upon the principal Northwest Regional ESD Service Area to which the member reports as part of his/her employment. These Locals are formed within OSEA Chapter 101 - UCP and act under the authority of the OSEA Chapter 101 - UCP Central Executive Committee for the purpose of better serving the Chapter's membership within the Locals' areas. Just as OSEA Chapter 101 - UCP is a subsidiary organization of Oregon School Employees Association and operates under its authority, Locals are subsidiary organizations of OSEA Chapter 101 - UCP and may not engage in a course of action or decision-making which conflicts with this Constitution, the Constitution of Oregon School Employees Association, or other chapter-wide or statewide Union policies, positions, or rules.

Section 2. Each Local shall elect its own President according to the procedures set forth in Article V of this Constitution. Each Local President shall serve as a Local representative on the Chapter's Central Executive Committee. Each Local shall elect its own Vice President according to the procedures set forth in Article V of this Constitution. Each Local Vice President shall serve as a Local representative on the Chapter's Central Executive Committee. Each Local shall elect a Secretary/Treasurer according to the procedures set forth in Article V of this Constitution. Each Local Secretary/Treasurer shall serve as a Local representative on the Chapter's Central Executive Committee.

Section 3. The duties of Local officers shall be the same as those of Chapter officers except that their authority shall be limited to the Local from which they have been elected.

Section 4. No member of OSEA Chapter 101 - UCP may be excluded from any Local meeting regardless of which Local he/she is a member. However, only members of a Local may vote in matters within the authority of that Local.

Section 5. Each Local is empowered to set policies, administer funds, and perform other necessary functions that directly affect the members of that Local as long as such activities are not in conflict with this Constitution or other Chapter-wide policies. Locals may not elect to charge Local dues.

ARTICLE IV - MEMBERSHIP

Section 1. All classified employees of the Northwest Regional ESD, as determined by the collective bargaining agreement or the State of Oregon Employment Relations Board, are eligible for membership in OSEA Chapter 101 - UCP.

Section 2. Except as indicated in Section 4 of this Article, members in good standing of OSEA Chapter 101 - UCP are defined as eligible classified employees of the Northwest Regional ESD who have submitted a signed membership application to the State Office of the Oregon School Employees Association and who are current in their dues.

Section 3. Only members in good standing are eligible to vote on matters brought before the membership (including, but not limited to, the collective bargaining agreement, OSEA Chapter 101 - UCP dues, executive committee membership, fair share) which may affect the members of this Chapter.

Section 4. Any member of the bargaining unit represented by OSEA Chapter 101 - UCP who crosses a duly authorized strike picket line of this Chapter to work may be sanctioned by the Central Executive Committee. Such sanction shall be removal from member in good standing status (at the Chapter level) for a period not to exceed two (2) years during which time the sanctioned member may hold no Chapter office or position of any kind. A member accused of crossing a duly authorized strike picket line of this Chapter shall have the right to respond to the charges before the Central Executive Committee. The Central Executive Committee, after hearing the accused member's response to the charges (if such a response is made) shall impose sanctions, if any, by a majority vote of the Central Executive Committee.

ARTICLE V - DUES, Budget, and Finance

Section 1. It is understood that the State dues of the Oregon School Employees Association are set by the elected delegates from all OSEA Chapters at OSEA's regular annual Conference and may not be modified by the membership of OSEA Chapter 101 - UCP.

Section 2. The dues for OSEA Chapter 101 - UCP shall be one dollar (\$1.00) per member per month and shall be collected as part of regular State dues in the same manner as those dues are collected.

Section 3. A change in the dues of OSEA Chapter 101 - UCP will be determined by a two-thirds (b) majority vote of members in good standing at a full Chapter meeting called for that purpose. Notice for such a meeting shall be in writing to all members in good standing in compliance with applicable state and/or federal laws.

Section 4. By August 31 of each year, each Local shall prepare, approve, and submit to the CEC its budget request for the forthcoming year. By September 30 of each year, the CEC will prepare

and approve the annual budget of OSEA Chapter 101 - UCP.

Section 5. In the event a Local does not submit a budget request by August 31 of each year, the Local will be awarded a minimum of one hundred dollars (\$100.00) from Chapter funds to conduct its operations for the year. The CEC may agree to award such a Local additional funds upon submission of a budget request after August 31 of each year.

Section 6. Local funds will be available to a Local upon request of the Local's Secretary/Treasurer to the Chapter's Secretary/Treasurer.

Section 7. The Chapter officers shall all be signatories to all Chapter accounts. Due to the difficult logistics of the Chapter, disbursement of funds may be made only by the Secretary/Treasurer.

ARTICLE VI - ELECTIONS

Section 1. Qualifications for Office. All candidates for any office, position, or committee membership within OSEA Chapter 101 - UCP (including its Locals), whether selected by election or appointment, shall be members in good standing of the Chapter.

Section 2. Local Officers. Nomination and election of Local officers shall take place between April and June during even-numbered years. Local officers shall be the Local's President, Vice President, and Secretary/Treasurer. Nomination of candidates for Local officers shall be at a Local meeting called in whole or in part for such purpose. By a majority vote of the members present at such a meeting, the period of nomination may be extended to a date definite as long as such date allows for compliance with other elections rules. Nominees must accept nomination to be included on the ballot. Notice of nomination meetings shall be in compliance with applicable state and/or federal laws. Election of Local officers shall be by secret ballot, either at a Local meeting called in whole or in part for the purpose of such election or by mail. Notice of election of Local officers shall be in compliance with applicable state and/or federal laws. If the election is conducted at a Local meeting, ballots will be provided to those present for placement in a secure ballot box. If the election is conducted by mail, ballots will be mailed to members in good standing sufficiently in advance of the election deadline and shall include a secrecy envelope and an external envelope to ensure the voter's eligibility, and shall be returned to the Oregon School Employees Association's headquarters office for delivery to the Local's Elections Committee. All ballots shall contain a space for a write-in candidate for each office. Ballots shall be counted and the election certified by the Local Elections Committee. A candidate shall be elected if the candidate receives a majority of the votes cast.

Section 3. Central Executive Committee (CEC) Members. Election to a position as a Local officer shall be considered a simultaneous election to the OSEA Chapter 101 - UCP Central Executive Committee.

Section 4. Chapter Officers. Nomination and election of Chapter officers shall take place at the first Central Executive Committee meeting after July 1 during even-numbered years. By majority vote of the Central Executive Committee, this nomination and election period may be extended until the second meeting of the Central Executive Committee after July 1 during even-numbered years. Chapter officers shall be the President, Vice President, and Secretary/Treasurer. Chapter officers shall be elected from the body of the Central Executive Committee by a majority vote of all members of the Committee present. Regardless of the Chapter officer position to which a Central Executive Committee member may be elected, that member shall retain his/her Local officer position.

Section 5. Term of Office. The term of office for any Local officer or member of the Central Executive Committee shall be two years beginning on July 1 of even-numbered years. Chapter officers' terms shall begin with their election by the Central Executive Committee and end on June 30 of even-numbered years.

Section 6. Vacancies.

- a. Local Officers. In the event that a Local Vice President or Secretary/Treasurer leaves office for any reason prior to the expiration of the term of office, the remaining Local officers shall conduct a special election as soon after the vacancy occurs as is practicable in order to fill the vacancy. Nominations and the election shall be conducted in a manner consistent with Section 2 of this Article. Election in this event shall be for the remainder of the term only. Should a vacancy occur after February 28 of any even-numbered year, no election shall be held to fill the vacancy.

- b. Chapter Officers. In the event that a Chapter Vice President or Secretary/Treasurer leaves office for any reason prior to the expiration of the term of office, the remaining members of the CEC shall elect a member of the CEC to complete the term of the vacant office in a manner consistent with Section 4 of this Article. The election shall be conducted at the next CEC meeting after the vacancy occurs. Election in this event shall be for the remainder of the term only.

Section 7. Recall. Any Local officer may be recalled by the members of the officer's Local. In order for a recall to take place, a petition stating the name and position of the officer must contain the signatures of twenty-five percent (25%) of the Local members in good standing. Such a petition shall be delivered to the Chapter president (or, if the president is subject to the recall, the Chapter Vice President). Upon receipt and verification of such a petition, the Chapter president shall cause a recall election to be held in the Local from which the recall petition came. Notice and conduct of such an election shall be in compliance with appropriate state and/or federal laws. The recall election shall be by secret ballot in a manner consistent with Section 2 of this Article. An officer shall be recalled if at least seventy-five percent (75%) of the eligible voters who actually vote approve the recall.

Article VII - Central Executive Committee

Section 1. The CEC shall be the governing body of this Chapter and shall conduct all Chapter business between meetings of the full membership of the Chapter. The CEC may not take any action that contradicts the rule of the Chapter's membership as expressed by the membership through membership votes in a Chapter meeting. All actions taken by the CEC shall be reported to the membership at the next Chapter meeting. The CEC shall consist of all Local officers and the Chief Steward. The Chapter president shall serve as the chair of all CEC meetings.

Section 2. The CEC shall prepare and approve an annual budget by September 30 of each year. Such a budget shall estimate total Chapter revenue and expense and shall designate the sum of Chapter monies to be distributed to each of the Chapter's Locals based upon each Local's budget request.

Article VIII - Duties of Officers

Section 1. Chapter Officers.

- a. President. The president shall serve as the chief executive officer of OSEA Chapter 101 - UCP. The president shall, with the advice and consent of the CEC, appoint the members of all standing and *ad hoc* committees of the chapter and, unless otherwise noted herein, shall appoint the chairpersons of all committees. The president shall act as the chair for all Chapter meetings and meetings of the CEC. The president shall serve as an *ex officio* member of all standing and *ad hoc* committees, but may instead appoint him/herself as a regular voting member of any committee. Election to the position of president shall be considered a simultaneous election to the position of delegate to the annual Conference of the Oregon School Employees Association. In consultation with the Chapter Vice President and Secretary/Treasurer, the president is empowered to represent the membership in all labor/management venues. Any authority not specifically given to any other officer or committee of the Chapter shall be the president's.
- b. Vice President. The Vice President shall assume the duties of the president in his/her absence or when designated by the president to do so, and shall assume such other duties as required by the president. The Vice President shall also coordinate all internal communications systems of the Chapter and shall serve as the chairperson of the Chapter's Government Relations Committee.
- c. Secretary/Treasurer. The Secretary/Treasurer shall maintain and respond to all correspondence, and shall report such activity and correspondence to the CEC; prepare, distribute, and file minutes of Chapter meetings and CEC meetings; shall maintain a current record of all funds of the Chapter; maintain the membership list of active members; and shall otherwise assist the president as needed.

Additionally the Secretary/Treasurer shall prepare and distribute the prior meeting's minutes and a report of all financial activity and balances at each CEC and Chapter meeting.

Section 2. Local Officers.

- a. The duties of Local officers shall be the same as those of Chapter officers as identified in Section 1 of this Article, except that such duties shall be restricted to the Local level. Election to the position of Local president shall be considered a simultaneous election to the position of delegate to the annual Conference of the Oregon School Employees Association.
- b. The Local officers shall prepare a Local budget by August 31 of each year and submit it to the Chapter's CEC for any adjustment and approval.

Article IX - Delegates to the Annual OSEA Conference

Section 1. The Chapter president and all Local presidents shall be simultaneously elected to the position of Conference delegate upon election to the respective presidencies.

Section 2. In March of each year, nominations will be held for the election of three (3) at-large Conference delegates from the body of Chapter members in good standing. Election for the three (3) at-large delegates shall take place in April of each year in a manner consistent with any state and/or federal laws.

Section 3. Additional at-large delegates may be elected upon authorization of the CEC up to the maximum number of delegates allowed by the OSEA State Constitution. The timing and process for such election shall be in accordance with Section 2 of this Article.

Article X - Ratification of the Collective Bargaining Agreement

Section 1. Ratification of a new Collective Bargaining Agreement shall take place as soon as possible upon completion of a tentative agreement. All members in good standing of OSEA Chapter 101 - UCP shall receive notice from the Negotiations Committee informing them when and how the ratification election will be accomplished. The Negotiations Committee shall prepare and distribute in advance of the ratification vote a summary of all substantive changes tentatively agreed upon in the new Collective Bargaining Agreement.

Section 2. The ratification election shall be by secret ballot at a special meeting for that purpose. Such a ratification meeting and election shall be held in an ESD facility in each county. An explanation and discussion of the tentative agreement shall be conducted at such a meeting prior to the voting, except that members will not be prohibited from voting at any time during the

meeting. Provisions, if any, for absentee voting shall be determined by the Negotiations Committee.

Article XI - Meetings and Quorums

Section 1. At a minimum, there will be a Chapter meeting in August/September, November, February, and May of each year. More meetings may be held as necessary or desired. Local meetings shall take place on a monthly basis. CEC meetings will take place in any month in which there is not a Chapter meeting or if called by the president.

Section 2. Notice of all regular meetings will be distributed to members and posted on Union bulletin boards at least two (2) weeks in advance of the meeting.

Section 3. In the event a special meeting is called by the CEC, all members will be notified of the meeting as in Section 2 of this Article at least one (1) week in advance of the meeting. The notice of meeting will include the purpose of the meeting. No other business may be conducted at a special meeting other than the business for which the meeting was called unless two-thirds (b) of the members present voted otherwise.

Section 4. A quorum shall be required to conduct Union business at any scheduled meeting.

Section 5. A quorum at a Chapter meeting, whether a regular or a special meeting, shall be the members in attendance at that meeting as well as a minimum of two (2) members of the CEC.

Section 6. In the absence of any Chapter officers, any member of the CEC may chair a Chapter meeting at which a quorum is present.

Section 7. A quorum at a Local meeting shall be the members present as well as a minimum of one (1) Local officer.

Section 8. A quorum at a ratification meeting shall be the members present.

Section 9. All meetings except ratification meetings shall be conducted according to the most recent edition of Roberts Rules of Order (Revised) unless the rules are waived by a two-thirds (b) majority of those present at the meeting.

Article XII - Committees

Section 1. Except as otherwise indicated in this Article, the Chapter president shall appoint the chairperson for each committee.

Section 2. It shall be the duty of each committee chairperson to coordinate the activities of the committee to which he/she has been appointed with the activities of other committees and the Chapter as a whole. Each committee chairperson shall keep the membership informed of the activities and progress of the committee by submitting a written report at each regular Chapter meeting. Every reasonable effort shall be made by the Chapter president and/or CEC to provide the broadest geographical and professional representation on all committees.

Section 3. Standing Committees. Standing committees are those chapter committees which are permanent in nature. They are:

- a. Internal Organizing Committee. The Internal Organizing Committee shall develop, implement, and coordinate an internal organizing program in order to build chapter strength, membership, solidarity, and to support all OSEA Chapter 101 - UCP activities in support of our members' interests.
- b. Negotiations Committee. The Negotiations Committee shall be responsible for developing the collective bargaining policies of the Chapter. The Committee shall conduct surveys of the membership and other research, establish bargaining priorities and initial proposals, and engage in all other necessary preparations for bargaining. The Committee shall have a leadership role in and be responsible for maintaining communication with the general membership during all contract campaigns. Once bargaining begins, the Committee shall serve as an advisory body to the bargaining team and shall assist in promoting the positions of the Union at the bargaining table.

The Committee shall be appointed by the CEC from a pool of nominees during the September and October preceding the expiration of the collective bargaining agreement and shall serve until a new Committee is appointed. Such appointment may be by election of the membership. Every effort will be made to include representatives from all geographic areas and classification groups on the Committee. At a minimum the Committee must have at least one (1) member from each salary schedule (support services, technical services, licensed) and from each component ESD service area. However, the inability to recruit this minimum shall not prevent negotiations from going forward.

In the event the Chapter president is a member of the Committee, the president shall serve as chairperson. Otherwise, the Committee shall elect its chair. The Negotiations Committee chairperson shall serve on and chair the bargaining team.

The bargaining team shall be selected from the body of the Negotiations Committee by the Committee. The bargaining team shall be empowered to negotiate the collective bargaining agreement, enter into tentative agreements with the ESD, and shall have overall authority for all aspects the contract campaign. The OSEA staff field representative assigned to the Chapter shall be a

non-voting member of the Negotiations Committee and bargaining team and shall serve as the Chapter's chief spokesperson at the bargaining table unless an exception is endorsed by the CEC, the Negotiations Committee, and the OSEA State Board.

- c. Stewards Committee. The stewards committee shall be composed of all Union stewards of OSEA Chapter 101 - UCP. The committee shall serve as an advisory body to all stewards, shall maintain training standards for all stewards, and shall work with OSEA staff in investigating, recommending and preparing grievances for arbitration or unfair labor practice proceedings as appropriate.

The stewards committee shall be chaired by a Chief Steward who will be elected in September of even numbered years by committee members. The Union field representative assigned to OSEA Chapter 101 shall serve the stewards committee as an advisor and *ex officio* member.

- d. Government Relations Committee. The Government Relations Committee shall be responsible for keeping the membership informed of all legislative and political issues concerning them as well as developing and implementing a political action program, subject to CEC, approval. This program shall include a process for interviewing and endorsing ESD board candidates, involving membership in the Union's political programs at the local and state level, coordinating activities with OSEA's statewide Government Relations Committee, encouraging voluntary member contributions to the Union's political action committees, and other activities as may be deemed of importance in furthering the interests of classified employees and working people in general in the political arena. As indicated in Article VIII, Section 1 of this Constitution, the OSEA Chapter 101 - UCP Vice President shall serve as chair of the Government Relations Committee.
- e. Member Welfare Committee. The Member Welfare Committee shall be responsible for planning and implementing activities to both support our members in times of sorrow and to celebrate our victories in the workplace. The activities include delivering cards and/or gifts of condolence or good wishes in illness to individual members, planning and preparing celebrations, promoting OSEA Chapter 101 members as OSEA's statewide Classified Employee of the Year when appropriate, and any other activity intended to support our members or our Union's image whether at or away from work.
- f. Public Relations Committee. The primary responsibility of the Public Relations Committee will be production of the OSEA Chapter 101 newsletter on a regular basis. The committee will also oversee efforts to enhance the image of classified employees specifically and public employees in general.

Section 4. *Ad Hoc Committees.* The President is empowered to establish and appoint such additional committees as are deemed necessary for specific tasks outside the scope or abilities of the standing committees. The composition of *ad hoc* committees and the period of time they shall function shall be determined by the President.

Article XIII - Union Stewards and Building Employee Representatives

Section 1. There shall be a system of Union stewards in order to represent all members of the bargaining unit in disciplinary, contract interpretation, or other matters related to employment relations.

Section 2. Union stewards shall be empowered to file and settle grievances against employer practices until such grievances have arbitration or an unfair labor practice proceeding as their only remaining recourse. However, a steward must have the agreement of the Chief Steward and the assigned staff field representative in order to move a grievance to the superintendent's level of the grievance procedure.

Section 3. There shall be no limit on the number of stewards that may serve the membership, however, the chapter shall endeavor to have at least three (3) stewards to serve the Washington County membership, and one (1) each in Clatsop, Columbia, and Tillamook Counties to serve the membership there.

Section 4. It is required that Union stewards complete OSEA steward training prior to filing any grievance. Stewards shall be required to attend the first available steward training in order to remain in office, unless alternative arrangements have been agreed upon among the steward, the President, and the assigned staff field representative. Stewards who do not complete steward training as indicated herein will be removed from office.

Section 5. Union stewards will be appointed by the President subject to a majority vote of the CEC.

Section 6. Building Employee Representatives (BERs) will be appointed by the President in numbers and locations as seem appropriate to assist in communications, distributions of materials, and other tasks as the President may see fit to assign.

Article XIII - Parliamentary Authority

The most recent available edition of Roberts Rules of Order (Revised) shall govern all matters not covered by this Constitution when the matter is not covered by the Union's Constitution, By-Laws, or Board Policies.

Article XIV - Amendments to the Constitution

Section 1. This Constitution shall be amended only by a two-thirds (b) vote of those members present at a duly called meeting for that purpose except in the following circumstances:

- a. Upon notification from the Union's Board of Directors that some portion of this Constitution does not comply with the Union's statewide Constitution, the CEC shall make such changes as needed. Such amendment may be challenged and changed by a simple majority vote at the next chapter meeting after the amendment is passed by the CEC as long as any change made at such a meeting complies with the Union's statewide Constitution.

- b. If a portion of this Constitution is found by competent authority to be inconsistent with applicable state or federal laws, it shall be amended by the CEC in order to make it consistent, subject to the same challenge process described in Subsection "a" of this Section.

Section 2. When an amendment to this Constitution is proposed that is not for purposes for which exceptions are provided in Section 1 of this Article, notice for a meeting to amend the Constitution must be made to the membership at least fifteen (15) days prior to the meeting. At the time of meeting notice, all members shall have available a copy of any proposed amendments.