

Service Employees International Union

Local 1991

Constitution and Bylaws

Article 1.- NAME

This organization shall be known as Local 1991, of the Service Employees International Union, AFL-CIO, CLC.

Article 2.- JURISDICTION

Section 1.- Members

All eligible employees in health care facilities and agencies, including persons employed by the Union, may apply for membership in Local 1991. Growth of the Union will be with careful thought and consideration to ensure a strong and responsive Union for all members.

Section 2.- Geographic

The geographical jurisdiction shall include the entire State of Florida as granted and approved by the International Union.

Article 3.- AIMS AND PURPOSES

- 1) Enhance, by united action, the strength and influence of the Union as a whole.
- 2) Organize and unite employees within our jurisdiction regardless of race, sex, religion, national origin, political belief, age, disability, marital status, sexual orientation, job category and educational preparation.
- 3) Assist members in obtaining adequate compensation for their labor, greater control over all aspects of their work, and the general improvement of the conditions under which they work.
- 4) Educate the membership in Union principles and the democratic process.
- 5) Protect and advance the civil liberties, rights and the technical and professional status of the membership.
- 6) Promote recognition and respect for the vital role of the health care employees, and aid the adoption of legislation in the interests of its members and the well-being of the people generally.
- 7) Aid and encourage members to acquire greater knowledge and skill in the health care field and help achieve quality health care for all.

Article 4.- MEMBERSHIP

Section 1.- General Membership

The term "general membership" as used in these By-Laws shall mean membership of all Chapters of LOCAL 1991.

A decision of the general membership shall require a majority of those voting.

The General Membership of the Union shall be supreme authority of the Union in the following respects:

- a) It shall have the power and authority to adopt and /or amend the By-Laws, rules and regulations.
- b) It shall elect all General Officers of the Union
- c) It shall have the power and authority to set dues to the members of Local 1991 subject to the applicable provisions of the International Union Constitution.
- d) It shall receive and act upon reports from the President of the Union.

Section 2.- Eligible for Membership

- a) All workers in health care facilities and agencies shall be eligible for membership in the Union.
- b) This Local Union can, with the approval of the International Union, establish different categories of membership and rates of dues form persons represented and not represented by this Local Union for collective bargaining purposes, including life members, retired members, and associate/organizing members.

Section 3.- Good Standing

Members who are current with dues shall be considered to be in good standing.

Members in good standing, and only members in good standing, shall be eligible to participate in the Union including voting on strikes and contracts, running for office, serving on contract committees, attending Union meetings and voting on internal Union business, unless prohibited by Florida Statute.

Section 4.- Rights and Privileges of Individual Members.

Every member of Local 1991 in good standing shall have the right to enjoy the full benefits of the Union without discrimination as follows:

- a) To vote by secret ballot on Union contracts.
- b) To vote in all Union elections in accordance with these By-Laws.
- c) To attend all regular and special membership meetings of the Union and/or her/his Chapter, and participate in discussion and vote on all questions.
- d) To be a candidate for elective office and/or position in accordance with the provisions of these By-Laws and to serve in Union committees.

- e) To utilize all services provided by the Union and participate in all social, education and cultural activities.
- f) To receive a fair and open hearing in accordance with the provision of these By-Laws on any charge brought by her/him or against her/him.
- g) To vote by secret ballot on all contract ratifications directly affecting her/him as an employee.
- h) To receive such strike benefits as the Union shall in its judgment, and based on a principle of equitable distribution of funds available, fix and determine.

Section 5.- Duties of Members.

A member of Local 1991 shall have the duty and obligation to strengthen and defend the Union and its membership.

- a) A member shall attend General Membership meetings of the Union and regular and special meetings of her/his Chapter.
- b) A member shall respect the rights of fellow Union Members.
- c) A member shall comply with the decisions of the Union, made pursuant to the By-Laws.
- d) A member shall observe orderly procedure and decorum at all meetings.
- e) A member shall abide by and carry out all of the terms of Union Collective Bargaining contracts.
- f) A member shall be encourage to assist in organizing the unorganized and participate in such activities as she/he may be called upon to perform by the Union.
- g) A member shall keep the Union advised of her/his current mailing address. Notice to the last address provided shall constitute notice to the member for all purposes under the By-laws.

Every member, by virtue of her/his membership in this Union, authorizes this Union to act as her/his exclusive bargaining representative with full and exclusive power to execute agreements with her/his employer governing terms and conditions of employment and to act for her/him and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of her/his employment with such employer, in such manner as this Union or its Officers deem to be in the best interest of in the Union.

This Union and its officers, business representatives and agents may decline to process any such grievance, complaint or dispute if in their discretion and judgment these lack merit.

No member shall engage in dual unionism.

Article 5.- STRUCTURE

Section 1.-

The structure of the Local Union shall consist of a general membership an elected Executive Board and the functioning Chapters.

Section 2.-

The general membership is the body of this organization authorized to take lawful action, consistent with these By-Laws, and to act on behalf of the Local Union.

Section 3.-

The general membership shall elect the Officers of the Local Union.

Section 4.-

The affairs of the Local Union shall be conducted by the authority vested in the Executive Board, subject to approval of the general membership. The Executive Board shall ensure that the policies and directives of the general membership are being followed.

Section 5.-

The Executive Board shall report on all matters which in its judgment require consideration by the Local Union or which may have been committed to the Executive Board by the membership. In addition, the actions of the Executive board shall be printed and distributed at the next general membership meeting. In the absence of a quorum at a regular membership meeting, the Executive Board shall be authorized to act in the name of the Local Union.

Section 6.-

The Local Union shall be divided into Chapters by employer. The members employed in any one bargaining unit shall comprise a separate Chapter. The sole exception to this shall be that, where the interests of the members would be better served by the creation of a Chapter comprising more than one bargaining unit, and with the consent of the members involved, the Executive Board shall be empowered to create Chapters comprising more than one bargaining unit.

Section 7.-

Chapters shall have the authority to ratify or reject the negotiated contracts or agreements, to strike, to elect delegates to the Local 1991 Executive Board, and to meet and transact appropriate business within their jurisdiction, all in accordance with the appropriate procedures set down in these By-Laws.

Article 6.- EXECUTIVE BOARD

Section 1.- Composition.

The Executive Board is the governing body of the Local Union, elected every two (2) years and shall consist of the elected Officers of the Local Union and elected Chapter delegates. Each Chapter shall be entitled to (1) one delegate on the Executive Board irrespective of the size of Chapter membership. Additional Chapter representation on the Executive Board shall be as follows:

- A. For so long as the regular membership of Local 1991 is at or below 2,000 members. Chapters shall be entitled to (1) one additional delegate on the Executive Board for every (100) one hundred members or major fraction thereof.
- B. At the first regular Executive Board election after Local 1991 has maintained more that 2,000 members for three (3) successive months, entitlement shall be reduced to one additional delegate for every one hundred and fifty (150) members or major fraction thereof in a Chapter.
- C. At the first regular Executive Board election after Local 1991 has maintained more than 3,000 members for three (3) successive months, entitlement shall be reduced to one (1) additional delegate for every two hundred (200) members or major fraction thereof in a Chapter.

Section 2.- Meetings

The Executive Board shall meet at least once in each month at a regularly scheduled time and place known to the membership. Special meetings of the Executive Board may be called by the President upon written request of five (5) members of the Board. Written notification with an indication of the reason for the special meeting shall be given three days in advance except in the case of emergencies. Written minutes of all regular and special meetings shall be recorded and presented for adoption at the next regular Executive Board Meeting. All meetings of the Executive Board shall be open to all members, except for matter referred to Executive Session.

Section 3.- Quorum and Agendas.

A majority (fifty percent plus one) of the filled seats on the Executive Board shall constitute a quorum for the transaction of Union business. The president shall cause an agenda to be prepared for each meeting of the Executive Board prior to that meeting and whenever possible, a copy of the agenda shall be mailed together with the notice of the meeting to all Board members.

Section 4.- Authority

The Executive Board shall have the authority granted to it by these By-Laws to govern the Local Union, including, but not limited to, the following:

- A. The establishment of plans, policies and procedures that are required for the direction and operation of the Union and the carrying out of decisions of the membership.

- B. Preparation of a budget, including the establishment of staffing levels, and authorization annual audits.
- C. The hiring of an experienced Executive Director to manage the day-to-day affairs of the Union, to direct the staff and to act as the Union's chief administrative officer, subject to the authority of the Executive Board. The Executive Board shall be empowered to determine the terms of employment of the Executive Director and to draw up, approve and co-sign a contract of employment with the Executive Director governing salary, benefits and conditions of employment.
- D. Approval of the compensation, terms and conditions of employment for the staff of the Union; and approval of all contracts for services rendered such as legal, auditing, or payroll services, member benefit programs or facility leases.
- E. Supervising the handling of Union funds, including approval of monthly budgets and authorizing investment of Union funds.
- F. Determining when a group of members is considered a functioning Chapter for the purpose of representation on the Board and the setting of dues rate.
- G. To assume responsibility for the legislative and political activities of the Local.
- H. To establish such standing committees as are necessary and consistent with the achievement of the purposes of the Local Union.

Section 5.- Attendance and Vacancies.

All elected Officers and delegates shall make every effort to attend all Board meetings. Any member of the Executive Board who cannot appear at a Board meeting shall notify the President or the Executive Director that they will be absent and state a bona fide reason for such absence. The President may excuse the member subject to approval of the Executive Board. In the event any member of the executive board fails to attend two consecutive meetings, without excuse, the President may declare that member's seat vacant.

Section 6.- Member Rights.

Members shall have the rights to address the Executive Board on issues of unresolved problems in accordance with reasonable procedural guidelines established by the Board.

Section 7.-Membership Complains and Hearings.

The Executive Board shall act, or appoint a committee to act for it, as a hearing board for complains of individual members who wish to contest actions of members, officers, chapter delegates or employees of this Union, including Chapter election protests and appeal of members regarding decisions of the President and or her/his staff on grievances or representation matters. In the event that individual members are not satisfied with the ruling of the Executive Board or its delegated committee as to complaints brought against Officers, the members shall act to the provisions of Section 8 below.

Section 8.- Appeal of Executive Board Decisions.

Members not satisfied with a ruling of the Executive Board or its designated Committee, including Chapter election protests, may petition the International President within (15) fifteen days after the act complained of, or may petition the International President thereon, to review the action of the Executive Board or its designated committee, pursuant to provisions of the International Constitution and By-Laws.

Article 7.- OFFICERS

Section A.- President.

The President shall be a Regular Member elected by Regular Members at large to serve as the president officer over the Local Union. Regular Members are defined in Articles 4 and 16 of this Constitution and By-Laws. The President's duties shall include but not be limited to the following:

- 1) Presiding at all meetings of the Executive Board and a membership meetings, conferences, conversations and other Union functions as necessary.
- 2) Calling special meetings of the Executive Board, membership, or specific committees and other bodies of the Union as necessary.
- 3) Sign all checks, vouchers, financial contracts and agreements subject to the policies of the Executive Board and the Constitution and Bylaws.
- 4) Signing all collective bargaining agreements as the Union's official representative after ratification of the membership and signatures of the appropriate negotiating committees and/or staff.
- 5) Fulfilling such other duties as her/his office requires and as are consistent with the Constitution and By-Laws.
- 6) Coordinating policies and acting as a liaison to the Executive director.
- 7) Serving as the Union's first delegate to the S.E.I.U. International Convention and to all other conferences and conventions for which Local 1991 is eligible for participation.
- 8) Serving as an ex-officio member of all committees of the Union.

Section B.- Duties of the Vice President.

The Vice President shall perform the duties of the President in her/his absence and shall assist the President in the operating of all the affairs of the Local Union. She/he shall succeed the President if the President is unable to complete her/his term. She/he shall be responsible for shop stewards and their training. She/he may counter-sign checks.

Section C.- Duties of the Secretary.

The Secretary shall keep a correct and accurate record of proceedings of all regular and special Executive Board and general membership meetings of the Local Union. The Secretary shall furnish the chairperson of each committee a

copy of such resolution as may be adopted by the Local Union, applicable to its respective duties. The Secretary may sign checks in the absence of (2) two signers from among the President, Vice President or Treasurer.

Section D.- Duties of the Treasurer.

The Treasurer shall be responsible for all financial affairs of this Local Union. She/he shall countersign all checks, whenever possible. She/he shall submit at least quarterly appropriate financial statements of expenditures and income to the Executive Board and general membership. Her/his reports shall be subject to verification by the Trustees of this Local Union and supportive data must be supplied if requested.

Section E.- Duties of the Trustees.

There shall be three (3) Trustees whose primary function is to act as guardians of the welfare of the Local Union. They shall see that the Officers fulfill their duties and obligations that the Local Union's By-Laws are followed and that parliamentary procedure is adhered to. The Trustees shall, at their discretion, engage the services of a Certified Public Accountant. They shall make periodic reports to the membership.

Section F.-

All Officers of this Local Union elected in conformity with all applicable statutes shall by virtue of such election be considered to eligible delegates to any International Convention which may take place during their term of office.

If a number less than all the officers of the Local are authorized to attend an International Convention, due to budgetary constrains or delegate/alternate limitation, the order in which the officers are designated shall be as follows: President, Vice President, Treasurer, Secretary, Trustees.

If a number more than all the officers are authorized to attend, then nomination and secret ballot election of additional delegates and alternates shall be conducted by Local Union Executive Board.

Article 8.- UNION STAFF

Section A Executive Director.

Section 1.-

The Officers and Executive Board members shall appoint an Executive Director.

Section 2 .- Condition of employment.

- a) All salaries and expense allowance to be paid to the Executive Director shall be determined by the Executive Board. The Executive Boards shall be empowered to draw up, approve, and co-sign a contract of employment with the Executive Director governing her/his salary and benefits. Subject to the conditions of a contract, the Executive Board may remove the Executive Director by giving notice of at least sixty days of such intent and doing so after discussion at a regular or special board meeting called for such purpose, unless conditions of an emergency nature exist, in which case prior notice may be waived.
- b) While operating within an approved budget, the Executive Director has the sole authority to arrange her/his staff, including hiring and firing of staff. The Executive Director shall provide for the Executive Board's input prior to the effective date of such actions.

Section 3.- Duties of the Executive Director.

It shall be the Executive Director's duty to administer the affairs of the Union and to implement the policies of the Union on a day-to-day basis. The Executive Director's duties shall include but are not limited to:

- 1) Complying with the mandates of all membership votes and/or decisions of the Executive Board.
- 2) Hiring, firing, assigning and directing the Local's staff in accordance with any applicable bargaining agreement, rules laws and regulations regarding discrimination and pursuant to any staff related policies adopted by the Executive Board.
- 3) Assigning and directing the Local's staff within an operating budget approved by the Executive Board.
- 4) Representing the Union in the community, in the media, and at meetings, conferences or conventions of organizations with which the Local is affiliated.
- 5) She/he shall receive all complaints and grievances and seek solutions of same. She/he shall report her/his activities to the Executive Board and membership at regular, and at special meetings when asked to do so.
- 6) Presenting an annual budget to the Executive Board for their review, discussion and final adoption.
- 7) Notifying the International Union in writing when any collective bargaining negotiations or memorandum of understanding have been concluded including the number off employees covered, and sending copies of collective bargaining agreements and contracts entered into by the Local Union to the Research Department of International Union.
- 8) Keeping an accurate accounting of all receipts and disbursement of all monies in a bank approved by the Executive Board.
- 9) Reporting monthly to the Executive Board on income and expenses for the previous months.

- 10) Providing membership accessibility to financial records and Executive Board minutes; the Executive Board shall adopt reasonable rules and procedures for this process that shall not abridge the rights of the membership nor unduly burden the Executive Director and her/his staff.
- 11) Being covered by the appropriate bond and provide for help in bonding of any other individuals including the President and Secretary-Treasurer and approved by the Executive Board. The cost of any bonds shall be at the Local's expense.
- 12) Forwarding copies of the Annual Audit, LM-2's and other required filings to the International Union.
- 13) Forwarding to the International Union the correct names and addresses of all its members each month; all changes of address; the names, addresses and social security numbers of all members initiated or readmitted, of all other persons from whom revenue is levied and of those suspended for non-payment of dues or for any other cause; and a correct list of those who take transfer or withdrawal cards. The proper zip code shall be included for each address.
- 14) Notifying the International of all those elected to office within fifteen (15) days of the Executive Board election.

Article 9.- CHAPTERS

Section 1.-

The jurisdiction, composition and authority of Chapters shall be as defined in Article 5, section 6 and 7. of these By-Laws.

Section 2.-

The President shall appoint a temporary steering committee to act on behalf of any group of members preceding the acceptance of such group into the Local Union as a permanent Chapter.

Section 3.-

New Chapters shall be formed and given titles by the Executive Board with the approval of the general membership upon report and recommendation of the President.

Section 4.-

To be a functioning unit eligible for representation on the Executive Board, a Chapter must:

- A. Adopt Chapter By-Laws which are not inconsistent with the By-Laws of Local 1991 or the Constitution of the Service Employees International Union.

- B. Elect Chapter Officers, including a Chairperson, a Recording Secretary, a Chapter Board of Directors, and delegates to the Local 1991 Executive Board.
- C. Hold regular membership meetings at times which do not conflict with the Local Union's Executive Board meetings.
- D. Keep a record of transactions of the Chapter and send a copy of the minutes of each Chapter meeting to the Local Union office. Records of the Chapter must be opened upon request of the Executive Board or membership.

Section 5.-

Chapters shall have the right to meet and to transact such business as affects the members of the Chapter, providing only that decisions made by the Chapter shall not be inconsistent with the rules, regulations, decisions or policies of Local 1991 as a whole.

Section 6.-

Chapters have the authority to elect negotiating committees and to ratify or reject contracts or agreements. Only members of the bargaining unit involved shall vote on contract ratification votes.

Section 7.-

Chapter shall have the primary responsibility for maintaining representational structures in their worksites and for enforcing and administering contracts and agreements concerning their members.

Section 8.-

No Chapter or bargaining unit herein shall call a strike without a majority vote of those voting a secret ballot of the membership of the affected bargaining unit.

Article 10.- HEARING AND APPEALS BOARD

Section 1.-

Local 1991 will provide a democratic and orderly procedure for its members in order to hear and determine grievances, complains, and/or charges and appeals brought by or against a member, organizer, representative or officers.

The grounds for filing such complains: failure to enforce the collective bargaining agreement; corrupt or unethical practices; incompetence of an organizer, representative or officer, scabbing or strike breaking; violation of Local By-Laws and/or International Union Constitution.

Section 2.- Hearing and Appeals Board Procedures.

- a) The Executive Board shall be the Trial Board.

- b) If a member of the Executive Board is charged, the Executive Board shall temporarily appoint an impartial member as a substitute.
- c) All charges shall be filed in writing in duplicate with the Secretary.
- d) A written copy of such charges specifying the nature of the offense shall be on the accused in person when possible and by certified mail directly to the last known address of the accused within ten (10) days of receipt of the charges by the Secretary.
- e) A hearing shall be held on all complaints within thirty (30) days of the receipt of the complaint by the Secretary.
- f) The Secretary shall notify the Executive Board within 48 hours of complaint.
- g) The accused, within ten (10) days from the date of notification, may file a written answer to such charges with the Secretary and has the right to one (1) continuance, without cause, of the trial date, not to exceed thirty (30) days. The Secretary shall forward such answer to the Trial Board-Executive Board.
- h) The accused shall have the right to be present at the time of trial and to be represented by a steward who shall be a regular member, to confront her/his accusers, to cross examine witnesses, to supply supportive material, and to compel the production of Union records pertinent to the case.
- i) The accused shall be presumed innocent until proven guilty, and may not be compelled to testify against her/himself.
- j) The accused shall have the choice of an open or closed hearing.
- k) The Executive Board decision is final except as provided in Sections 3 and 4 below.

Section 3.-

Either the accused or the accuser shall have the right to appeal, in writing and in duplicate, the decision of the Executive Board to the Membership of Local within fifteen (15) days, in accordance with the provisions of Article XVI, Section 2.

Second appeal, to the International Union, is provided for, in Article 16, Section 6 of the International Constitution and By-Laws.

Section 4.-

Anyone appealing a decision of the Executive Board shall be permitted to present her/his case to the general membership of the Local Union and shall thereafter be temporarily excused from the meeting during the discussion and voting following her/his presentation. A two-thirds (2/3) vote of the general membership present shall be required in order to overrule the decision of the Executive Board. The members of the Executive Board shall have a voice but no vote in connection with appeals.

Article 11.- RECALL

A recall election for Local 1991 Officer elected Local Representative shall be held by the Election Committee upon presentation to the President, or other Officer if the President is involved, of a petition signed by at least thirty per cent (30%) of the Local membership. Only members in good standings may sign the petition. The petition shall specifically cite areas of violation of the By-Laws, International Union Constitution, or other charges as listed in Article 10, Section 1. A recall election shall be held within sixty (60) days from presentation of the petition. A simple majority of those voting in favor of recall shall result in recall off the Officer or Representative. A new election will be set by the Executive Board. The Officer or Representative recalled shall not be allowed to run for any Local office for a period of two (2) years.

Article 12.- ELECTIONS

Section 1.-

The Officers of this Local Union shall be elected every two years. Their term of office shall commence January 1 of odd-numbered years, after election.

Section 2.-

Nomination for all Local Union Officers shall be made at a regular or special meeting of the Local Union, held in October. At least fifteen (15) days' notice shall be given to the membership prior to the nomination meeting. Nominations shall be from the floor at the nomination meeting, or by petition signed by at least fifty (50) members in good standing. All nominations shall be presented to the Election Committee no later than October 31.

To have her/his name placed on the ballot, a nominee must submit no later than October 31, to the Election Committee, a completed applicant's form which shall include her/his qualifications and statement. No member shall be candidate for more than one Local-wide office at a time.

Section 3.-

A person shall be eligible to be nominated and to serve as an elected Local Union officer who has been a member in continuous good standing in the Local Union for at least two (2) years immediately preceding the nomination and who has during all of that time paid the full dues required for the working members of the Local Union within each month when due. However, if the Local Union or any of its Chapters had not been in existence the time herein required, a candidate for the office must have been a member in continuous good standing for the entire time since affiliation.

Section 4.-

An Election Committee of at least three (3) members, but not to exceed fifteen (15), shall be elected. The duties of the Election Committee shall be:

- a) Conduct the affairs of the election;
- b) Validate the qualifications of the nominees;
- c) Act as initial judge in all matters arising from the election procedures;
- d) Be responsible for the tabulation of the results of the election;
- e) Certify the results of the election.

No member of the Election Committee may be a candidate for office, or a member of the Executive Board. Members not satisfied with a ruling of the Election Committee may petition the International President within fifteen (15) days after the act complained of, or may petition the International Executive Board within fifteen (15) days after the action of the International President thereon, to review the action of the election Committee, pursuant to provisions of the International Constitution and By-Laws.

Section 5.-

Balloting shall be by mail, and shall be completed no later than December 5. Ballots, together with a return envelope, shall be mailed to the entire membership by the Executive Director. The ballot package shall be a double envelope, signature required type to insure fairness and secrecy. Ballots shall be retained in a safe place for one (1) year. Write-in candidates and proxy voting shall not be permitted for any purpose, including any election for an Officer, member of the Executive Board, delegate or any other office in this Local Union.

Section 6.-

The candidate receiving a plurality of the votes cast for that office shall be declared elected.

Section 7.-

Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the counting of ballots.

Section 8.-

The Local Union shall refrain from discriminating in favor or against any candidate. The Union will comply with all reasonable requests of any candidate to distribute by mail or otherwise, at the candidate's expense, campaign literature in aid of that person's candidacy. In addition, any such assistance given to any candidate shall also be made available to all other candidates, at their own expense.

Section 9.-

Vacated offices other than the office of the President shall be filled by appointment of the Executive Board. At the meeting at which the vacancy is declared, nominations will be open.

Appointment will be made at the next regular meeting of the Executive Board.

Section 10.-

No person who has been convicted of felony as defined in Section 504 of the Landrum Griffin act (or an indictable offense in Canada) shall, in accordance with the provisions of applicable law be eligible to hold office in this Local Union.

Section 11.-

No candidate (including a prospective candidate) for any office or division delegate in this Local Union or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non member of the International Union.

Section 12.- Chapter Elections.

- a) A person shall be eligible for nomination and serve as an elected Chapter Officer who has been a member in continuous good standing in the Local Union for at least six months immediately preceding the nomination and who has during all that time paid the full dues required for working members of the Local Union within each month when due; or, in the case of a Retired Member, paid the full dues required for Retired Members of the Local Union within each month when due. However any person nominated for a Chapter position which each holds an automatic seat on the Local Union Executive Board, and any member nominated for Delegate or Alternate Delegate to the Local Union Executive Board must be a member in continuous good standing in the Local Union for at least two years immediately preceding the nomination. However, if the Chapter has not been in existence the time herein required, a candidate for office must have been a member in continuous good standing for the entire period of time since the Chapter was affiliated with the Local Union.
- b) Prior to the nomination of Chapter Officers, and Delegates at each Chapter's regular or special membership meeting held no later than October 31, or such time as designated by the Chapter's By-Laws, an Election Committee of at least three (3) members shall be chosen by the Chapter membership. Such committee shall rule on the qualifications of nominees and certify them for the upcoming election.
- c) All Chapter Officers, delegates and alternates must be elected by secret ballot vote of the Chapter membership. Notice of such vote, including names of all candidates for office, shall be sent to the Chapter membership at least fifteen (15) days prior to each election. The results of the election shall be certified by the Chapter Election Committee. The term of office shall be for two (2) years, or for such other term as specified in

- the Chapter's By-Laws are in compliance with the Local Union By-Laws. In the absence of a candidate for alternate, the candidate for delegate who is not elected but has the next highest vote total shall be the alternate.
- d) Members not satisfied with a ruling of a Chapter Election Committee may petition the Local Union Executive Board, or its designated Committee, within fifteen (15) days after the act complained of, to review the action of the Chapter Election Committee.
 - e) Vacant Officer, delegate, or alternate seats shall be filled as prescribed by that Chapter's By-Laws.

Article 13.- MEETINGS

Section 1.-

A general membership meeting of all members of Local Union shall take place at least two (2) times annually at such time and place as the Executive Board may designate; and the membership shall be notified of such meeting at least sixty (60) days prior to such meeting. The Regular Order of Business at membership meetings shall be set by the President.

Section 2.-

Quorum – a general membership meeting of the Local Union shall be forty (40) members in good standing.

In the event there is no quorum for a general membership meeting, the regular business for that meeting shall be conducted by the Executive Board and their actions shall represent the official policies and directives of the Local Union.

Such action shall be submitted to the functioning chapters in written form within such time as specified by the Executive Board.

Section 3.-

The Executive Board is authorized to call a special membership meeting at any time that the Board deems it necessary with at least five (5) days advance written notice and with the purpose, time and date noted.

Section 4.-

Whenever ten (10) percent of the membership in good standing request in writing a general membership meeting, the President of the Local Union must call a membership meeting within thirty (30) days after receipt of such a request. The membership must be notified in writing five (5) days prior to the meeting of the time, date, place and purpose of the meeting.

Section 5.-

Any member shall have the right to submit motions in proper order of business.

Section 6.-

The regular order of business for the Executive Board and general membership meetings, subject to waiver upon proper motion, shall be:

- a) Roll Call
- b) Reading of Minutes
- c) Reports
- d) Unfinished Business
- e) New Business
- f) Good and Welfare of Local Union
- g) Adjournment

Section 7.-

The President shall be able to call special Executive Board meetings without prior notice in such cases where she/he shall deem the time factor is of urgency and the issue demands immediate attention, or when she/he feels a strategic position of this Local Union would be lost by hesitation. She/he shall make a reasonable effort to contact all Board members. Minutes shall be read at the following Board Meeting.

Section 8.-

The President may appoint a Sergeant-at-Arms to maintain order.

Section 9.-

There shall be no proxy votes at any meeting. All votes shall be cast in person.

Section 10.- Chapter Meetings.

A general membership meeting of each Chapter of the Local Union shall take place at least six (6) times per year, or more frequently as prescribed by the Chapter By-Laws, with sufficient advance notice to the members of the date, time and location of such meetings shall be as prescribed in the Chapter By-Laws.

Section 11.- Leadership Convention/Strategic Planning.

1. Annually, a leadership Convention will be called by the President of the Local 1991.
2. The purpose of such convention shall be to discuss issues and problems of concern to the membership, review the work of the organization during the preceding year, including but not limited to organizing, negotiations, education and training, and political action, and to adopt advisory policies and guidelines for the future operation of the Local.
3. Such convention will be primarily for the Union Representatives, Officers and Chapter Officers, but will be open to all members.

Article 14.- COMMITTEES

Section 1.-

The Standing Committees of this Local Union shall include but not be limited to the following:

- a) Budget and Finance Committee – Studies revenues and expenditures, draws up a preliminary budget, and recommends on the financial condition of this Union.
- b) By-Laws Committee – Shall review the By-Laws of this Union and shall draw up and report proposed amendments thereto.
- c) South Florida AFL-CIO – Shall comprise the Delegates and Alternate Delegates from this Local to the Central Labor Council(s), and shall be appointed by the President with the confirmation of the Executive Board.
- d) Civil and Human Rights Committee – Shall assist the Executive Board in carrying out the Civil and Human rights programs and policies of the International Union.
- e) Health and Welfare Committee – Studies and recommends possible benefits for members.
- f) Organizing Committee – Formulates and actively supports programs to recruit members to this Union; draws up and assembles organizing materials.
- g) Political Activities and Legislative Committee (Committee on Political Education – COPE) – Shall assist the Executive Board in carrying out a sound program of political education and action encourages members to register and vote. Comprises the Delegates and Alternate Delegates from this Union to the Committee on Political Education (C.O.P.E.). Defines, investigates, and recommends on legislation that is of interest to the members of Local 1991. Neither the Local Union, nor the Political Activities and Legislative Committee, shall establish its own registered federal political committee nor make contributions in connection with federal elections.
- h) Seniors/Retirees Committee.

Section 2.-

The Secretary shall promptly notify the International Secretary Treasurer of the composition of all mandated committees.

Article 15.- STEWARDS

Section 1.-

With the vote of the members of a designated unit, one member is chosen for term as designated by the Chapter to act in a position known as Steward. The Steward has no greater rights than any of the members of he/his unit. The responsibilities of Stewardship, however, do outweigh those of ordinary membership.

- a) In the absence of the members the Steward represents her/his unit in all meetings of the Union.
- b) Subject to these By-Laws, the first line of contract with management is the Steward.
- c) All matters of importance to any member of her/his unit becomes of importance to the Steward.
- d) The health, vitality and enthusiasm of her/his unit is the responsibility of the Steward.
- e) Stewardship requires complete subordination of all interests to those interests that represent the highest good to the members of her/his unit.
- f) Members may present complains regarding Stewards to the executive body of the Chapter. Such complaints will have to be investigated by the Chapter Board. The Steward will have made known to them all complaints presented about them prior to any action by the Chapter Board and will have an opportunity to defend themselves against such complaints and the members making the complaints. All findings of the Board will be presented to the members of the unit represented by the particular Steward. The Board's recommendations will be advisory.
- g) Any Steward may be replaced at any time by the simple majority vote of members in the Steward's unit. No others may replace a Steward except through procedures established for Recall or the annual election process.
- h) All Stewards shall have copies of the Local and International By-Laws and necessary working agreements and rules pertinent to their bargaining units available for use at all times.
- i) All Stewards shall serve as organizers at work locations and help organize new members.

Article 16.- REVENUES AND PROPERTIES

Section 1.- Dues.

- a) Regular members – Membership dues shall be that which is established by the Local Union, but shall not be less than the minimum dues required by the Constitution and By-Laws of the Service Employees International Union for regular working members unless proper waiver of such provisions is secured from the International President.
- b) Retired Members – Retired Members shall pay membership dues as establish by the Local Union but not less than that required by the Constitution and By-Laws of the Service Employees International Union for Retired members, unless proper waiver of such provision is secured from the International President.
- c) Associate Members – Associate Members shall pay a fee of \$10.00 (ten dollars) per month.

Section 2.-

Every member shall share in the cost of maintaining and operating Local 1991 as provided by these By-Laws.

- a) Dues shall be paid on or before the last day of the month in which they are due.
- b) The Local shall pay per capita tax to the International Union and pay any other obligations due to the International Union, and it shall have no right to pay any bills before it pays its full obligations to the International Union each month.
- c) All records of this Local pertaining to income, disbursements and financial transactions of any kind must be kept for a period of at least six (6) years, or longer if required by applicable law.
- d) Membership of Local 1991 shall pay monthly dues at a rate of 1% of their monthly base salary with a set minimum of \$10 per month and a set maximum of \$72 monthly. Effective September 1, 2002, the membership shall pay monthly dues at a rate of 1.25% with a set minimum of \$10 per month and a set maximum of \$72 per month. At such time as the majority of the Local-wide membership reaches the maximum of the dues rate, that maximum shall be increased by \$10 with 30 days notice to the membership.
- e) Local 1991 will affiliate with:
 - South Florida AFL-CIO.
 - Florida State AFL-CIO.

Section 3.-

Any member having been suspended shall be readmitted upon receipt of all back current dues, and any other levied assessment not to exceed fifty dollars (\$50.00).

Section 4.-

At the member's request, a "temporary withdrawal" from membership shall be granted and no dues shall be required for the duration of said leave or layoff. Any member on temporary withdrawal shall not be considered a member in good standing for the purposes of internal Union voting (including contract ratification votes), benefit and discount programs (including SEIU scholarship and death gratuity programs), or running for holding Chapter or Local Union office. Workers who are disciplined for more than 30 days, including termination, and are represented by the Union and subsequently reinstated with back pay, shall be required to pay appropriate back dues or fees.

Section 5.-

Upon proper application and payment of such fee as may be determined by the Executive Board, a member may be granted an honorary withdrawal, which will allow reaffiliation without penalty.

Section 6.-

After one (1) year of affiliation with Local 1991, all new Chapters' dues must comply with those establish for this Local Union.

Section 7.-

Dues May only be charged by majority vote by secret ballot of members in good standing voting pursuant to procedures prescribed by the Executive Board.

Section 8.-

All Officers shall deliver to their respective successors, at the conclusion of their term of office, all property in their possessions belonging to this Local. All the funds and property of the Local shall be deemed held in trust for the benefit of the members, to be used in accordance with the direction of the membership and the Executive Board.

Section 9.-

The title of all property, funds and other assets of this Local Union shall at all times be vested in the Local Executive Board for joint use of the membership of this Local Union but no greater member shall any severable proprietary right, title or interest in; except that all affiliating Chapters shall retain all properties, real or otherwise, as provided for in their affiliation agreements. Membership in this organization shall not vest any member with any right, title or interest in or to the funds, property or other assets of this Local Union, now owned or possessed or that may hereafter be acquired, and each member hereby expressly waives any right, title or interest in or to the property of this Local Union, including the funds of the Local Union.

Section 10.-

All officers and employees handling any monies of this Local Union shall be bonded by a licensed surety company for such amount as the Executive Board may deem sufficient to fully protect the Local Union in accordance with the requirements of applicable status. The cost of the bond is to be paid by the Local Union.

Article 17.- INITIATIVE AND REFERENDUM

Section 1.-

An initiative or referendum may be initiated by petitions signed by either ten (10) percent of the membership in good standing or by majority of the Executive Board.

Section 2.-

After an initiative or referendum has been initiated, the Executive Board shall refer the matter to the membership meeting of the Local Union within thirty (30) days. A call for a general membership meeting shall state clearly and fairly the issue raised by the initiative.

Section 3.-

In the event there is a referral to the membership by mail ballot, the issue shall be decided by a majority vote. In the event a special general membership meeting is called, the meeting may decide the issue raised by the initiative by a two-thirds (2/3) vote – or may, by a majority of the members voting, refer the issue to a mail ballot, in which case the issue shall be decided by a majority of the ballot vote.

A quorum for such a general membership meeting shall be five (5) percent of the general membership. In the event no quorum exists, the initiative shall be referred to the general membership for a vote by a mail secret ballot.

Section 4.-

Any issue raised by the initiative or referendum procedures which are decided or voted upon shall become the official action of the Local Union and the Executive Board and all Officers and Chapters shall be bound by such action.

Article 18.- AMENDMENTS

Section 1.-

Amendments to these By-Laws may be initiated by:

- a) A petition signed by five (5%) percent of the members of the Local who are in good standings.
- b) A majority vote of the Executive Board.

Section 2.-

The Executive Board shall submit amendment(s) to a vote of the Local membership within sixty (60) days from the date of initiation of the amendment(s) by the Executive Board as per Section 1 or receipt of a valid petition.

Section 3.-

A copy of the proposed amendment(s) shall be mailed to the members of the Local at least fifteen (15) days before such meeting shall be deemed good and sufficient notice.

Section 4.-

Unless otherwise provided for, amendment(s) are adopted at the general meetings by a majority vote. The amendment(s) shall become effective

immediately. No amendment may be inconsistent or in conflict with the International Union Constitution.

Article 19.- PARLIAMENTARY AUTHORITY

Section 1.-

Where not in conflict with these By-Laws, the parliamentary authority for all meetings of this Local Union shall be *Robert's Rules of Order, Revised*.