

1. State Constitution, Article II, Section 5 – Membership – State Board of Directors
2. State Constitution, Article III, Section 1 – State Officers – ODJFS Chapter 2599
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13. State Constitution, Article XII Sections 1(B) & 2(B) – Dues – State Board of Directors
14. State Constitution, Article XII, Sections 3(A) & 6 – Dues – State Board of Directors
15. State Constitution, Article XII, Section 4 – Dues – State Board of Directors
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18. By-Laws, Article II, Section 2(B) – Board of Directors – ODJFS 2599
19. By-Laws, Article II, Section 3(A) – Board of Directors – ODJFS 2599
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21. By-Laws, Article IV, Section 6(E) – Chapters, District Councils, and Assemblies – ODJFS 2599
22. By-Laws, Article IV, Section 6(F) – Chapters, District Councils, and Assemblies – ODJFS 2599
23. By-Laws, Article IV, Section 6(I) – Chapters, District Councils, and Assemblies – ODJFS 2599
24. By-Laws, Article IV, Section 6(J) – Chapters, District Councils, and Assemblies – ODJFS 2599
25. By-Laws, Article VI, Section 3 – Financial Matters – ODJFS 2599
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27. By-Laws, Article IX, Section 1 – Charges – State Board of Directors
28. By-Laws, Article IX, Section 2(A) – Charges – Delaware 2100
29. Subordinate Body Constitution, Article IV, Sec. 3 – Officers & E-Board – State Board of Directors
30. Subordinate Body Constitution, Article V, Section 13 – Stewards – Delaware 2100
31. Subordinate Body Constitution, Article IX, Section 1 – Duties – Delaware 2100
32. Subordinate Body Constitution, Article IX, Section 4(C) – Duties – ODJFS 2599

- 33. Subordinate Body Constitution, Article IX, Section 4(D) – Duties – ODJFS 2599
- 34. Subordinate Body Constitution, Article X, Section 2 – Business – ODJFS 2599
- 35. Subordinate Body Constitution, Article X, Section 3 – Business – Delaware 2100
- 36. Subordinate Body Constitution, Article X, Section 3 – Business – District 5
- 37. Subordinate Body Constitution, Article XI, Section 1 – Meetings – ODJFS 2599

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article II – Membership; Section 5

RATIONALE: Housekeeping change eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article II – Membership**

**Section 1. Active Member**

(A) Union membership shall be restricted to those employees within the jurisdiction of OCSEA and within OCSEA bargaining units. The Union shall have the following classes of membership which are defined below.

(B) Active members shall be all members not otherwise classified and shall include any members who go on authorized leave subject to dues payment. Dues shall be paid by active members through payroll deduction, cash, money order and/or check payment, or any other electronic means.

(C) Dues for active members shall be fixed in the Constitution and dues for all other membership classes shall be set forth in the State By-Laws, Article I.

**Section 2. Life Member**

A Life member is a retired OCSEA member who, for a period of at least five (5) consecutive years immediately prior to retirement, was an active member of OCSEA and for whom a Chapter files an application for life membership. The Chapter must agree to have dues deducted annually from the Chapter's per capita refund. Life membership shall not be available to those persons affiliated with a competing labor organization and shall cease should the retiree re-enter the workforce in a management/exempt position.

In the event, by vote of the General Body, a chapter decides to revoke life member status, a letter must be sent to the affected member informing them of the decision of the chapter and of the member's right to assume retired member status. A copy of the letter shall be forwarded to the State Secretary-Treasurer.

**Section 3. Retired Member**

Membership is open to any retired employee who was an active OCSEA member at the time of retirement. Retired members shall have all rights and privileges of an active member,

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article II – Membership; Section 5

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BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

except the right to seek office as a president or vice president and to vote on ratification of a collective bargaining agreement. Retiree membership shall not be available to those persons affiliated with a competing labor organization. A retired member is responsible for payment of his/her own dues on an annual basis.

**Section 4. Honorary Member**

An Honorary Member has no voting privileges and cannot hold any appointed or elected office within OCSEA. An honorary member is appointed by the President with the approval of the Board of Directors.

**Section 5. Member-At-Large**

Any OCSEA member who accepts employment with the AFL-CIO or any associated organization, such as but not limited to labor representative at United Way, will be able to maintain membership in OCSEA by payment on a quarterly basis of the dues amount last paid by the individual while an active member. ~~Member-at-large status is not available to a fair share fee payer.~~

**Section 6. Associate Membership**

Upon request, associate membership may be offered to groups or former OCSEA members as determined by the OCSEA State Board of Directors. Amount of dues, payment of dues and eligibility for benefits for Associate Members shall be determined by the OCSEA State Board of Directors. An Associate Member has no voting privilege, cannot hold any appointed or elected office, or serve on any committees within OCSEA.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 1

RATIONALE: To realign expenditures with the premise that bargaining unit members volunteer for service to the Union without financial harm, or personal gain. In accordance with the OCSEA Constitution, State By-Laws and Subordinate Body Constitution, when reimbursed for service to the union is appropriate, all other members are reimbursed at their current state wage regardless of the service/work performed for the union.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay. **Compensation to the President, Vice-President, and Secretary-Treasurer for the commission of conducting union business shall be limited to the reimbursement to the employer. The Union shall not provide additional pay, compensation or salary adjustment to said officers for conducting union business.**

**Section 2. Qualifications**

(A) The state officers of this Union shall be active employees within any bargaining unit represented by OCSEA and active members of the union for a period of at least two (2) continuous years immediately preceding their election or appointment and shall be nominated and elected or appointed as hereinafter provided.

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(C) Affiliation with a competing labor organization by a state officer after election shall be deemed an automatic resignation and shall disqualify a member from nomination, election, appointment to or maintenance of the office.

(D) Candidates running for state office shall have the opportunity to announce their intentions in the OCSEA Publication three (3) months before the regular biennial convention.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 1

RATIONALE: To realign expenditures with the premise that bargaining unit members volunteer for service to the Union without financial harm, or personal gain. In accordance with the OCSEA Constitution, State By-Laws and Subordinate Body Constitution, when reimbursed for service to the union is appropriate, all other members are reimbursed at their current state wage regardless of the service/work performed for the union.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

23 Each candidate may submit up to two hundred (200) words, as long as the language is not  
24 defamatory towards other candidates.

25 **Section 3. Election of Officers**

26 (A) The state officers shall be elected at every second regular biennial convention and  
27 shall serve a four (4) year term.

28 (B) Membership dues money from Chapters, District Councils, Assemblies, or the  
29 Union, including the AFL-CIO and AFSCME, shall not be used in election campaigns for union  
30 offices.

31 **Section 4. Office Vacancy Succession**

32 Should a vacancy occur during the term of office of President, the Vice President shall  
33 move up automatically, and the resultant vacancy of Vice President shall be filled by action of  
34 the Board of Directors. Should a vacancy occur during the term of office of the Vice President or  
35 Secretary-Treasurer, the resultant vacancy in either position shall be filled by action of the Board  
36 of Directors.

37 **Section 5. Vacancy Definition**

38 A vacancy in office shall exist whenever an elected or appointed state officer is not in  
39 active pay status for one hundred and eighty (180) days, unless a longer period is recommended  
40 by the Judicial and Internal Affairs Committee and approved by the Board of Directors.

41 Resignation or retirement from public service will result in an automatic vacancy.

42 **Section 6. Restrictions of State Officers**

43 The state officers shall not retain, be elected to or be appointed to any Chapter, District  
44 Council or Assembly elective office, except for steward and/or delegate.

45 **Section 7. Removal from Office**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 1

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BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

Any state officer may only be removed for the reasons set forth in Article XIII, Section 1 – Charges, or by a two-thirds (2/3) vote by secret ballot of the certified delegates present and voting at any regular biennial convention of this Union, or any special convention called for that purpose. These sanctions may only be imposed with due process pursuant to OCSEA State By-Laws Article IX, Section 2.

**Section 8. Executive Committee**

The President, Vice President and Secretary-Treasurer shall comprise the Executive Committee.

**Section 9. Duties of the State Officers**

**A. Duties of the President**

The President shall be the Chief Executive Officer of the Union and shall oversee the affairs of the Union in accordance with the State Constitution, the policy decisions of the Convention, and the Board of Directors. The duties of the President shall include but are not limited to the following:

1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
2. Appoints Standing Committee Chairperson(s), with the approval of the Board of Directors, and assigns members to Standing Committees.
3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 1

RATIONALE: To realign expenditures with the premise that bargaining unit members volunteer for service to the Union without financial harm, or personal gain. In accordance with the OCSEA Constitution, State By-Laws and Subordinate Body Constitution, when reimbursed for service to the union is appropriate, all other members are reimbursed at their current state wage regardless of the service/work performed for the union.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

6. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
7. Generally performs such other duties as usually pertain to this office.
8. At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted to the Board of Directors for approval prior to implementation. The compensation of such employees shall be limited to the funds available in the personnel services item of the budget.

**B. Duties of the Vice President**

The Vice President shall assist the President when called upon to do so in the performance of his/her duties. In the absence or disability of the President, the Vice President shall perform the duties of the President. The duties of the Vice President shall include:

- (1) Oversight of all trusteeships and oversight designations that may be imposed by the State Board of Directors.
- (2) Assisting all new members of the State Board of Directors.
- (3) Assisting in organizing, both internal and external, pursuant to the annual strategic plan as developed by the State Board of Directors.
- (4) Performance of other such duties as may be requested by the Board of Directors or the State Constitution and State By-laws.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 1

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BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**C. Duties of the Secretary-Treasurer**

The Secretary-Treasurer shall be the chief financial and recording state officer of the Union. The Secretary-Treasurer shall be responsible for supervising and directing the activities of the Comptroller's office in accordance with the provisions of the State Constitution and policy decisions of the Convention and the State Board of Directors. The duties of the Secretary-Treasurer include:

1. Chair of the Finance Committee.
2. Oversight of the taking of minutes at all Board of Directors' meetings.
3. Oversight of all Chapter, District Council, and Assembly audits.
4. Responsibility to see that a timely audit is performed by an outside accounting firm.
5. Oversight of all financial correspondence relating to the organization.
6. Providing a copy of the minutes to the Chapter, District Council, and Assembly Secretaries, pursuant to Article II, Section 3 of the OCSEA State By-Laws.
7. In the case of absence or disability of both the President and the Vice President, the Secretary-Treasurer shall perform the duties of the President.
8. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
9. Performance of other such duties as may be requested by the Board of Directors or the State Constitution and State By-Laws.

Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(B)(1)

RATIONALE: Current language is inconsistent with the language in Article XV – Trusteeships. Whether vice-president has oversight or not, it should all be consistent. It was easier to remove the specific reference.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

(A) The state officers of this Union shall be active employees within any bargaining unit represented by OCSEA and active members of the union for a period of at least two (2) continuous years immediately preceding their election or appointment and shall be nominated and elected or appointed as hereinafter provided.

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(C) Affiliation with a competing labor organization by a state officer after election shall be deemed an automatic resignation and shall disqualify a member from nomination, election, appointment to or maintenance of the office.

(D) Candidates running for state office shall have the opportunity to announce their intentions in the OCSEA Publication three (3) months before the regular biennial convention. Each candidate may submit up to two hundred (200) words, as long as the language is not defamatory towards other candidates.

**Section 3. Election of Officers**

(A) The state officers shall be elected at every second regular biennial convention and shall serve a four (4) year term.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(B)(1)

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BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) Membership dues money from Chapters, District Councils, Assemblies, or the Union, including the AFL-CIO and AFSCME, shall not be used in election campaigns for union offices.

**Section 4. Office Vacancy Succession**

Should a vacancy occur during the term of office of President, the Vice President shall move up automatically, and the resultant vacancy of Vice President shall be filled by action of the Board of Directors. Should a vacancy occur during the term of office of the Vice President or Secretary-Treasurer, the resultant vacancy in either position shall be filled by action of the Board of Directors.

**Section 5. Vacancy Definition**

A vacancy in office shall exist whenever an elected or appointed state officer is not in active pay status for one hundred and eighty (180) days, unless a longer period is recommended by the Judicial and Internal Affairs Committee and approved by the Board of Directors.

Resignation or retirement from public service will result in an automatic vacancy.

**Section 6. Restrictions of State Officers**

The state officers shall not retain, be elected to or be appointed to any Chapter, District Council or Assembly elective office, except for steward and/or delegate.

**Section 7. Removal from Office**

Any state officer may only be removed for the reasons set forth in Article XIII, Section 1 – Charges, or by a two-thirds (2/3) vote by secret ballot of the certified delegates present and voting at any regular biennial convention of this Union, or any special convention called for that purpose. These sanctions may only be imposed with due process pursuant to OCSEA State By-Laws Article IX, Section 2.

**Section 8. Executive Committee**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(B)(1)

RATIONALE: Current language is inconsistent with the language in Article XV – Trusteeships. Whether vice-president has oversight or not, it should all be consistent. It was easier to remove the specific reference.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

The President, Vice President and Secretary-Treasurer shall comprise the Executive Committee.

**Section 9. Duties of the State Officers**

**A. Duties of the President**

The President shall be the Chief Executive Officer of the Union and shall oversee the affairs of the Union in accordance with the State Constitution, the policy decisions of the Convention, and the Board of Directors. The duties of the President shall include but are not limited to the following:

1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
2. Appoints Standing Committee Chairperson(s), with the approval of the Board of Directors, and assigns members to Standing Committees.
3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.
6. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
7. Generally performs such other duties as usually pertain to this office.
8. At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

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73 to the Board of Directors for approval prior to implementation. The compensation  
74 of such employees shall be limited to the funds available in the personnel services  
75 item of the budget.

76 **B. Duties of the Vice President**

77 The Vice President shall assist the President when called upon to do so in the  
78 performance of his/her duties. In the absence or disability of the President, the  
79 Vice President shall perform the duties of the President. The duties of the Vice  
80 President shall include:

- 81 (1) ~~Oversight of all trusteeships and o~~Oversight designations that may be  
82 imposed by the State Board of Directors.
- 83 (2) Assisting all new members of the State Board of Directors.
- 84 (3) Assisting in organizing, both internal and external, pursuant to the annual  
85 strategic plan as developed by the State Board of Directors.
- 86 (4) Performance of other such duties as may be requested by the Board of  
87 Directors or the State Constitution and State By-laws.

88 **C. Duties of the Secretary-Treasurer**

89 The Secretary-Treasurer shall be the chief financial and recording state officer of the  
90 Union. The Secretary-Treasurer shall be responsible for supervising and directing the activities  
91 of the Comptroller's office in accordance with the provisions of the State Constitution and policy  
92 decisions of the Convention and the State Board of Directors. The duties of the Secretary-  
93 Treasurer include:

- 94 1. Chair of the Finance Committee.
- 95 2. Oversight of the taking of minutes at all Board of Directors' meetings.
- 96 3. Oversight of all Chapter, District Council, and Assembly audits.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

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BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 97           4.     Responsibility to see that a timely audit is performed by an outside accounting  
98                 firm.
- 99           5.     Oversight of all financial correspondence relating to the organization.
- 100          6.     Providing a copy of the minutes to the Chapter, District Council, and Assembly  
101                 Secretaries, pursuant to Article II, Section 3 of the OCSEA State By-Laws.
- 102          7.     In the case of absence or disability of both the President and the Vice President,  
103                 the Secretary-Treasurer shall perform the duties of the President.
- 104          8.     All checks issued by the Union shall be signed by the President and the Secretary-  
105                 Treasurer or their designees.
- 106          9.     Performance of other such duties as may be requested by the Board of Directors  
107                 or the State Constitution and State By-Laws.
- 108          Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.
- 109

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article III – State Officers; Section 9(B)(5)

RATIONALE: The Judicial Internal Affairs Committee that stands in judgement on members should have a neutral chair that is elected as part of their duties rather than appointed by a State Officer (ie – OCSEA President).

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

(A) The state officers of this Union shall be active employees within any bargaining unit represented by OCSEA and active members of the union for a period of at least two (2) continuous years immediately preceding their election or appointment and shall be nominated and elected or appointed as hereinafter provided.

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(C) Affiliation with a competing labor organization by a state officer after election shall be deemed an automatic resignation and shall disqualify a member from nomination, election, appointment to or maintenance of the office.

(D) Candidates running for state office shall have the opportunity to announce their intentions in the OCSEA Publication three (3) months before the regular biennial convention. Each candidate may submit up to two hundred (200) words, as long as the language is not defamatory towards other candidates.

**Section 3. Election of Officers**

(A) The state officers shall be elected at every second regular biennial convention and shall serve a four (4) year term.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article III – State Officers; Section 9(B)(5)

RATIONALE: The Judicial Internal Affairs Committee that stands in judgement on members should have a neutral chair that is elected as part of their duties rather than appointed by a State Officer (ie – OCSEA President).

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

25           (B)     Membership dues money from Chapters, District Councils, Assemblies, or the  
26 Union, including the AFL-CIO and AFSCME, shall not be used in election campaigns for union  
27 offices.

28 **Section 4. Office Vacancy Succession**

29           Should a vacancy occur during the term of office of President, the Vice President shall  
30 move up automatically, and the resultant vacancy of Vice President shall be filled by action of  
31 the Board of Directors. Should a vacancy occur during the term of office of the Vice President or  
32 Secretary-Treasurer, the resultant vacancy in either position shall be filled by action of the Board  
33 of Directors.

34 **Section 5. Vacancy Definition**

35           A vacancy in office shall exist whenever an elected or appointed state officer is not in  
36 active pay status for one hundred and eighty (180) days, unless a longer period is recommended  
37 by the Judicial and Internal Affairs Committee and approved by the Board of Directors.

38           Resignation or retirement from public service will result in an automatic vacancy.

39 **Section 6. Restrictions of State Officers**

40           The state officers shall not retain, be elected to or be appointed to any Chapter, District  
41 Council or Assembly elective office, except for steward and/or delegate.

42 **Section 7. Removal from Office**

43           Any state officer may only be removed for the reasons set forth in Article XIII, Section 1  
44 – Charges, or by a two-thirds (2/3) vote by secret ballot of the certified delegates present and  
45 voting at any regular biennial convention of this Union, or any special convention called for that  
46 purpose. These sanctions may only be imposed with due process pursuant to OCSEA State By-  
47 Laws Article IX, Section 2.

48 **Section 8. Executive Committee**

Committee Assign       \_\_\_\_\_   Committee Recommend       \_\_\_\_\_   Convention Action       \_\_\_\_\_   Requires 2/3 Vote



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article III – State Officers; Section 9(B)(5)

RATIONALE: The Judicial Internal Affairs Committee that stands in judgement on members should have a neutral chair that is elected as part of their duties rather than appointed by a State Officer (ie – OCSEA President).

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The President, Vice President and Secretary-Treasurer shall comprise the Executive Committee.

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**A. Duties of the President**

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1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
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3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.
6. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
7. Generally performs such other duties as usually pertain to this office.
8. At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article III – State Officers; Section 9(B)(5)

RATIONALE: The Judicial Internal Affairs Committee that stands in judgement on members should have a neutral chair that is elected as part of their duties rather than appointed by a State Officer (ie – OCSEA President).

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

73 to the Board of Directors for approval prior to implementation. The compensation  
74 of such employees shall be limited to the funds available in the personnel services  
75 item of the budget.

76 **B. Duties of the Vice President**

77 The Vice President shall assist the President when called upon to do so in the  
78 performance of his/her duties. In the absence or disability of the President, the  
79 Vice President shall perform the duties of the President. The duties of the Vice  
80 President shall include:

- 81 (1) Oversight of all trusteeships and oversight designations that may be  
82 imposed by the State Board of Directors.  
83 (2) Assisting all new members of the State Board of Directors.  
84 (3) Assisting in organizing, both internal and external, pursuant to the annual  
85 strategic plan as developed by the State Board of Directors.  
86 (4) Performance of other such duties as may be requested by the Board of  
87 Directors or the State Constitution and State By-laws.

88 **(5) Chair of the Judicial Internal Affairs Committee (JIAC).**

89 **C. Duties of the Secretary-Treasurer**

90 The Secretary-Treasurer shall be the chief financial and recording state officer of the  
91 Union. The Secretary-Treasurer shall be responsible for supervising and directing the activities  
92 of the Comptroller's office in accordance with the provisions of the State Constitution and policy  
93 decisions of the Convention and the State Board of Directors. The duties of the Secretary-  
94 Treasurer include:

- 95 1. Chair of the Finance Committee.  
96 2. Oversight of the taking of minutes at all Board of Directors' meetings.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article III – State Officers; Section 9(B)(5)

RATIONALE: The Judicial Internal Affairs Committee that stands in judgement on members should have a neutral chair that is elected as part of their duties rather than appointed by a State Officer (ie – OCSEA President).

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 97           3.     Oversight of all Chapter, District Council, and Assembly audits.
- 98           4.     Responsibility to see that a timely audit is performed by an outside accounting
- 99                 firm.
- 100          5.     Oversight of all financial correspondence relating to the organization.
- 101          6.     Providing a copy of the minutes to the Chapter, District Council, and Assembly
- 102                 Secretaries, pursuant to Article II, Section 3 of the OCSEA State By-Laws.
- 103          7.     In the case of absence or disability of both the President and the Vice President,
- 104                 the Secretary-Treasurer shall perform the duties of the President.
- 105          8.     All checks issued by the Union shall be signed by the President and the Secretary-
- 106                 Treasurer or their designees.
- 107          9.     Performance of other such duties as may be requested by the Board of Directors
- 108                 or the State Constitution and State By-Laws.
- 109          Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.
- 110

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(C)(6)

RATIONALE: The intent is to be consistent with other proposed changes regarding minutes being available on the OCSEA website.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

(A) The state officers of this Union shall be active employees within any bargaining unit represented by OCSEA and active members of the union for a period of at least two (2) continuous years immediately preceding their election or appointment and shall be nominated and elected or appointed as hereinafter provided.

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(C) Affiliation with a competing labor organization by a state officer after election shall be deemed an automatic resignation and shall disqualify a member from nomination, election, appointment to or maintenance of the office.

(D) Candidates running for state office shall have the opportunity to announce their intentions in the OCSEA Publication three (3) months before the regular biennial convention. Each candidate may submit up to two hundred (200) words, as long as the language is not defamatory towards other candidates.

**Section 3. Election of Officers**

(A) The state officers shall be elected at every second regular biennial convention and shall serve a four (4) year term.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(C)(6)

RATIONALE: The intent is to be consistent with other proposed changes regarding minutes being available on the OCSEA website.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

25 (B) Membership dues money from Chapters, District Councils, Assemblies, or the  
26 Union, including the AFL-CIO and AFSCME, shall not be used in election campaigns for union  
27 offices.

28 **Section 4. Office Vacancy Succession**

29 Should a vacancy occur during the term of office of President, the Vice President shall  
30 move up automatically, and the resultant vacancy of Vice President shall be filled by action of  
31 the Board of Directors. Should a vacancy occur during the term of office of the Vice President or  
32 Secretary-Treasurer, the resultant vacancy in either position shall be filled by action of the Board  
33 of Directors.

34 **Section 5. Vacancy Definition**

35 A vacancy in office shall exist whenever an elected or appointed state officer is not in  
36 active pay status for one hundred and eighty (180) days, unless a longer period is recommended  
37 by the Judicial and Internal Affairs Committee and approved by the Board of Directors.

38 Resignation or retirement from public service will result in an automatic vacancy.

39 **Section 6. Restrictions of State Officers**

40 The state officers shall not retain, be elected to or be appointed to any Chapter, District  
41 Council or Assembly elective office, except for steward and/or delegate.

42 **Section 7. Removal from Office**

43 Any state officer may only be removed for the reasons set forth in Article XIII, Section 1  
44 – Charges, or by a two-thirds (2/3) vote by secret ballot of the certified delegates present and  
45 voting at any regular biennial convention of this Union, or any special convention called for that  
46 purpose. These sanctions may only be imposed with due process pursuant to OCSEA State By-  
47 Laws Article IX, Section 2.

48 **Section 8. Executive Committee**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(C)(6)

RATIONALE: The intent is to be consistent with other proposed changes regarding minutes being available on the OCSEA website.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

The President, Vice President and Secretary-Treasurer shall comprise the Executive Committee.

**Section 9. Duties of the State Officers**

**A. Duties of the President**

The President shall be the Chief Executive Officer of the Union and shall oversee the affairs of the Union in accordance with the State Constitution, the policy decisions of the Convention, and the Board of Directors. The duties of the President shall include but are not limited to the following:

1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
2. Appoints Standing Committee Chairperson(s), with the approval of the Board of Directors, and assigns members to Standing Committees.
3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.
6. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
7. Generally performs such other duties as usually pertain to this office.
8. At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted to the Board of Directors for approval prior to implementation. The compensation

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(C)(6)

RATIONALE: The intent is to be consistent with other proposed changes regarding minutes being available on the OCSEA website.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

74 of such employees shall be limited to the funds available in the personnel services  
75 item of the budget.

76 **B. Duties of the Vice President**

77 The Vice President shall assist the President when called upon to do so in the  
78 performance of his/her duties. In the absence or disability of the President, the  
79 Vice President shall perform the duties of the President. The duties of the Vice  
80 President shall include:

- 81 (1) Oversight of all trusteeships and oversight designations that may be  
82 imposed by the State Board of Directors.  
83 (2) Assisting all new members of the State Board of Directors.  
84 (3) Assisting in organizing, both internal and external, pursuant to the annual  
85 strategic plan as developed by the State Board of Directors.  
86 (4) Performance of other such duties as may be requested by the Board of  
87 Directors or the State Constitution and State By-laws.

88 **C. Duties of the Secretary-Treasurer**

89 The Secretary-Treasurer shall be the chief financial and recording state officer of the  
90 Union. The Secretary-Treasurer shall be responsible for supervising and directing the activities  
91 of the Comptroller's office in accordance with the provisions of the State Constitution and policy  
92 decisions of the Convention and the State Board of Directors. The duties of the Secretary-  
93 Treasurer include:

- 94 1. Chair of the Finance Committee.  
95 2. Oversight of the taking of minutes at all Board of Directors' meetings.  
96 3. Oversight of all Chapter, District Council, and Assembly audits.  
97 4. Responsibility to see that a timely audit is performed by an outside accounting  
98 firm.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article III – State Officers; Section 9(C)(6)

RATIONALE: The intent is to be consistent with other proposed changes regarding minutes being available on the OCSEA website.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 99            5.      Oversight of all financial correspondence relating to the organization.
- 100           6.      Providing **an electronic** copy of the minutes to the Chapter, District Council, and
- 101                Assembly Secretaries, pursuant to Article II, Section 3 of the OCSEA State By-
- 102                Laws.
- 103           7.      In the case of absence or disability of both the President and the Vice President,
- 104                the Secretary-Treasurer shall perform the duties of the President.
- 105           8.      All checks issued by the Union shall be signed by the President and the Secretary-
- 106                Treasurer or their designees.
- 107           9.      Performance of other such duties as may be requested by the Board of Directors
- 108                or the State Constitution and State By-Laws.
- 109           Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.
- 110



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 6(B)(3)

RATIONALE: Section 6 is a housekeeping (numbering) change

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IV - Board of Directors**

**Section 1. Composition of Board**

(A) The Board of Directors shall consist of the state officers of the Union, one representative from each district for each one/twenty-fifth (1/25<sup>th</sup>), or major fraction thereof, of the total active Union members in the state but no less than two (2) representatives from each district and one retiree representative.

(B) The number of members eligible for election to the Board of Directors shall be limited to one person from either a governmental entity or Chapter in the district in which the Chapter is located.

(C) No vacancy shall exist by virtue of a failure of a District to elect the number of Board of Directors members to which it is entitled. In the event such a failure occurs, a non-voting District Representative shall be selected pursuant to Board Policy.

(D) If a state bargaining unit, or aggregation of local government bargaining units, consisting of at least one/twenty-fifth (1/25<sup>th</sup>) of the total active membership is not represented by an officer or member of the Board, a special Board seat shall be added to the Board and shall be filled by election by the Board from among nominees who are active members in such bargaining unit. Procedures for such election shall be the same as those used to fill a vacancy on the Board.

**Section 2. Powers of Board/Source**

The Board of Directors shall be the governing body of the Union between conventions.

**Section 3. Qualifications for Board Membership**

(A) Only such employees who are active members of the Union for a period of at least two (2) continuous years immediately prior to election or appointment shall be eligible for election or appointment to the Board of Directors.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 6(B)(3)

RATIONALE: Section 6 is a housekeeping (numbering) change

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) Board of Directors members must be employees within jurisdictions represented by OCSEA in order to run for the Board, be appointed or elected to any state office or seat on the Board of Directors, to maintain their seat on the Board, or to maintain their office. The only exception would be a retiree sitting on the Board specifically representing retirees.

(C) No potential candidate shall be nominated, elected or appointed for a seat on the Board of Directors in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(D) Affiliation with a competing labor organization shall disqualify a member from nomination, election, appointment to or maintenance of a seat on the Board of Directors.

**Section 4. Board Districts**

The districts of the Union, for the purpose of electing Board of Directors members, shall be as defined in the State By-Laws Article II, Section 4. In so doing, consideration shall be given to the relative number of members residing in such districts.

**Section 5. Election to the Board**

(A) The authority for the conduct of Board of Directors' elections is defined in the Constitution. All active members shall vote in the district which contains the Chapter to which the member is assigned, regardless of their place of residence.

(B) An outside accounting firm shall be hired to handle all district elections to the Board of Directors. It shall be the responsibility of said firm to prepare the ballot, mail to member's address, collect, tabulate, and certify the results of election to the officers and all Board of Directors members, as well as all candidates. The firm shall be selected by the Board of Directors. Ballots shall be mailed to a member's address and shall be returned to the selected firm within 20 days. The ballots shall include the last acceptable postmark date by which ballot must be returned.

**Section 6. Declaration of Vacancy**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 6(B)(3)

RATIONALE: Section 6 is a housekeeping (numbering) change

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(A) Any officer, or Board of Directors member, or presidential appointee, who fails to attend two consecutive regular Board meetings without excuse and/or submitting, prior to a board meeting, a written reason acceptable to the Board, shall be deemed to have vacated the office.

(B) Positions on the Board of Directors shall be elected in the following manner:

(1) One-half (as nearly as possible, the exact number to be determined by the Board of Directors) shall be elected for a three (3) year term or until successors are elected, qualified and installed, said term to commence with the next regular Board of Directors meeting.

(2) One half (the remaining half) shall be elected for a three (3) year term or until successors are elected, qualified and installed, said term to commence with the next regular Board of Directors meeting.

(3) In accordance with Section 6(B)(1) and (2) above the terms shall be as follows:

<u>YEAR ELECTED</u>	<u>TERM EXPIRATION</u>
<del>2016</del> <u>2019</u>	<del>2019</del> <u>2022</u>
<del>2017</del> <u>2020</u>	<del>2020</del> <u>2023</u>
<del>2018</del> <u>2021</u>	No elections held
<del>2019</del> <u>2022</u>	<del>2022</del> <u>2025</u>
<del>2020</del> <u>2023</u>	<del>2023</del> <u>2026</u>

#### **Section 7. Term of Office**

All persons elected to positions on the Board of Directors shall serve a three (3) year term.

#### **Section 8. Vacancy in Office**

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 6(B)(3)

RATIONALE: Section 6 is a housekeeping (numbering) change

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

74           A vacancy in office shall exist whenever a Board of Directors member is removed for  
75 just cause or is involuntarily off the public payroll in excess of ninety (90) days, for other than a  
76 medical leave of absence. No vacancy shall exist by virtue of illness, job abolishment, transfer,  
77 layoff or any austerity program, or while any appeal of an employer action is in progress.  
78 However, this section in no other way alters the qualifications for Board membership as provided  
79 in the State Constitution Article IV, Section 3(B) upon expiration of such member's term. In the  
80 event of a leave of absence, an appropriate period may be recommended by the Judicial and  
81 Internal Affairs Committee and then may be approved by the Board of Directors.

82 **Section 9. Board Meetings/Quorum**

83           A majority of the Board of Directors shall constitute a quorum for the purpose of  
84 conducting and transacting business. Meetings of the Board of Directors shall be held bi-monthly  
85 at such times and places as it may determine. Special meetings may also be called as provided  
86 for in the State By-Laws Article II, Section 2.

87 **Section 10. Corporate Action**

88           Members of the Board of Directors shall constitute the Board of Trustees as provided in  
89 the statutes for the purpose of corporate action.

90 **Section 11. Notice of Board Members to Subordinate Bodies**

91           After the Board of Directors' election, the Secretary-Treasurer shall publish in the  
92 OCSEA Publication and send a list of the names, addresses, districts served, and department by  
93 which employed, of all members of the Board of Directors and the state officers to the president  
94 of each Chapter, Assembly and District Council.

95 **Section 12. Board Expenses**

96           Expenses for Board of Directors members shall be paid by the Union. Expenses incurred  
97 by Officers, Board of Directors members, Board Committees and Committee members, and

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 6(B)(3)

RATIONALE: Section 6 is a housekeeping (numbering) change

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED  
AS FOLLOWS:

those serving on such Union bodies, as well as those officers and agents of all Subordinate Union  
bodies, shall be reimbursed in the manner set forth in the State By-Laws Article II, Section 1(E).

No expenses for Board of Directors or officers shall be paid without a receipt or adequate  
explanation in writing. Records of expenses for Board of Directors and officers shall be retained  
on file at OCSEA's Central Office for members' viewing during normal business hours.

**Section 13. Recall of Board Members**

Any Board of Directors member except the President, Vice President or Secretary-  
Treasurer may be recalled by an affirmative vote of two-thirds (2/3) of the members of that  
district voting. The recall shall be conducted pursuant to OCSEA State By-Laws Article X.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 9

RATIONALE: Section 9 is a modification to provide greater flexibility and cost savings if necessary as a result of the U.S. Supreme Court's decision in *Janus* declaring fair share fee payments to be unconstitutional.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IV - Board of Directors**

**Section 1. Composition of Board**

(A) The Board of Directors shall consist of the state officers of the Union, one representative from each district for each one/twenty-fifth (1/25<sup>th</sup>), or major fraction thereof, of the total active Union members in the state but no less than two (2) representatives from each district and one retiree representative.

(B) The number of members eligible for election to the Board of Directors shall be limited to one person from either a governmental entity or Chapter in the district in which the Chapter is located.

(C) No vacancy shall exist by virtue of a failure of a District to elect the number of Board of Directors members to which it is entitled. In the event such a failure occurs, a non-voting District Representative shall be selected pursuant to Board Policy.

(D) If a state bargaining unit, or aggregation of local government bargaining units, consisting of at least one/twenty-fifth (1/25<sup>th</sup>) of the total active membership is not represented by an officer or member of the Board, a special Board seat shall be added to the Board and shall be filled by election by the Board from among nominees who are active members in such bargaining unit. Procedures for such election shall be the same as those used to fill a vacancy on the Board.

**Section 2. Powers of Board/Source**

The Board of Directors shall be the governing body of the Union between conventions.

**Section 3. Qualifications for Board Membership**

(A) Only such employees who are active members of the Union for a period of at least two (2) continuous years immediately prior to election or appointment shall be eligible for election or appointment to the Board of Directors.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 9

RATIONALE: Section 9 is a modification to provide greater flexibility and cost savings if necessary as a result of the U.S. Supreme Court's decision in *Janus* declaring fair share fee payments to be unconstitutional.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) Board of Directors members must be employees within jurisdictions represented by OCSEA in order to run for the Board, be appointed or elected to any state office or seat on the Board of Directors, to maintain their seat on the Board, or to maintain their office. The only exception would be a retiree sitting on the Board specifically representing retirees.

(C) No potential candidate shall be nominated, elected or appointed for a seat on the Board of Directors in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(D) Affiliation with a competing labor organization shall disqualify a member from nomination, election, appointment to or maintenance of a seat on the Board of Directors.

**Section 4. Board Districts**

The districts of the Union, for the purpose of electing Board of Directors members, shall be as defined in the State By-Laws Article II, Section 4. In so doing, consideration shall be given to the relative number of members residing in such districts.

**Section 5. Election to the Board**

(A) The authority for the conduct of Board of Directors' elections is defined in the Constitution. All active members shall vote in the district which contains the Chapter to which the member is assigned, regardless of their place of residence.

(B) An outside accounting firm shall be hired to handle all district elections to the Board of Directors. It shall be the responsibility of said firm to prepare the ballot, mail to member's address, collect, tabulate, and certify the results of election to the officers and all Board of Directors members, as well as all candidates. The firm shall be selected by the Board of Directors. Ballots shall be mailed to a member's address and shall be returned to the selected firm within 20 days. The ballots shall include the last acceptable postmark date by which ballot must be returned.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 9

RATIONALE: Section 9 is a modification to provide greater flexibility and cost savings if necessary as a result of the U.S. Supreme Court's decision in *Janus* declaring fair share fee payments to be unconstitutional.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 6. Declaration of Vacancy**

(A) Any officer, or Board of Directors member, or presidential appointee, who fails to attend two consecutive regular Board meetings without excuse and/or submitting, prior to a board meeting, a written reason acceptable to the Board, shall be deemed to have vacated the office.

(B) Positions on the Board of Directors shall be elected in the following manner:

(1) One-half (as nearly as possible, the exact number to be determined by the Board of Directors) shall be elected for a three (3) year term or until successors are elected, qualified and installed, said term to commence with the next regular Board of Directors meeting.

(2) One half (the remaining half) shall be elected for a three (3) year term or until successors are elected, qualified and installed, said term to commence with the next regular Board of Directors meeting.

(3) In accordance with Section 6(B)(1) and (2) above the terms shall be as follows:

<u>YEAR ELECTED</u>	<u>TERM EXPIRATION</u>
2016	2019
2017	2020
2018	No elections held
2019	2022
2020	2023

**Section 7. Term of Office**

All persons elected to positions on the Board of Directors shall serve a three (3) year term.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 9

RATIONALE: Section 9 is a modification to provide greater flexibility and cost savings if necessary as a result of the U.S. Supreme Court's decision in *Janus* declaring fair share fee payments to be unconstitutional.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 8. Vacancy in Office**

A vacancy in office shall exist whenever a Board of Directors member is removed for just cause or is involuntarily off the public payroll in excess of ninety (90) days, for other than a medical leave of absence. No vacancy shall exist by virtue of illness, job abolishment, transfer, layoff or any austerity program, or while any appeal of an employer action is in progress. However, this section in no other way alters the qualifications for Board membership as provided in the State Constitution Article IV, Section 3(B) upon expiration of such member's term. In the event of a leave of absence, an appropriate period may be recommended by the Judicial and Internal Affairs Committee and then may be approved by the Board of Directors.

**Section 9. Board Meetings/Quorum**

A majority of the Board of Directors shall constitute a quorum for the purpose of conducting and transacting business. Meetings of the Board of Directors ~~shall~~ may be held bi-monthly, but shall not be held less than once each quarter, at such times and places as it may determine. Special meetings may also be called as provided for in the State By-Laws Article II, Section 2.

**Section 10. Corporate Action**

Members of the Board of Directors shall constitute the Board of Trustees as provided in the statutes for the purpose of corporate action.

**Section 11. Notice of Board Members to Subordinate Bodies**

After the Board of Directors' election, the Secretary-Treasurer shall publish in the OCSEA Publication and send a list of the names, addresses, districts served, and department by which employed, of all members of the Board of Directors and the state officers to the president of each Chapter, Assembly and District Council.

**Section 12. Board Expenses**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV – Board of Directors; Section 9

RATIONALE: Section 9 is a modification to provide greater flexibility and cost savings if necessary as a result of the U.S. Supreme Court's decision in *Janus* declaring fair share fee payments to be unconstitutional.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

Expenses for Board of Directors members shall be paid by the Union. Expenses incurred by Officers, Board of Directors members, Board Committees and Committee members, and those serving on such Union bodies, as well as those officers and agents of all Subordinate Union bodies, shall be reimbursed in the manner set forth in the State By-Laws Article II, Section 1(E).

No expenses for Board of Directors or officers shall be paid without a receipt or adequate explanation in writing. Records of expenses for Board of Directors and officers shall be retained on file at OCSEA's Central Office for members' viewing during normal business hours.

**Section 13. Recall of Board Members**

Any Board of Directors member except the President, Vice President or Secretary-Treasurer may be recalled by an affirmative vote of two-thirds (2/3) of the members of that district voting. The recall shall be conducted pursuant to OCSEA State By-Laws Article X.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Board of Directors; Section 12

RATIONALE: To correct current language as there is no mention of expenses in the State By-Laws Article II, Section 1(E); it is mentioned in Section 1(F).

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IV - Board of Directors**

**Section 1. Composition of Board**

(A) The Board of Directors shall consist of the state officers of the Union, one representative from each district for each one/twenty-fifth (1/25<sup>th</sup>), or major fraction thereof, of the total active Union members in the state but no less than two (2) representatives from each district and one retiree representative.

(B) The number of members eligible for election to the Board of Directors shall be limited to one person from either a governmental entity or Chapter in the district in which the Chapter is located.

(C) No vacancy shall exist by virtue of a failure of a District to elect the number of Board of Directors members to which it is entitled. In the event such a failure occurs, a non-voting District Representative shall be selected pursuant to Board Policy.

(D) If a state bargaining unit, or aggregation of local government bargaining units, consisting of at least one/twenty-fifth (1/25<sup>th</sup>) of the total active membership is not represented by an officer or member of the Board, a special Board seat shall be added to the Board and shall be filled by election by the Board from among nominees who are active members in such bargaining unit. Procedures for such election shall be the same as those used to fill a vacancy on the Board.

**Section 2. Powers of Board/Source**

The Board of Directors shall be the governing body of the Union between conventions.

**Section 3. Qualifications for Board Membership**

(A) Only such employees who are active members of the Union for a period of at least two (2) continuous years immediately prior to election or appointment shall be eligible for election or appointment to the Board of Directors.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Board of Directors; Section 12

RATIONALE: To correct current language as there is no mention of expenses in the State By-Laws Article II, Section 1(E); it is mentioned in Section 1(F).

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) Board of Directors members must be employees within jurisdictions represented by OCSEA in order to run for the Board, be appointed or elected to any state office or seat on the Board of Directors, to maintain their seat on the Board, or to maintain their office. The only exception would be a retiree sitting on the Board specifically representing retirees.

(C) No potential candidate shall be nominated, elected or appointed for a seat on the Board of Directors in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

(D) Affiliation with a competing labor organization shall disqualify a member from nomination, election, appointment to or maintenance of a seat on the Board of Directors.

**Section 4. Board Districts**

The districts of the Union, for the purpose of electing Board of Directors members, shall be as defined in the State By-Laws Article II, Section 4. In so doing, consideration shall be given to the relative number of members residing in such districts.

**Section 5. Election to the Board**

(A) The authority for the conduct of Board of Directors' elections is defined in the Constitution. All active members shall vote in the district which contains the Chapter to which the member is assigned, regardless of their place of residence.

(B) An outside accounting firm shall be hired to handle all district elections to the Board of Directors. It shall be the responsibility of said firm to prepare the ballot, mail to member's address, collect, tabulate, and certify the results of election to the officers and all Board of Directors members, as well as all candidates. The firm shall be selected by the Board of Directors. Ballots shall be mailed to a member's address and shall be returned to the selected firm within 20 days. The ballots shall include the last acceptable postmark date by which ballot must be returned.

**Section 6. Declaration of Vacancy**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Board of Directors; Section 12

RATIONALE: To correct current language as there is no mention of expenses in the State By-Laws Article II, Section 1(E); it is mentioned in Section 1(F).

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(A) Any officer, or Board of Directors member, or presidential appointee, who fails to attend two consecutive regular Board meetings without excuse and/or submitting, prior to a board meeting, a written reason acceptable to the Board, shall be deemed to have vacated the office.

(B) Positions on the Board of Directors shall be elected in the following manner:

(1) One-half (as nearly as possible, the exact number to be determined by the Board of Directors) shall be elected for a three (3) year term or until successors are elected, qualified and installed, said term to commence with the next regular Board of Directors meeting.

(2) One half (the remaining half) shall be elected for a three (3) year term or until successors are elected, qualified and installed, said term to commence with the next regular Board of Directors meeting.

(3) In accordance with Section 6(B)(1) and (2) above the terms shall be as follows:

<u>YEAR ELECTED</u>	<u>TERM EXPIRATION</u>
2016	2019
2017	2020
2018	No elections held
2019	2022
2020	2023

**Section 7. Term of Office**

All persons elected to positions on the Board of Directors shall serve a three (3) year term.

**Section 8. Vacancy in Office**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Board of Directors; Section 12

RATIONALE: To correct current language as there is no mention of expenses in the State By-Laws Article II, Section 1(E); it is mentioned in Section 1(F).

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

74           A vacancy in office shall exist whenever a Board of Directors member is removed for  
75 just cause or is involuntarily off the public payroll in excess of ninety (90) days, for other than a  
76 medical leave of absence. No vacancy shall exist by virtue of illness, job abolishment, transfer,  
77 layoff or any austerity program, or while any appeal of an employer action is in progress.  
78 However, this section in no other way alters the qualifications for Board membership as provided  
79 in the State Constitution Article IV, Section 3(B) upon expiration of such member's term. In the  
80 event of a leave of absence, an appropriate period may be recommended by the Judicial and  
81 Internal Affairs Committee and then may be approved by the Board of Directors.

82   **Section 9. Board Meetings/Quorum**

83           A majority of the Board of Directors shall constitute a quorum for the purpose of  
84 conducting and transacting business. Meetings of the Board of Directors shall be held bi-monthly  
85 at such times and places as it may determine. Special meetings may also be called as provided  
86 for in the State By-Laws Article II, Section 2.

87   **Section 10. Corporate Action**

88           Members of the Board of Directors shall constitute the Board of Trustees as provided in  
89 the statutes for the purpose of corporate action.

90   **Section 11. Notice of Board Members to Subordinate Bodies**

91           After the Board of Directors' election, the Secretary-Treasurer shall publish in the  
92 OCSEA Publication and send a list of the names, addresses, districts served, and department by  
93 which employed, of all members of the Board of Directors and the state officers to the president  
94 of each Chapter, Assembly and District Council.

95   **Section 12. Board Expenses**

96           Expenses for Board of Directors members shall be paid by the Union. Expenses incurred  
97 by Officers, Board of Directors members, Board Committees and Committee members, and  
98 those serving on such Union bodies, as well as those officers and agents of all Subordinate Union

Committee Assign       \_\_\_\_\_   Committee Recommend       \_\_\_\_\_   Convention Action       \_\_\_\_\_   Requires 2/3 Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Board of Directors; Section 12

RATIONALE: To correct current language as there is no mention of expenses in the State By-Laws Article II, Section 1(E); it is mentioned in Section 1(F).

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

99 bodies, shall be reimbursed in the manner set forth in the State By-Laws Article II, Section  
100 1(~~EF~~).

101 No expenses for Board of Directors or officers shall be paid without a receipt or adequate  
102 explanation in writing. Records of expenses for Board of Directors and officers shall be retained  
103 on file at OCSEA's Central Office for members' viewing during normal business hours.

104 **Section 13. Recall of Board Members**

105 Any Board of Directors member except the President, Vice President or Secretary-  
106 Treasurer may be recalled by an affirmative vote of two-thirds (2/3) of the members of that  
107 district voting. The recall shall be conducted pursuant to OCSEA State By-Laws Article X.

108

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Duties of Board of Directors; Section 4

RATIONALE: The Board Policies should be written to clarify language, not create it. As such, the Policies should then be placed in the Constitution for ease of access and be allowed to be voted on for approval by all delegates (representing the membership) and either sunset or be included as changes in the OCSEA Constitution and By-laws. Board Policies are created between Conventions and should not supersede language in the constitution. Delegates at convention should be able to edit Board Policies as necessary at convention.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article V - Duties of Board of Directors**

**Section 1. Fiscal Responsibility**

The Board of Directors shall be responsible for an annual operating budget and such budget shall be limited to the anticipated income for a given budget period. The Board of Directors shall carry out the mandate and policies laid down by conventions, within one hundred eighty (180) days following adjournment, and shall have full power to take such actions as are necessary and expedient to attain maximum operating efficiency and to give substance to the purposes of the Union. At least twelve (12) months in advance, the Board of Directors shall fix the date and location of the regular biennial convention.

**Section 2. Bonding of Officers and Agents**

A surety bond in such amount as the Board of Directors shall determine shall be given by the Secretary-Treasurer of the Union, and such officers and employees as may be required by the Board of Directors, and the premium for such bond, or bonds, shall be paid by the Union.

**Section 3. Documents, Property, Funds Held in Trust**

All officers and members of the Board of Directors shall, upon their removal from office or their resignation or at the expiration of their terms, surrender to the Secretary-Treasurer of the Union all records, documents of a confidential nature, property and funds of the Union within their possession or control.

**Section 4. Board Policies**

(A) All policies of the Board of Directors shall be provided to all Chapter, District Council, and Assembly presidents within sixty (60) days of their passage and shall be made easily accessible on the OCSEA website.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Duties of Board of Directors; Section 4

RATIONALE: The Board Policies should be written to clarify language, not create it. As such, the Policies should then be placed in the Constitution for ease of access and be allowed to be voted on for approval by all delegates (representing the membership) and either sunset or be included as changes in the OCSEA Constitution and By-laws. Board Policies are created between Conventions and should not supersede language in the constitution. Delegates at convention should be able to edit Board Policies as necessary at convention.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) Board policies shall expire at the end ~~on the eve~~ of each Biennial Convention unless approved by the delegates at the Biennial Convention.

(C) Upon approval of the delegates at the Biennial Convention, the Board Policies shall be incorporated into the OCSEA State By-laws under Article XII – Board Policies in the Constitution and shall be permanent until amended at a future Biennial Convention in accordance with Article XVI – Amendment of OCSEA State By-Laws and Subordinate Body Constitution. ~~Board policies not in conflict with constitutional or by-laws changes shall resume full force and effect upon the close of each biennial convention.~~

(D) Board policies which interpret constitutional or by-law provisions may only be changed by the voting percentage required to change the underlying provision, i.e., two-thirds (2/3) if it applies to a state constitutional provision or a majority if it applies to the State By-laws or Subordinate Body Constitution.

#### **Section 5. Board of Directors Powers**

(A) The Board of Directors shall have the power to make an official ruling and/or Board policy. Such ruling or policy shall be binding on the Chapter, District Council or Assembly involved.

(B) No member of the Board of Directors shall sit in judgment and render decisions involving any irregularity in the Chapter, District Council or Assembly of which he or she is a member.

(C) In the event of layoff, demotion, termination, reduction in pay, status, or suspension, each OCSEA non-contract staff member shall have the right to an appeal. The appeal shall be heard before a mutually agreed upon uneven number of members from the Board of

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Duties of Board of Directors; Section 4

RATIONALE: The Board Policies should be written to clarify language, not create it. As such, the Policies should then be placed in the Constitution for ease of access and be allowed to be voted on for approval by all delegates (representing the membership) and either sunset or be included as changes in the OCSEA Constitution and By-laws. Board Policies are created between Conventions and should not supersede language in the constitution. Delegates at convention should be able to edit Board Policies as necessary at convention.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

45 Directors. This shall also be the final step of the grievance procedure. Any decision reached shall  
46 be final.

47 **Section 6. Call for Presidents' Conference**

48 The Board of Directors shall call a conference of presidents biennially, in years in which  
49 there is no regular convention.

50

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article VI – State Board Committees; Section 1(A) & 3(J)

RATIONALE: OCSEA needs to build activists from the base up. The Next Wave Committee has been discussed and tried at various levels within OCSEA, but if OCSEA wants buy-in at the lowest level in our Union then we must start at the top.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article VI – State Board Committees**

**Section 1. Standing and Special Committees**

(A) The State President shall appoint the following standing committees: Governmental Affairs Committee, Membership and Public Relations Committee, Finance Committee, Alternative Contracts Committee (ACC), Judicial and Internal Affairs Committee (JIAC), Women's Action Committee, the Committee for Minority and Community Affairs, the Education Committee, ~~and the Veterans Advisory Committee,~~ and the Next Wave Committee. The State President shall appoint special committees as needed in the conduct of the Union's business. These committees shall meet on a regular basis in conjunction with the State Board meeting(s).

(B) The State President shall, with the advice and consent of the Board of Directors, appoint committee chairpersons with the exception of the Finance Committee. Said chairperson may be removed by a simple majority of a roll call vote of Board of Directors members present at a meeting.

(C) The State President may request a staff member to be assigned to each committee named in State Constitution Article VI, Section 1(A) to aid, assist and advise the committee in an ex-officio capacity with the permission of the committee chairperson concerned.

**Section 2. General Members on Board Committees**

Any active member of the Union may be appointed by the State President to serve on any committee; provided, however, that a majority of each committee, except for the Alternative Contracts Committee (ACC), must be Board of Directors members. When a Judicial and Internal Affairs Committee (JIAC) member is a member of the same chapter as either the accused or the charging party, that JIAC member shall not preside over or render judgment on such case which involves alleged constitutional violations.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article VI – State Board Committees; Section 1(A) & 3(J)

RATIONALE: OCSEA needs to build activists from the base up. The Next Wave Committee has been discussed and tried at various levels within OCSEA, but if OCSEA wants buy-in at the lowest level in our Union then we must start at the top.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

25 **Section 3. Committee Duties**

26 Each committee shall perform such duties and assume such responsibilities as may be  
27 assigned to it by the Board of Directors or as may be delegated to it through the State  
28 Constitution or State By-Laws of this Union.

29 (A) The Governmental Affairs Committee shall have oversight of the Union's  
30 Legislative program and, as such, shall have oversight and general supervision of the  
31 endorsement of any candidates for public office by this Union as provided in the State By-Laws.  
32 The Governmental Affairs Committee of the Board of Directors shall constitute the OCSEA  
33 Political Action Committee (OCSEA-PAC). All expenditures of OCSEA-PAC funds shall be  
34 made only by the OCSEA-PAC or with the approval of the OCSEA-PAC in the manner adopted  
35 by the OCSEA-PAC. The OCSEA-PAC shall report its actions to the Board of Directors at its  
36 regular bi-monthly meetings. Chapter, District Council, and Assembly PAC's are prohibited.

37 (B) The Membership and Public Relations Committee shall review and recommend  
38 those programs, current or proposed, which deal with the recruitment and retention of the  
39 Union's membership to the Board of Directors. This committee shall also offer input regarding  
40 the Union's relations with the various media and the internal communications of the Union.

41 (C) The Finance Committee shall review and make recommendations regarding all  
42 finances, general resources of the Union, income and disbursements to the Board of Directors.  
43 The Finance Committee shall also review the annual budget for recommendation to the Board of  
44 Directors.

45 (D) The Alternative Contracts Committee shall (1) develop and review issues  
46 pertaining to all negotiated collective bargaining agreements other than the main state employee  
47 collective bargaining agreement and (2) have input into developing educational and  
48 informational formats dedicated to the affected membership.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article VI – State Board Committees; Section 1(A) & 3(J)

RATIONALE: OCSEA needs to build activists from the base up. The Next Wave Committee has been discussed and tried at various levels within OCSEA, but if OCSEA wants buy-in at the lowest level in our Union then we must start at the top.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

49           (E)     The Judicial And Internal Affairs Committee (JIAC) shall oversee the resolution  
50 of matters, except those related to staff, pertaining to disputes or irregularities at any level of the  
51 union, including but not limited to, Chapter, District Councils, and Assemblies. JIAC shall have  
52 the authority to investigate and review the continued viability of Chapters, District Councils or  
53 Assemblies due to changes in membership, size, agency mergers, work place relocations, etc.,  
54 and make the appropriate recommendations to the Board. Internal controversies conducted  
55 pursuant to Article VII of the Subordinate Body Constitution, which remain unresolved, shall  
56 then be appealable to JIAC within fifteen (15) days of the body meeting. Hearings will be held  
57 for appealed election protests, alleged constitutional violations and other issues in a timely  
58 manner and conducted pursuant to Article IX, Section 2 of the OCSEA State By-Laws. All JIAC  
59 recommendations shall be presented to the State Board for approval and inclusion in the minutes.

60           No State officer shall be an ex-officio member of this committee.

61           (F)     The Committee for Minority and Community Affairs shall develop the Union's  
62 minority affairs program. The Committee for Minority and Community Affairs shall address  
63 minority concerns within OCSEA and the community.

64           (G)     The Women's Action Committee shall promote and encourage the participation  
65 and development of women in leadership roles in the Union and the workplace through on-going  
66 education and training. The committee shall also seek to inform and educate all members on the  
67 issues affecting women and the family and actively work in support of legislation impacting  
68 women and families.

69           (H)     The Education Committee shall promote and have the oversight of labor  
70 education programs developed for and delivered to the Union membership.

71           (I)     The Veterans Advisory Committee shall strive to protect, enhance, and promote  
72 the rights of veterans, active military personnel, and their families. It will accomplish these goals

Committee Assign       \_\_\_\_\_ Committee Recommend       \_\_\_\_\_ Convention Action       \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article VI – State Board Committees; Section 1(A) & 3(J)

RATIONALE: OCSEA needs to build activists from the base up. The Next Wave Committee has been discussed and tried at various levels within OCSEA, but if OCSEA wants buy-in at the lowest level in our Union then we must start at the top.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

73 by establishing positive links with veterans' organizations, state and local agencies, and other  
74 community resources.

75 **(J) The Next Wave Committee shall promote and introduce our newest members to**  
76 **the value and role of their union. The committee shall develop and implement programs to**  
77 **grow and educate the next wave of union activists, regardless of age, to lead in both the**  
78 **workplace and in the union.**

79 **Section 4. Committee Appointments**

80 Except as otherwise provided, committee appointments may be changed by the State  
81 President at any time with the advice and consent of the Board of Directors.

82

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Delegates; Section 1(D)

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SB Article IV allowing members to become subordinate body officers with only one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IX - Delegates**

**Section 1. OCSEA Convention Delegates**

**(A) Delegates-At-Large**

**(1) Automatic**

All State Officers, members of the Board of Directors and Chapter, District Council, or Assembly presidents of this Union shall be delegates-at-large to all conventions. In the event that the Chapter, District Council, or Assembly president is unable to attend the convention as the Chapter, District Council, or Assembly's authorized delegate, the vice president shall be the delegate-at-large. In the event that the Chapter, District Council, or Assembly vice president is unable to attend the convention as the Chapter, District Council, or Assembly's authorized delegate, the secretary or secretary/treasurer shall be the delegate-at-large. In the event that the Chapter, District Council, or Assembly secretary or secretary/treasurer is unable to attend the convention as the Chapter, District Council, or Assembly's authorized delegate, the treasurer shall be the delegate-at-large. If the Treasurer is unable to attend, a member of the Executive Board shall be the delegate-at-large based on lot.

**(2) Succession**

If a Chapter, District Council, or Assembly President is a delegate-at-large by virtue of another elected position, the Chapter, District Council, or Assembly vice president shall be the delegate-at-large representing the Chapter, District Council or Assembly. If a Chapter, District

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Delegates; Section 1(D)

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SB Article IV allowing members to become subordinate body officers with only one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

25 Council, or Assembly vice-president is unable to attend the convention  
26 as the Chapter, District Council Or Assembly's authorized delegate,  
27 the secretary or secretary/treasurer shall be the delegate-at-large.  
28 In the event that the Chapter, District Council, or Assembly secretary  
29 or secretary/treasurer is unable to attend the convention as the Chapter,  
30 District Council or Assembly's authorized delegate, the treasurer  
31 shall be the delegate-at-large. If the Treasurer is unable to attend, a  
32 member of the Executive Board shall be the delegate-at-large based  
33 on lot.

34 **(B) Other Convention Delegates**

35 Each Chapter shall be entitled to at least one delegate and one alternate to the OCSEA  
36 biennial convention or any OCSEA special conventions, in addition to the delegate-at-large  
37 provided in Section 1(A) of this Article. An elected delegate who is unable to attend shall be  
38 replaced by an alternate. If the Chapter has elected more than one alternate, the alternate shall be  
39 selected in order of the highest to the lowest number of votes received. In the event of a tie, the  
40 executive board of the affected Chapter, District Council, or Assembly shall select one of the tied  
41 alternates.

42 **(C) Additional Delegates and Alternates**

43 A Chapter shall be entitled to one (1) additional delegate and alternate for each one  
44 hundred (100) members. Membership for this purpose shall mean the number of active members  
45 listed as of 60 days preceding the opening date of any convention.

46 **(D) Delegate Qualifications**

47 All elected delegates and alternates must be active members of the Union for ~~two~~ one  
48 **(21)** continuous years immediately prior to the election.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Delegates; Section 1(D)

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SB Article IV allowing members to become subordinate body officers with only one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

49           **(E) Election of Delegates**

50           Fifteen (15) days notice must be given prior to the election of delegates and alternates.  
51   The election shall be conducted in accordance with OCSEA's election procedure pursuant to the  
52   OCSEA Subordinate Body Constitution Article VI at least ten (10) days before but not more than  
53   one hundred eighty (180) days prior to the start of a convention, and the credentials shall be  
54   forwarded immediately by the body's secretary to the Secretary-Treasurer of the Union.

55   **Section 2. Assembly Delegates**

56           (A)   Voting delegates to an Assembly shall consist of each Chapter President (if the  
57   Chapter President is employed by the agency that forms the Assembly), or his/her designee from  
58   the appropriate agency and one other delegate from the appropriate agency elected by the  
59   members of the Chapter who are employed by the agency that forms the Assembly.

60           (B)   State Board of Directors members, including State Officers, who work in the  
61   agency represented by the Assembly shall be voting members of the Assembly.

62           (C)   The term of office for an Assembly delegate shall be three (3) years. Delegates  
63   shall be elected in conjunction with the Chapter's election of officers and executive board  
64   members pursuant to Article VI of the Subordinate Body Constitution. A Chapter shall be  
65   entitled to elect delegates to every Assembly which represents agencies covered by its  
66   jurisdiction.

67           (D)   Delegates to the Assembly may be removed by the Chapter from which they were  
68   elected for failure to attend two (2) consecutive meetings of the Assembly without being  
69   excused. When an emergency precludes advance notification, the body may retroactively grant  
70   an excused absence.

71   **Section 3. District Council Delegates**

Committee Assign   \_\_\_\_\_   Committee Recommend   \_\_\_\_\_   Convention Action   \_\_\_\_\_   Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Delegates; Section 1(D)

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SB Article IV allowing members to become subordinate body officers with only one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

72 (A) Delegates to a council shall consist of each Chapter president or his/her designee  
73 and one other delegate elected by the Chapter.

74 (B) State Board of Directors members shall be voting delegates in the District Council  
75 from which they were elected. State Officers shall be voting delegates in the District Council to  
76 which their home chapter is assigned.

77 (C) The term of office for a District Council delegate shall be three (3) years.  
78 Delegates shall be elected in conjunction with the Chapter's election of officers and executive  
79 board pursuant to Article VI of the Subordinate Body Constitution.

80 (D) Delegates to the District Council may be removed by the Chapter from which  
81 they were elected for failure to attend two (2) consecutive meetings of the District Council  
82 without being excused. When an emergency precludes advance notification, the body may  
83 retroactively grant an excused absence.

84 **Section 4. International Convention Delegates**

85 (A) The State Board of Directors shall determine the number of delegates to represent  
86 the Union at the Biennial Convention or any special convention of the International Union. By  
87 virtue of election to their respective positions, the State President, State Vice President, State  
88 Secretary-Treasurer, State Board of Directors members and the President of each District  
89 Council shall be eligible to be delegates to the International Convention.

90 (B) In the event that the State Board of Directors determines that the number of  
91 delegates to attend the International Convention is less than the number delineated above, the  
92 State Board of Directors shall determine which individuals from those delineated above, shall  
93 attend using the following order of priority: State President, State Vice President, State  
94 Secretary-Treasurer, one (1) Board Member from each of the State Board of Directors Districts

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Delegates; Section 1(D)

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SB Article IV allowing members to become subordinate body officers with only one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

95 and District Council President, selected proportionately, according to the Union membership of  
96 their respective districts.

97 (C) Should the number of delegates authorized by the State Board of Directors to  
98 attend such International Convention exceed the number of State Officers, Board of Directors  
99 members and District Council Presidents attending such International Convention, additional  
100 delegates shall be elected from amongst the Districts on a pro-rata membership basis.

101 If a District Council President is a member of the State Board of Directors, or is unable to  
102 attend, the International Convention delegate slot shall proceed through the levels of succession  
103 in that District as outlined in the State Constitution Article IX, Section 1(A)(2).

104 (D) Should the number of delegates authorized by the State Board of Directors to  
105 attend such International Convention be less than the total number of State Officers, Board of  
106 Directors members and District Council Presidents, the State Board Member who is a District  
107 Council President, shall represent both the Board and their District Council.

108

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article X – Board Employees & Contract Services; Section 1(A)

RATIONALE: Hiring an Executive Director will allow the President to concentrate on Union business and issues affecting membership, like contracting out and subversive erosion of the bargaining unit.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article X – Board Employees & Contract Services**

**Section 1. Executive Director and Comptroller**

(A) The Board of Directors ~~may~~ shall employ and shall fix the compensation and tenure of an Executive Director and shall employ and fix the compensation and tenure of a Comptroller for a duration not to exceed three (3) years to take effect at the expiration of present contracts. Both shall be directly and exclusively accountable to the Board of Directors for their performance of their respective duties.

(B) The Executive Director and/or Comptroller shall only be removed by a two-thirds (2/3) vote of the total State Board of Directors.

**Section 2. Responsibilities of the Executive Director**

The Executive Director, at the direction of the Board of Directors, shall be responsible for the general management of the Union except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The Executive Director shall employ, determine the duties, and fix the compensations of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted to the Board of Directors for approval prior to implementation. The compensation of such employees shall be limited to the funds available in the personnel services item of the budget.

**Section 3. Contracting for Services**

No officer, Board of Directors' member or employee may contract for the Union for any service or item of tangible personal property exceeding five thousand dollars (\$5,000) other than routine salary arrangements or routine operating expenses, nor endorse any issue or program, excluding legislative bills, for the Union without the approval of a majority of the Board of Directors. Any such contracted work required by the Union above five thousand dollars (\$5,000)

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article X – Board Employees & Contract Services; Section 1(A)

RATIONALE: Hiring an Executive Director will allow the President to concentrate on Union business and issues affecting membership, like contracting out and subversive erosion of the bargaining unit.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

24 is to be put out for bid. Special efforts shall be made to contract with Union firms or minority  
25 firms.  
26

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 1(B) and 2(B)

RATIONALE: Clarification in Sections 1(B) & 2(B) to account for the two week delay in the receipt of State pay.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XII - Dues**

**Section 1. Amount**

(A) Dues shall be 1.25% of the member's base rate of pay per bi-weekly pay period, effective September 17, 1995. Those not paying on a bi-weekly basis shall be prorated accordingly.

(B) Membership dues shall be payable through payroll deduction, electronic fund transfers or by cash payment to the OCSEA Central Office. Cash payments, which include checks, money orders and bank drafts, shall only be accepted when payroll deduction is not available, including, but not limited to times when a member is in an active or non-active pay status, such as, unpaid disability, leave of absences, workers' compensation or the exceptions listed in section 2(A) or 2(B) of this Article. Cash payments will be accepted from retirees for their annual dues. Any member will be considered in good standing who is paying dues through regular payroll deduction for so long as such person continues to pay through such deduction method, or who pays cash dues by the fourteenth (14<sup>th</sup>) day ~~following the end of the payroll period for which the payment is due~~after the dues were not deducted from the pay check. A member who fails to pay dues in accordance with the terms described herein shall be an inactive member upon failure to pay dues for two consecutive payroll periods.

**Section 2. Exceptions**

(A) However, a member who has been terminated, laid off or suspended and has a grievance pertaining to the adverse job action which remains unresolved, or who is on a sanctioned strike or is locked out shall not be required to make dues payments in order to remain in active status while not on the payroll.

(B) Members who have dues payments interrupted as a result of workers' compensation, ~~or~~ disability leave, or the waiting period for disability leave shall not be suspended as a result of non-payment of dues for the first 13 pay periods of such interruption.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 1(B) and 2(B)

RATIONALE: Clarification in Sections 1(B) & 2(B) to account for the two week delay in the receipt of State pay.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

Dues payments are not interrupted as long as members receive sick leave, disability benefits or other employer provided remuneration. Thereafter, the dues shall be set at the current amount established by the AFSCME International Constitution for members-at-large for the remainder of the period of the interruption of dues deduction.

(C) A member who becomes inactive under the provisions of this section may be reinstated to active membership upon payment of all arrearages or upon payment of a reinstatement fee equal to two months' dues, not to exceed twenty-five dollars (\$25.00).

(D) Members on military leave shall remain active members for the duration of any period in excess of paid military leave.

(E) In the event that an OCSEA officer, Board Member or Chapter, District Council, or Assembly officer becomes delinquent in payment of dues, that person shall be notified in writing by certified and regular mail by the OCSEA Secretary-Treasurer of his/her delinquency status. If such person does not become a member in good standing by payment of all arrearages within fourteen (14) calendar days of such notice, he/she shall stand removed from the office(s) which he/she holds and such office(s) will be filled pursuant to the appropriate provision of this Constitution. Where an OCSEA officer, Board Member or Chapter, District Council or Assembly officer is a part-time employee, the arrearage shall be calculated based upon the average of the last six (6) pay periods prior to the delinquency.

(F) Where a bargaining unit member is in a permanent, seasonal position, he/she shall be eligible to run for and hold an elected office under the following conditions:

1. They have been an active OCSEA member for at least two continuous calendar years; and
2. All membership dues have been properly made during their employment; and

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 1(B) and 2(B)

RATIONALE: Clarification in Sections 1(B) & 2(B) to account for the two week delay in the receipt of State pay.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 49           3.       During the seasonal interruptions, dues at the current amount established by the  
50                   AFSCME International Constitution for member-at-large shall be paid for each  
51                   month or portion thereof until the month of their reinstatement/recall.
- 52           4.       In the event the member is not reinstated/recalled, payments shall continue to be  
53                   made at the members-at-large rate, subject to their rights and obligations under  
54                   Article 18 of the current Collective Bargaining Agreement and Article XII of the  
55                   OCSEA State Constitution.

56   **Section 3. Refunds, Credits and Assessments**

57           (A)     Each active Chapter, as defined in Article VII, Section 7 of the State By-Laws,  
58                   shall receive a quarterly refund in an amount equivalent to 9% (nine percent) with a minimum of  
59                   nine hundred dollars (\$900) for Chapters with less than fifty (50) members and a minimum of  
60                   one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) or more, of the bi-weekly  
61                   dues received for each active member and fair share fee payer who has paid monies in advance  
62                   for one or more months in said quarters and for those who, under the payroll deduction method,  
63                   have caused to be remitted dues for one or more of the months of said quarter. Chapters shall  
64                   receive rebates in the same manner for fair share fee payers.

65           (B)     Each chartered District Council and chartered Assembly shall receive a quarterly  
66                   refund in an amount equivalent to 1% (one percent) of the dues received bi-weekly for each  
67                   active member in the District or Assembly under the terms described above for Chapters.  
68                   However, the quarterly refund made to an Assembly shall not be less than \$500.

69           (C)     The Union shall credit eighty-five hundredths of one percent (.85%) of the dues  
70                   received bi-weekly to the convention fund for use in defraying the expenses of the biennial and  
71                   special conventions and the President's conference. Such amounts shall be taken from the dues  
72                   of each active member who has paid his/her dues directly or caused dues to be remitted to the  
73                   Union before the end of the month of said action.

Committee Assign       \_\_\_\_\_ Committee Recommend       \_\_\_\_\_ Convention Action       \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 1(B) and 2(B)

RATIONALE: Clarification in Sections 1(B) & 2(B) to account for the two week delay in the receipt of State pay.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(D) When dues are remitted to the Union by cash members and annual members, the Union shall remit the above amounts to the Chapters, District Councils and Assemblies and shall credit the convention fund in the amount specified above which will cover the period of such advancements.

(E) Any Chapter, with the approval of the Board of Directors, may levy voluntary assessments on its members. Where allowable by Ohio law, membership dues may be remitted to the Chapter by the state or political subdivision thereof with the approval of the State Board of Directors, and individual Chapters will be responsible to send dues to central office.

**Section 4. Qualifications for Refunds**

(A) To qualify for such Chapter, District Council or Assembly refund, each active Chapter, District Council or Assembly, as defined in Article VII, Section 7 of the OCSEA State Constitution, shall file quarterly financial statements with state headquarters on a form prescribed by the Board of Directors. Upon failure of a Chapter, District Council or Assembly to meet any of the conditions required by the State Constitution and State By-Laws to qualify for a refund, the Board of Directors shall withhold payment of such refund until such requirements are met. A request for Chapter, District Council or Assembly refund more than four quarters in arrears shall not be honored. Disputes concerning timeliness shall be referred to the Judicial and Internal Affairs Committee for recommendation to the Board of Directors whose decisions in the matter are final.

(B) Failure to hold elections during the month of the expiration of the term of office shall result in the withholding of one-third (1/3) of the current quarter's rebate. An additional one-third (1/3) shall be withheld for every month thereafter until elections are held and results forwarded to OCSEA Central Office. At the end of the original election month, a letter shall be sent to all members of the affected subordinate body outlining the upcoming penalties, remedies and timelines. The cost of said mailing shall be deducted from the subordinate body's rebate.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 1(B) and 2(B)

RATIONALE: Clarification in Sections 1(B) & 2(B) to account for the two week delay in the receipt of State pay.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(C) Funds may be released upon receipt of the election results, subject to any other provision of this constitution and by-laws. Disputes concerning these funds shall be forwarded to the office of the State Secretary-Treasurer for review and recommendation to the Board of Directors whose decision(s) in the matter is final.

**Section 5. Initial Refund**

Whenever a new Chapter, District Council, or Assembly is organized and some of the members have previously been members of another Chapter, District Council, or Assembly, the funds and assets of the Chapter, District Council, or Assembly to which the members had previously been members shall be divided between the affected bodies in such manner or proportions as the Board of Directors may deem fair and reasonable.

**Section 6. Dues Distribution**

Effective with the pay period including January 1, 2008, all dues and fair share fee monies received shall be credited to the following accounts:

- |                    |   |
|--------------------|---|
| 1. General Fund    | 88.15% (eighty-eight and fifteen hundredths percent)  |
| 2. Chapter Refund  | 9% (nine percent but no less than nine hundred dollars (\$900) for Chapters with less than fifty (50) members and one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) members or more.) |
| 3. District Refund | 1% (one percent)  |
| 4. Assembly Refund | 1% (one percent or five hundred dollars (\$500) whichever is greater)   |
| 5. Convention Fund | .85% (eighty-five hundredths of one percent)  |

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 3(A) & 6

RATIONALE: Housekeeping change in Sections 3 & 6 eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XII - Dues**

**Section 1. Amount**

(A) Dues shall be 1.25% of the member's base rate of pay per bi-weekly pay period, effective September 17, 1995. Those not paying on a bi-weekly basis shall be prorated accordingly.

(B) Membership dues shall be payable through payroll deduction, electronic fund transfers or by cash payment to the OCSEA Central Office. Cash payments, which include checks, money orders and bank drafts, shall only be accepted when payroll deduction is not available, including, but not limited to times when a member is in an active or non-active pay status, such as, unpaid disability, leave of absences, workers' compensation or the exceptions listed in section 2(A) or 2(B) of this Article. Cash payments will be accepted from retirees for their annual dues. Any member will be considered in good standing who is paying dues through regular payroll deduction for so long as such person continues to pay through such deduction method, or who pays cash dues by the fourteenth (14<sup>th</sup>) day following the end of the payroll period for which the payment is due. A member who fails to pay dues in accordance with the terms described herein shall be an inactive member upon failure to pay dues for two consecutive payroll periods.

**Section 2. Exceptions**

(A) However, a member who has been terminated, laid off or suspended and has a grievance pertaining to the adverse job action which remains unresolved, or who is on a sanctioned strike or is locked out shall not be required to make dues payments in order to remain in active status while not on the payroll.

(B) Members who have dues payments interrupted as a result of workers' compensation or disability leave shall not be suspended as a result of non-payment of dues for

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 3(A) & 6

RATIONALE: Housekeeping change in Sections 3 & 6 eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

25 the first 13 pay periods of such interruption. Dues payments are not interrupted as long as  
26 members receive sick leave, disability benefits or other employer provided remuneration.  
27 Thereafter, the dues shall be set at the current amount established by the AFSCME International  
28 Constitution for members-at-large for the remainder of the period of the interruption of dues  
29 deduction.

30 (C) A member who becomes inactive under the provisions of this section may be  
31 reinstated to active membership upon payment of all arrearages or upon payment of a  
32 reinstatement fee equal to two months' dues, not to exceed twenty-five dollars (\$25.00).

33 (D) Members on military leave shall remain active members for the duration of any  
34 period in excess of paid military leave.

35 (E) In the event that an OCSEA officer, Board Member or Chapter, District Council,  
36 or Assembly officer becomes delinquent in payment of dues, that person shall be notified in  
37 writing by certified and regular mail by the OCSEA Secretary-Treasurer of his/her delinquency  
38 status. If such person does not become a member in good standing by payment of all arrearages  
39 within fourteen (14) calendar days of such notice, he/she shall stand removed from the office(s)  
40 which he/she holds and such office(s) will be filled pursuant to the appropriate provision of this  
41 Constitution. Where an OCSEA officer, Board Member or Chapter, District Council or  
42 Assembly officer is a part-time employee, the arrearage shall be calculated based upon the  
43 average of the last six (6) pay periods prior to the delinquency.

44 (F) Where a bargaining unit member is in a permanent, seasonal position, he/she shall be  
45 eligible to run for and hold an elected office under the following conditions:

- 46 1. They have been an active OCSEA member for at least two continuous calendar  
47 years; and  
48 2. All membership dues have been properly made during their employment; and

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 3(A) & 6

RATIONALE: Housekeeping change in Sections 3 & 6 eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

3. During the seasonal interruptions, dues at the current amount established by the AFSCME International Constitution for member-at-large shall be paid for each month or portion thereof until the month of their reinstatement/recall.

4. In the event the member is not reinstated/recalled, payments shall continue to be made at the members-at-large rate, subject to their rights and obligations under Article 18 of the current Collective Bargaining Agreement and Article XII of the OCSEA State Constitution.

### **Section 3. Refunds, Credits and Assessments**

(A) Each active Chapter, as defined in Article VII, Section 7 of the State By-Laws, shall receive a quarterly refund in an amount equivalent to 9% (nine percent) with a minimum of nine hundred dollars (\$900) for Chapters with less than fifty (50) members and a minimum of one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) or more, of the bi-weekly dues received for each active member ~~and fair share fee payer~~ who has paid monies in advance for one or more months in said quarters and for those who, under the payroll deduction method, have caused to be remitted dues for one or more of the months of said quarter. ~~Chapters shall receive rebates in the same manner for fair share fee payers.~~

(B) Each chartered District Council and chartered Assembly shall receive a quarterly refund in an amount equivalent to 1% (one percent) of the dues received bi-weekly for each active member in the District or Assembly under the terms described above for Chapters. However, the quarterly refund made to an Assembly shall not be less than \$500.

(C) The Union shall credit eighty-five hundredths of one percent (.85%) of the dues received bi-weekly to the convention fund for use in defraying the expenses of the biennial and special conventions and the President's conference. Such amounts shall be taken from the dues

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 3(A) & 6

RATIONALE: Housekeeping change in Sections 3 & 6 eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

72 of each active member who has paid his/her dues directly or caused dues to be remitted to the  
73 Union before the end of the month of said action.

74 (D) When dues are remitted to the Union by cash members and annual members, the  
75 Union shall remit the above amounts to the Chapters, District Councils and Assemblies and shall  
76 credit the convention fund in the amount specified above which will cover the period of such  
77 advancements.

78 (E) Any Chapter, with the approval of the Board of Directors, may levy voluntary  
79 assessments on its members. Where allowable by Ohio law, membership dues may be remitted to  
80 the Chapter by the state or political subdivision thereof with the approval of the State Board of  
81 Directors, and individual Chapters will be responsible to send dues to central office.

82 **Section 4. Qualifications for Refunds**

83 (A) To qualify for such Chapter, District Council or Assembly refund, each active  
84 Chapter, District Council or Assembly, as defined in Article VII, Section 7 of the OCSEA State  
85 Constitution, shall file quarterly financial statements with state headquarters on a form  
86 prescribed by the Board of Directors. Upon failure of a Chapter, District Council or Assembly to  
87 meet any of the conditions required by the State Constitution and State By-Laws to qualify for a  
88 refund, the Board of Directors shall withhold payment of such refund until such requirements are  
89 met. A request for Chapter, District Council or Assembly refund more than four quarters in  
90 arrears shall not be honored. Disputes concerning timeliness shall be referred to the Judicial and  
91 Internal Affairs Committee for recommendation to the Board of Directors whose decisions in the  
92 matter are final.

93 (B) Failure to hold elections during the month of the expiration of the term of office  
94 shall result in the withholding of one-third (1/3) of the current quarter's rebate. An additional  
95 one-third (1/3) shall be withheld for every month thereafter until elections are held and results

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 3(A) & 6

RATIONALE: Housekeeping change in Sections 3 & 6 eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

forwarded to OCSEA Central Office. At the end of the original election month, a letter shall be sent to all members of the affected subordinate body outlining the upcoming penalties, remedies and timelines. The cost of said mailing shall be deducted from the subordinate body's rebate.

(C) Funds may be released upon receipt of the election results, subject to any other provision of this constitution and by-laws. Disputes concerning these funds shall be forwarded to the office of the State Secretary-Treasurer for review and recommendation to the Board of Directors whose decision(s) in the matter is final.

#### **Section 5. Initial Refund**

Whenever a new Chapter, District Council, or Assembly is organized and some of the members have previously been members of another Chapter, District Council, or Assembly, the funds and assets of the Chapter, District Council, or Assembly to which the members had previously been members shall be divided between the affected bodies in such manner or proportions as the Board of Directors may deem fair and reasonable.

#### **Section 6. Dues Distribution**

Effective with the pay period including January 1, 2008, all dues ~~and fair share fee monies~~ received shall be credited to the following accounts:

- |                    |   |
|--------------------|---|
| 1. General Fund    | 88.15% (eighty-eight and fifteen hundredths percent)  |
| 2. Chapter Refund  | 9% (nine percent but no less than nine hundred dollars (\$900) for Chapters with less than fifty (50) members and one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) members or more.) |
| 3. District Refund | 1% (one percent)  |
| 4. Assembly Refund | 1% (one percent or five hundred dollars (\$500) whichever is greater)   |

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Sections 3(A) & 6

RATIONALE: Housekeeping change in Sections 3 & 6 eliminating references to fair share fee payers because the payment of fair share fees was declared to be unconstitutional by the U.S. Supreme Court in the *Janus* decision.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

120                    5. Convention Fund                    .85% (eighty-five hundredths of one percent)  
121



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Section 4

RATIONALE: The Modification to Section 4 is for administrative convenience and savings when elections run slightly behind.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XII - Dues**

**Section 1. Amount**

(A) Dues shall be 1.25% of the member's base rate of pay per bi-weekly pay period, effective September 17, 1995. Those not paying on a bi-weekly basis shall be prorated accordingly.

(B) Membership dues shall be payable through payroll deduction, electronic fund transfers or by cash payment to the OCSEA Central Office. Cash payments, which include checks, money orders and bank drafts, shall only be accepted when payroll deduction is not available, including, but not limited to times when a member is in an active or non-active pay status, such as, unpaid disability, leave of absences, workers' compensation or the exceptions listed in section 2(A) or 2(B) of this Article. Cash payments will be accepted from retirees for their annual dues. Any member will be considered in good standing who is paying dues through regular payroll deduction for so long as such person continues to pay through such deduction method, or who pays cash dues by the fourteenth (14<sup>th</sup>) day following the end of the payroll period for which the payment is due. A member who fails to pay dues in accordance with the terms described herein shall be an inactive member upon failure to pay dues for two consecutive payroll periods.

**Section 2. Exceptions**

(A) However, a member who has been terminated, laid off or suspended and has a grievance pertaining to the adverse job action which remains unresolved, or who is on a sanctioned strike or is locked out shall not be required to make dues payments in order to remain in active status while not on the payroll.

(B) Members who have dues payments interrupted as a result of workers' compensation or disability leave shall not be suspended as a result of non-payment of dues for the first 13 pay periods of such interruption. Dues payments are not interrupted as long as

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Section 4

RATIONALE: The Modification to Section 4 is for administrative convenience and savings when elections run slightly behind.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

members receive sick leave, disability benefits or other employer provided remuneration. Thereafter, the dues shall be set at the current amount established by the AFSCME International Constitution for members-at-large for the remainder of the period of the interruption of dues deduction.

(C) A member who becomes inactive under the provisions of this section may be reinstated to active membership upon payment of all arrearages or upon payment of a reinstatement fee equal to two months' dues, not to exceed twenty-five dollars (\$25.00).

(D) Members on military leave shall remain active members for the duration of any period in excess of paid military leave.

(E) In the event that an OCSEA officer, Board Member or Chapter, District Council, or Assembly officer becomes delinquent in payment of dues, that person shall be notified in writing by certified and regular mail by the OCSEA Secretary-Treasurer of his/her delinquency status. If such person does not become a member in good standing by payment of all arrearages within fourteen (14) calendar days of such notice, he/she shall stand removed from the office(s) which he/she holds and such office(s) will be filled pursuant to the appropriate provision of this Constitution. Where an OCSEA officer, Board Member or Chapter, District Council or Assembly officer is a part-time employee, the arrearage shall be calculated based upon the average of the last six (6) pay periods prior to the delinquency.

(F) Where a bargaining unit member is in a permanent, seasonal position, he/she shall be eligible to run for and hold an elected office under the following conditions:

1. They have been an active OCSEA member for at least two continuous calendar years; and
2. All membership dues have been properly made during their employment; and

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Section 4

RATIONALE: The Modification to Section 4 is for administrative convenience and savings when elections run slightly behind.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

3. During the seasonal interruptions, dues at the current amount established by the AFSCME International Constitution for member-at-large shall be paid for each month or portion thereof until the month of their reinstatement/recall.

4. In the event the member is not reinstated/recalled, payments shall continue to be made at the members-at-large rate, subject to their rights and obligations under Article 18 of the current Collective Bargaining Agreement and Article XII of the OCSEA State Constitution.

**Section 3. Refunds, Credits and Assessments**

(A) Each active Chapter, as defined in Article VII, Section 7 of the State By-Laws, shall receive a quarterly refund in an amount equivalent to 9% (nine percent) with a minimum of nine hundred dollars (\$900) for Chapters with less than fifty (50) members and a minimum of one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) or more, of the bi-weekly dues received for each active member and fair share fee payer who has paid monies in advance for one or more months in said quarters and for those who, under the payroll deduction method, have caused to be remitted dues for one or more of the months of said quarter. Chapters shall receive rebates in the same manner for fair share fee payers.

(B) Each chartered District Council and chartered Assembly shall receive a quarterly refund in an amount equivalent to 1% (one percent) of the dues received bi-weekly for each active member in the District or Assembly under the terms described above for Chapters. However, the quarterly refund made to an Assembly shall not be less than \$500.

(C) The Union shall credit eighty-five hundredths of one percent (.85%) of the dues received bi-weekly to the convention fund for use in defraying the expenses of the biennial and special conventions and the President's conference. Such amounts shall be taken from the dues of each active member who has paid his/her dues directly or caused dues to be remitted to the Union before the end of the month of said action.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Section 4

RATIONALE: The Modification to Section 4 is for administrative convenience and savings when elections run slightly behind.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(D) When dues are remitted to the Union by cash members and annual members, the Union shall remit the above amounts to the Chapters, District Councils and Assemblies and shall credit the convention fund in the amount specified above which will cover the period of such advancements.

(E) Any Chapter, with the approval of the Board of Directors, may levy voluntary assessments on its members. Where allowable by Ohio law, membership dues may be remitted to the Chapter by the state or political subdivision thereof with the approval of the State Board of Directors, and individual Chapters will be responsible to send dues to central office.

#### **Section 4. Qualifications for Refunds**

~~(A)~~—To qualify for such Chapter, District Council or Assembly refund, each active Chapter, District Council or Assembly, as defined in Article VII, Section 7 of the OCSEA State Constitution, shall file quarterly financial statements with state headquarters on a form prescribed by the Board of Directors. Upon failure of a Chapter, District Council or Assembly to meet any of the conditions required by the State Constitution and State By-Laws to qualify for a refund, the Board of Directors shall withhold payment of such refund until such requirements are met. A request for Chapter, District Council or Assembly refund more than four quarters in arrears shall not be honored. Disputes concerning timeliness shall be referred to the Judicial and Internal Affairs Committee for recommendation to the Board of Directors whose decisions in the matter are final.

~~(B)~~—~~Failure to hold elections during the month of the expiration of the term of office shall result in the withholding of one-third (1/3) of the current quarter's rebate. An additional one-third (1/3) shall be withheld for every month thereafter until elections are held and results forwarded to OCSEA Central Office. At the end of the original election month, a letter shall be sent to all members of the affected subordinate body outlining the~~

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XII – Dues; Section 4

RATIONALE: The Modification to Section 4 is for administrative convenience and savings when elections run slightly behind.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

~~upcoming penalties, remedies and timelines. The cost of said mailing shall be deducted from the subordinate body's rebate.~~

~~Funds may be released upon receipt of the election results, subject to any other provision of this constitution and by laws. Disputes concerning these funds shall be forwarded to the office of the State Secretary-Treasurer for review and recommendation to the Board of Directors whose decision(s) in the matter is final.~~

#### Section 5. Initial Refund

Whenever a new Chapter, District Council, or Assembly is organized and some of the members have previously been members of another Chapter, District Council, or Assembly, the funds and assets of the Chapter, District Council, or Assembly to which the members had previously been members shall be divided between the affected bodies in such manner or proportions as the Board of Directors may deem fair and reasonable.

#### Section 6. Dues Distribution

Effective with the pay period including January 1, 2008, all dues and fair share fee monies received shall be credited to the following accounts:

- |                    |   |
|--------------------|---|
| 1. General Fund    | 88.15% (eighty-eight and fifteen hundredths percent)  |
| 2. Chapter Refund  | 9% (nine percent but no less than nine hundred dollars (\$900) for Chapters with less than fifty (50) members and one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) members or more.) |
| 3. District Refund | 1% (one percent)  |
| 4. Assembly Refund | 1% (one percent or five hundred dollars (\$500) whichever is greater)   |
| 5. Convention Fund | .85% (eighty-five hundredths of one percent)  |

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XVI – Amendment of OCSEA State By-Laws and Subordinate Body Constitution

RATIONALE: Proposal to clarify language regarding the submission of proposed changes to the State By-Laws or Subordinate Body Constitution at either the Convention or to the State Board of Directors. The sixty (60) day period for submission of proposed changes is a modification to provide subordinate bodies with clear guidelines for the process to submit proposals.

BE IT RESOLVED THAT ARTICLE XVI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XVI – Amendment of OCSEA State By-Laws and  
Subordinate Body Constitution**

(A) The Union may adopt such State By-Laws and Subordinate Body Constitution changes as are necessary or desirable to implement the OCSEA State Constitution. Proposed changes to the OCSEA State By-Laws or the Subordinate Body Constitution shall be adopted by a majority of the certified delegates present and voting at a regular or special convention, or by a three-fourths (3/4) vote of the members present at a regular meeting of the OCSEA Board of Directors.

(B) Any proposed changes to the State by-Laws or Subordinate Body Constitution submitted by a Subordinate Body for the convention shall contain certification that it was approved for submission by the Chapter, District Council, or Assembly and shall be signed by at least two officers of such Body. The proposed changes shall be submitted to the OCSEA Central Office at least sixty (60) days prior to the convention.

(~~BC~~) Any proposed changes submitted to the Board of Directors for review must be submitted in writing ~~to the members of the Board of Directors for review. The proposal, and~~ shall contain certification that it was approved for submission by a Chapter, District Council, or Assembly and shall be signed by at least two officers of such Body. The proposed amendments will be reviewed by the Board at the next scheduled Board meeting. After review, the proposed changes shall be publicized in the OCSEA publication not less than thirty (30) days prior to the Board meeting at which they shall be considered. The notice shall solicit comment from the membership. The proposed change(s) shall then be presented for vote by the Board of Directors.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XVI – Amendment of OCSEA State By-Laws and Subordinate Body Constitution

RATIONALE: Proposal to clarify language regarding the submission of proposed changes to the State By-Laws or Subordinate Body Constitution at either the Convention or to the State Board of Directors. The sixty (60) day period for submission of proposed changes is a modification to provide subordinate bodies with clear guidelines for the process to submit proposals.

BE IT RESOLVED THAT ARTICLE XVI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 25            **(CD)** Any changes to the ~~OCSEA State Constitution~~, State By-Laws, or Subordinate  
26 Body Constitution adopted pursuant to Article XVI ~~or Article XVII~~ shall automatically  
27 supersede any Subordinate Body By-Laws which conflict.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article XVII – Amendment of OCSEA State Constitution

RATIONALE: Proposal to clarify language regarding the submission of proposed changes to the State Constitution at the Convention by moving or using language previously included in Article XVI. The sixty (60) day period for submission of proposed changes is a modification to provide subordinate bodies with clear guidelines for the process to submit proposals.

BE IT RESOLVED THAT ARTICLE XVII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XVII – Amendment of OCSEA State Constitution**

**Section 1. Procedure**

This State Constitution may be amended at any regular convention or at any special convention called for that purpose. Proposed amendments, when printed, must be of the same context as when they are submitted and shall be submitted to the central office for distribution to Chapter presidents in sufficient quantity for distribution to convention delegates at least thirty (30) days prior to the convention date. A two-thirds (2/3) vote of the certified delegates present and voting shall be required for the adoption of amendments.

**Any proposed changes to the State Constitution submitted by a Subordinate Body for the convention shall contain certification that it was approved for submission by the Chapter, District Council, or Assembly and shall be signed by at least two officers of such Body. The proposed changes shall be submitted to the OCSEA Central Office at least sixty (60) days prior to the convention.**

**Section 2. Effective Date**

Amendments adopted at the biennial or any special convention of this Union, unless otherwise provided, shall become effective on January 1, following said convention. Two printed copies of the State Constitution, as amended, will be mailed to each Chapter, District Council and Assembly president following review and approval pursuant to Article VI of the Affiliation Agreement with AFSCME International. **Any Changes to the OCSEA State Constitution shall automatically supersede any Subordinate Body By-Laws which conflict.**



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 2(B)

RATIONALE: To update language to include text messaging.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article II - Board of Directors**

**Section 1. Duties**

(A) Individual members of the Board of Directors shall be responsible for:

1. Promoting and maintaining the interests of the Union in the member's District;
2. Assisting Chapters in their activities;
3. Encouraging competent persons to seek Chapter offices;
4. Suggesting and helping to promote district-wide meetings;
5. Assisting and obtaining appropriate and interesting speakers and information for sharing and distributing at meetings;
6. Relaying to Chapters, District Councils, Assemblies and/or the Union office the problems of members which have been brought to their attention;
7. Assisting and advising in the Chapter's nominations and election;
8. Swearing in new officers and executive board members;
9. Visiting assigned Chapters;
10. Overseeing an internal controversy committee in an assigned Chapter, District Council, and/or Assembly;
11. Filing visitation reports;
12. Notifying OCSEA of any changes, including elections and removals, of assigned Chapter, District Council and Assembly Officers and Executive Board members;
13. Assisting new Chapter, District Council and Assembly Officers and Executive Board members in receiving the appropriate leadership and treasurer training;

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 2(B)

RATIONALE: To update language to include text messaging.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

26                   14.     Assisting the Treasurer of each assigned Chapter, District Council and  
27                             Assembly in completing the process necessary for the Comptroller to be a  
28                             signatory on every financial account within thirty (30) days of an election  
29                             or other change of office.

30           (B)     The retiree representative on the Board shall be a participating OCSEA member  
31 in retiree labor organization Chapter 1184.

32           (C)     The President shall assign the Board of Directors members a number of Chapters.  
33 It shall be the responsibility of the Board of Directors members to assist his/her assigned  
34 Chapters.

35           (D)     In the event a member of the Board of Directors or a District Representative  
36 agrees to serve in a management/exempt position on a temporary basis, he/she shall be removed  
37 from his/her position on the Board automatically.

38           (E)     Board of Directors and District Representative members shall attend all regular  
39 and special Board meetings, standing and special committee meetings to which they are assigned  
40 unless excused. To be excused, the OCSEA Central Office or the Chairperson must be notified  
41 of the absence in advance. When an emergency precludes advance notification, the State  
42 President may retroactively grant an excused absence.

43           (F)     The actual and necessary expenses of members of the Board of Directors in the  
44 pursuance of their duties will be paid by the Union in conformance with the policy established by  
45 the Board of Directors.

46 **Section 2. Meetings**

47           (A)     Special meetings of the Board of Directors may be called by the State President.  
48 At least ten (10) days notice shall be given for all regular meetings.

49           (B)     The Board of Directors may also take official action when time is of the essence  
50 and upon unanimous prior authority of the Executive Committee, by causing the entire Board of

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 2(B)

RATIONALE: To update language to include text messaging.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

Directors to be polled by telephone, **text** and/or e-mail. In taking the poll, the Executive Committee shall agree upon a common statement to be read and/or sent to each Board member. The results of the poll shall be the decision of the Board of Directors and be made a part of the minutes of the next regularly scheduled Board of Directors' meeting.

(C) The President shall call a special meeting of the Board of Directors upon written application by a majority of the members of the Board. At least three (3) days written notice of special meetings shall be given to each member of the Board together with a statement of the purpose of each meeting.

**Section 3. Board Meeting Minutes**

(A) The minutes of all meetings of the Board of Directors shall be provided to all Chapter, District Council, and Assembly Secretaries within fifteen (15) days of their approval.

(B) The minutes provided to the Chapter, District Council, and Assembly Secretaries shall include an accurate record of each officer's and Board of Directors Member's vote on each matter presented to them for their vote.

**Section 4. Board of Directors Districts**

There shall be nine (9) geographic Districts from which the Board of Directors shall be elected on the basis of the formula provided in Article IV, Section 1 of the State Constitution. Such Districts shall be composed of the following counties:

District 1: Allen, Auglaize, Champaign, Clark, Darke, Defiance, Fulton, Hancock, Hardin, Henry, Logan, Lucas, Mercer, Miami, Ottawa, Paulding, Putnam, Sandusky, Seneca, Shelby, VanWert, Williams, Wood and Wyandot.

District 2: Butler, Clermont, Clinton, Greene, Hamilton, Montgomery, Preble and Warren.

District 3: Ashland, Crawford, Erie, Huron, Lorain, Medina, Richland, and Wayne.

District 4: Ashtabula, Columbiana, Mahoning, Portage, Stark, Summit, and Trumbull.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 2(B)

RATIONALE: To update language to include text messaging.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

- 75 District 5: Belmont, Carroll, Coshocton, Fairfield, Guernsey, Harrison, Holmes, Jefferson, Knox,  
76 Licking, Muskingum, Perry, and Tuscarawas.
- 77 District 6: Delaware, Fayette, Franklin, Madison, Marion, Morrow, Pickaway, and Union.
- 78 District 7: Cuyahoga, Geauga, and Lake.
- 79 District 8: Athens, Gallia, Hocking, Meigs, Monroe, Morgan, Noble, Vinton, and Washington.
- 80 District 9: Adams, Brown, Highland, Jackson, Lawrence, Pike, Ross, and Scioto.

81

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(A)

RATIONALE: All the meeting minutes are on the web for all members to view. There is no longer a need to provide to secretaries.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article II - Board of Directors**

**Section 1. Duties**

(A) Individual members of the Board of Directors shall be responsible for:

1. Promoting and maintaining the interests of the Union in the member's District;
2. Assisting Chapters in their activities;
3. Encouraging competent persons to seek Chapter offices;
4. Suggesting and helping to promote district-wide meetings;
5. Assisting and obtaining appropriate and interesting speakers and information for sharing and distributing at meetings;
6. Relaying to Chapters, District Councils, Assemblies and/or the Union office the problems of members which have been brought to their attention;
7. Assisting and advising in the Chapter's nominations and election;
8. Swearing in new officers and executive board members;
9. Visiting assigned Chapters;
10. Overseeing an internal controversy committee in an assigned Chapter, District Council, and/or Assembly;
11. Filing visitation reports;
12. Notifying OCSEA of any changes, including elections and removals, of assigned Chapter, District Council and Assembly Officers and Executive Board members;
13. Assisting new Chapter, District Council and Assembly Officers and Executive Board members in receiving the appropriate leadership and treasurer training;

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(A)

RATIONALE: All the meeting minutes are on the web for all members to view. There is no longer a need to provide to secretaries.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

26                   14.     Assisting the Treasurer of each assigned Chapter, District Council and  
27                             Assembly in completing the process necessary for the Comptroller to be a  
28                             signatory on every financial account within thirty (30) days of an election  
29                             or other change of office.

30           (B)     The retiree representative on the Board shall be a participating OCSEA member  
31 in retiree labor organization Chapter 1184.

32           (C)     The President shall assign the Board of Directors members a number of Chapters.  
33 It shall be the responsibility of the Board of Directors members to assist his/her assigned  
34 Chapters.

35           (D)     In the event a member of the Board of Directors or a District Representative  
36 agrees to serve in a management/exempt position on a temporary basis, he/she shall be removed  
37 from his/her position on the Board automatically.

38           (E)     Board of Directors and District Representative members shall attend all regular  
39 and special Board meetings, standing and special committee meetings to which they are assigned  
40 unless excused. To be excused, the OCSEA Central Office or the Chairperson must be notified  
41 of the absence in advance. When an emergency precludes advance notification, the State  
42 President may retroactively grant an excused absence.

43           (F)     The actual and necessary expenses of members of the Board of Directors in the  
44 pursuance of their duties will be paid by the Union in conformance with the policy established by  
45 the Board of Directors.

46 **Section 2. Meetings**

47           (A)     Special meetings of the Board of Directors may be called by the State President.  
48 At least ten (10) days notice shall be given for all regular meetings.

49           (B)     The Board of Directors may also take official action when time is of the essence  
50 and upon unanimous prior authority of the Executive Committee, by causing the entire Board of

Committee Assign       \_\_\_\_\_   Committee Recommend       \_\_\_\_\_   Convention Action       \_\_\_\_\_   Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(A)

RATIONALE: All the meeting minutes are on the web for all members to view. There is no longer a need to provide to secretaries.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

Directors to be polled by telephone and/or e-mail. In taking the poll, the Executive Committee shall agree upon a common statement to be read and/or sent to each Board member. The results of the poll shall be the decision of the Board of Directors and be made a part of the minutes of the next regularly scheduled Board of Directors' meeting.

(C) The President shall call a special meeting of the Board of Directors upon written application by a majority of the members of the Board. At least three (3) days written notice of special meetings shall be given to each member of the Board together with a statement of the purpose of each meeting.

### **Section 3. Board Meeting Minutes**

(A) The minutes of all meetings of the Board of Directors shall be available provided to all members via the OCSEA website ~~Chapter, District Council, and Assembly Secretaries~~ within fifteen (15) days of their approval.

(B) The minutes provided to the Chapter, District Council, and Assembly Secretaries shall include an accurate record of each officer's and Board of Directors Member's vote on each matter presented to them for their vote.

### **Section 4. Board of Directors Districts**

There shall be nine (9) geographic Districts from which the Board of Directors shall be elected on the basis of the formula provided in Article IV, Section 1 of the State Constitution. Such Districts shall be composed of the following counties:

District 1: Allen, Auglaize, Champaign, Clark, Darke, Defiance, Fulton, Hancock, Hardin, Henry, Logan, Lucas, Mercer, Miami, Ottawa, Paulding, Putnam, Sandusky, Seneca, Shelby, VanWert, Williams, Wood and Wyandot.

District 2: Butler, Clermont, Clinton, Greene, Hamilton, Montgomery, Preble and Warren.

District 3: Ashland, Crawford, Erie, Huron, Lorain, Medina, Richland, and Wayne.

District 4: Ashtabula, Columbiana, Mahoning, Portage, Stark, Summit, and Trumbull.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(A)

RATIONALE: All the meeting minutes are on the web for all members to view. There is no longer a need to provide to secretaries.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

- 76 District 5: Belmont, Carroll, Coshocton, Fairfield, Guernsey, Harrison, Holmes, Jefferson, Knox,  
77 Licking, Muskingum, Perry, and Tuscarawas.
- 78 District 6: Delaware, Fayette, Franklin, Madison, Marion, Morrow, Pickaway, and Union.
- 79 District 7: Cuyahoga, Geauga, and Lake.
- 80 District 8: Athens, Gallia, Hocking, Meigs, Monroe, Morgan, Noble, Vinton, and Washington.
- 81 District 9: Adams, Brown, Highland, Jackson, Lawrence, Pike, Ross, and Scioto.
- 82



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(B)

RATIONALE: To update language from being provided to secretaries to being provided via the website.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article II - Board of Directors**

**Section 1. Duties**

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SUBMITTED BY: JFS Chapter 2599

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37 from his/her position on the Board automatically.

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39 and special Board meetings, standing and special committee meetings to which they are assigned  
40 unless excused. To be excused, the OCSEA Central Office or the Chairperson must be notified  
41 of the absence in advance. When an emergency precludes advance notification, the State  
42 President may retroactively grant an excused absence.

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44 pursuance of their duties will be paid by the Union in conformance with the policy established by  
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49           (B)     The Board of Directors may also take official action when time is of the essence  
50 and upon unanimous prior authority of the Executive Committee, by causing the entire Board of

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(B)

RATIONALE: To update language from being provided to secretaries to being provided via the website.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

Directors to be polled by telephone and/or e-mail. In taking the poll, the Executive Committee shall agree upon a common statement to be read and/or sent to each Board member. The results of the poll shall be the decision of the Board of Directors and be made a part of the minutes of the next regularly scheduled Board of Directors' meeting.

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District 2: Butler, Clermont, Clinton, Greene, Hamilton, Montgomery, Preble and Warren.

District 3: Ashland, Crawford, Erie, Huron, Lorain, Medina, Richland, and Wayne.

District 4: Ashtabula, Columbiana, Mahoning, Portage, Stark, Summit, and Trumbull.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article II – Board of Directors; Section 3(B)

RATIONALE: To update language from being provided to secretaries to being provided via the website.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

75 District 5: Belmont, Carroll, Coshocton, Fairfield, Guernsey, Harrison, Holmes, Jefferson, Knox,  
76 Licking, Muskingum, Perry, and Tuscarawas.

77 District 6: Delaware, Fayette, Franklin, Madison, Marion, Morrow, Pickaway, and Union.

78 District 7: Cuyahoga, Geauga, and Lake.

79 District 8: Athens, Gallia, Hocking, Meigs, Monroe, Morgan, Noble, Vinton, and Washington.

80 District 9: Adams, Brown, Highland, Jackson, Lawrence, Pike, Ross, and Scioto.

81

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(E)

RATIONALE: The concern is, given that E-Board members are responsible for proper record keeping and the fact that various chapters have been harmed through theft and fraud; E-Board members must review financial information at every opportunity to safeguard member funds and the trust that has been placed on them. The E-Board should have more open access to the information they are responsible for making sure is proper. Also, to be consistent with other proposed changes. Admittedly, E-Boards should be doing this anyway without the need for an amendment. Nevertheless, due to the make-up of some E-Boards there is the real possibility of supported resistance that could lead to issues later.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

1                                   **Article IV - Chapters, District Councils, and Assemblies**

2   **Section 1. Establishment of Chapters**

3           (A)    A group of members sharing a community of interest may petition the Board of  
4 Directors for approval of Chapter formation and the granting of a Charter.

5           (B)    Each Chapter shall adopt and follow the Uniform Subordinate Body Constitution.  
6 Chapters shall also be subject to the State Constitution and State By-Laws. Chapter By-Laws  
7 may be adopted after submission to the Judicial and Internal Affairs Committee (JIAC) for  
8 approval. The name of the Chapter should be identifiable with the community of interest the  
9 members share.

10          (C)    No Chapter shall be created where the cost of its existence exceeds the revenue  
11 produced by that proposed Chapter.

12          (D)    Petitions for Chapter formation shall be forwarded to JIAC for recommendation  
13 to the Board of Directors. The decision of the Board shall be final.

14   **Section 2. Assignment of Members to Chapters**

15           After review and recommendation of JIAC, authority for assigning members to active  
16 Chapters shall rest with the President. Decisions of the President may be appealed to the Board,  
17 which shall resolve the matter by a majority vote.

18   **Section 3. Chapters**

19          (A)    **Newly Chartered Chapters.** For newly chartered Chapters, a notice of the  
20 formation of the Chapter and the requirements for an election of permanent officers shall be

Committee Assign       \_\_\_\_\_   Committee Recommend       \_\_\_\_\_   Convention Action       \_\_\_\_\_   Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(E)

RATIONALE: The concern is, given that E-Board members are responsible for proper record keeping and the fact that various chapters have been harmed through theft and fraud; E-Board members must review financial information at every opportunity to safeguard member funds and the trust that has been placed on them. The E-Board should have more open access to the information they are responsible for making sure is proper. Also, to be consistent with other proposed changes. Admittedly, E-Boards should be doing this anyway without the need for an amendment. Nevertheless, due to the make-up of some E-Boards there is the real possibility of supported resistance that could lead to issues later.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

mailed to the affected members by the Secretary-Treasurer as soon as possible after the Board of Directors' meeting granting the charter.

**(B) Deactivated Chapters.** Reassignment of members from deactivated Chapters or to correct an error shall be done as soon as possible. Any such reassignments shall be reported to the Judicial and Internal Affairs Committee and Board of Directors. All reassigned members shall be notified in writing at the time of the reassignment.

**(C) Transfers.** Members may, individually or as a group, request transfer to a more appropriate Chapter. If the request is for any reason other than a change in public employer, work location, or change of residence, the request must be made to the Board of Directors through the Judicial and Internal Affairs Committee. Such requests shall be written and shall contain reasons the member(s) feel(s) a Chapter assignment should be changed. Requests shall be heard at the next regular Board of Directors' meeting after receipt. Ease of attendance shall be considered. The Board of Directors' decision on the request shall be final.

**(D) Appeal Procedures.** Should a member be dissatisfied with his/her chapter assignment, he/she may appeal such assignment to the Board of Directors through the Judicial and Internal Affairs Committee. The appeal must be in writing and shall contain the current chapter assignment, an explanation of reasons for requesting another assignment and a more appropriate chapter assignment. Action on such appeals shall be taken at the next regular Board of Directors' meeting following receipt of appeal. The Board of Directors' decision shall be final.

#### **Section 4. Assemblies**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(E)

RATIONALE: The concern is, given that E-Board members are responsible for proper record keeping and the fact that various chapters have been harmed through theft and fraud; E-Board members must review financial information at every opportunity to safeguard member funds and the trust that has been placed on them. The E-Board should have more open access to the information they are responsible for making sure is proper. Also, to be consistent with other proposed changes. Admittedly, E-Boards should be doing this anyway without the need for an amendment. Nevertheless, due to the make-up of some E-Boards there is the real possibility of supported resistance that could lead to issues later.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

42           (A)    All active Chapters containing a member of the agency that forms the Assembly  
43 shall hold membership in the Assembly.

44           (B)    Only members who are current employees, life members, or retirees of the agency  
45 that forms the Assembly may be voting delegates in the Assembly.

46           (C)    Reassignment of members from deactivated assemblies or to correct an error shall  
47 be done as soon as possible. Any such reassignments shall be reported to the Judicial and  
48 Internal Affairs Committee and Board of Directors. All reassigned members shall be notified in  
49 writing at the time of the reassignment.

50   **Section 5. District Councils**

51           (A)    All active Chapters within the district shall hold membership in the District  
52 Council.

53           (B)    Only members who are current employees, life members, or active retirees of the  
54 chapters that form the District may be voting delegates in the District Council.

55           (C)    Reassignment of members from deactivated District Councils or to correct an  
56 error shall be done as soon as possible. Any such reassignments shall be reported to the Judicial  
57 and Internal Affairs Committee and Board of Directors. All reassigned members shall be  
58 notified in writing at the time of the reassignment.

59   **Section 6. Rules common to all Chapters, District Councils, and Assemblies**

60           The provisions of the State Constitution and these State By-Laws shall apply to all  
61 Chapters, District Councils, and Assemblies. Additionally, the following rules apply:

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(E)

RATIONALE: The concern is, given that E-Board members are responsible for proper record keeping and the fact that various chapters have been harmed through theft and fraud; E-Board members must review financial information at every opportunity to safeguard member funds and the trust that has been placed on them. The E-Board should have more open access to the information they are responsible for making sure is proper. Also, to be consistent with other proposed changes. Admittedly, E-Boards should be doing this anyway without the need for an amendment. Nevertheless, due to the make-up of some E-Boards there is the real possibility of supported resistance that could lead to issues later.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

(A) A quorum must be present at each meeting in order to conduct official business. Additionally, a quorum must be present for at least one general body or executive board meeting within two (2) consecutive quarters in order to be considered active pursuant to OCSEA Constitution Article VII, Section 7. A quorum for each Chapter, District Council, and Assembly is defined in Article X, Section 1 of the Uniform OCSEA Subordinate Body Constitution.

(B) Qualifications for officers, elected delegates to any Chapter, District Council, or Assembly, Executive Board members are the same as those for State Board members as described in Article IV, Section 3 of the State Constitution.

(C) The qualifications for stewards are the same as those qualifications as described in Article IV, Section 3 of the State Constitution except that it's only necessary that they be active union members at the time of appointment or election and during the time that they serve as a steward. The two (2) years prior active membership requirement is not applicable to Chapter stewards.

(D) Each Chapter, District Council and Assembly shall be solely responsible for its financial affairs. No liability may be placed on any other Chapter, District Council or Assembly, the Board of Directors or the Union as a whole. Any fund raising activity shall be the exclusive responsibility of the Chapter, District Council or Assembly promoting such activity.

(E) It shall be the responsibility of the officers and executive board members to ensure proper record keeping with regard to any business conducted by the Chapter, District Council or Assembly or any funds received or expended by the Chapter, District Council or Assembly. **Therefore, officers and executive board members shall review each complete**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(E)

RATIONALE: The concern is, given that E-Board members are responsible for proper record keeping and the fact that various chapters have been harmed through theft and fraud; E-Board members must review financial information at every opportunity to safeguard member funds and the trust that has been placed on them. The E-Board should have more open access to the information they are responsible for making sure is proper. Also, to be consistent with other proposed changes. Admittedly, E-Boards should be doing this anyway without the need for an amendment. Nevertheless, due to the make-up of some E-Boards there is the real possibility of supported resistance that could lead to issues later.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**quarterly financial report prior to submission to the Comptroller. Pursuant to Article VI, Section 3 of the State-by-laws officers and executive board members shall receive the results of its Chapter, District Council or Assembly audit reports.**

(F) All business shall be conducted following proper parliamentary procedure as set forth in *Robert's Rules of Order, Newly Revised*.

(G) All members in good standing are eligible to hold office in any Chapter, District Council, and Assembly pursuant to B of this section.

(H) Voting members of District Councils and Assemblies shall consist of the District Council and Assembly's Officers, Board of Directors members or State Officers (who are members from the District or work in the agency represented by the Assembly), Executive Board members and Chapter Delegates.

(I) All records maintained by any Chapter, District Council or Assembly shall be open for review by any member of that Chapter, District Council or Assembly upon reasonable advance written request. The request shall specify the records and time period to be reviewed. The request shall be submitted to the keeper of the records (Secretary or Treasurer) who shall make arrangements for the review. The review shall be scheduled within thirty (30) days of the request, unless other arrangements are mutually agreed upon.

(J) Executive Board meetings of each Chapter, District Council or Assembly shall be open to any member of that Chapter, District Council or Assembly. In the case of a District Council or Assembly, the term member shall include all active members who could qualify as a delegate to that District Council or Assembly.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(E)

RATIONALE: The concern is, given that E-Board members are responsible for proper record keeping and the fact that various chapters have been harmed through theft and fraud; E-Board members must review financial information at every opportunity to safeguard member funds and the trust that has been placed on them. The E-Board should have more open access to the information they are responsible for making sure is proper. Also, to be consistent with other proposed changes. Admittedly, E-Boards should be doing this anyway without the need for an amendment. Nevertheless, due to the make-up of some E-Boards there is the real possibility of supported resistance that could lead to issues later.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

104           (K)    The Executive Board of a Chapter, District Council or Assembly may deliberate  
105   in executive session but take no official action or vote during executive session.  
106

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(F)

RATIONALE: The intent is to enhance learning and increase the opportunity for efficient, effective and fair business meetings. The concern is that many new E-Board members as well as those who have been on E-Boards for some time do not know the rules of order when conducting a business meeting. At times, state board reps are not present to assist and they don't always know. No one will know every rule but a good general understanding will help immensely during business meetings to keep them orderly and fair to all members attending.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

1 **Article IV - Chapters, District Councils, and Assemblies**

2 **Section 1. Establishment of Chapters**

3 (A) A group of members sharing a community of interest may petition the Board of  
4 Directors for approval of Chapter formation and the granting of a Charter.

5 (B) Each Chapter shall adopt and follow the Uniform Subordinate Body Constitution.  
6 Chapters shall also be subject to the State Constitution and State By-Laws. Chapter By-Laws  
7 may be adopted after submission to the Judicial and Internal Affairs Committee (JIAC) for  
8 approval. The name of the Chapter should be identifiable with the community of interest the  
9 members share.

10 (C) No Chapter shall be created where the cost of its existence exceeds the revenue  
11 produced by that proposed Chapter.

12 (D) Petitions for Chapter formation shall be forwarded to JIAC for recommendation  
13 to the Board of Directors. The decision of the Board shall be final.

14 **Section 2. Assignment of Members to Chapters**

15 After review and recommendation of JIAC, authority for assigning members to active  
16 Chapters shall rest with the President. Decisions of the President may be appealed to the Board,  
17 which shall resolve the matter by a majority vote.

18 **Section 3. Chapters**

19 (A) **Newly Chartered Chapters.** For newly chartered Chapters, a notice of the  
20 formation of the Chapter and the requirements for an election of permanent officers shall be  
21 mailed to the affected members by the Secretary-Treasurer as soon as possible after the Board of  
22 Directors' meeting granting the charter.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(F)

RATIONALE: The intent is to enhance learning and increase the opportunity for efficient, effective and fair business meetings. The concern is that many new E-Board members as well as those who have been on E-Boards for some time do not know the rules of order when conducting a business meeting. At times, state board reps are not present to assist and they don't always know. No one will know every rule but a good general understanding will help immensely during business meetings to keep them orderly and fair to all members attending.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

23           **(B) Deactivated Chapters.** Reassignment of members from deactivated Chapters or  
24 to correct an error shall be done as soon as possible. Any such reassignments shall be reported to  
25 the Judicial and Internal Affairs Committee and Board of Directors. All reassigned members  
26 shall be notified in writing at the time of the reassignment.

27           **(C) Transfers.** Members may, individually or as a group, request transfer to a more  
28 appropriate Chapter. If the request is for any reason other than a change in public employer,  
29 work location, or change of residence, the request must be made to the Board of Directors  
30 through the Judicial and Internal Affairs Committee. Such requests shall be written and shall  
31 contain reasons the member(s) feel(s) a Chapter assignment should be changed. Requests shall  
32 be heard at the next regular Board of Directors' meeting after receipt. Ease of attendance shall be  
33 considered. The Board of Directors' decision on the request shall be final.

34           **(D) Appeal Procedures.** Should a member be dissatisfied with his/her chapter  
35 assignment, he/she may appeal such assignment to the Board of Directors through the Judicial  
36 and Internal Affairs Committee. The appeal must be in writing and shall contain the current  
37 chapter assignment, an explanation of reasons for requesting another assignment and a more  
38 appropriate chapter assignment. Action on such appeals shall be taken at the next regular Board  
39 of Directors' meeting following receipt of appeal. The Board of Directors' decision shall be  
40 final.

41 **Section 4. Assemblies**

42           **(A)** All active Chapters containing a member of the agency that forms the Assembly  
43 shall hold membership in the Assembly.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(F)

RATIONALE: The intent is to enhance learning and increase the opportunity for efficient, effective and fair business meetings. The concern is that many new E-Board members as well as those who have been on E-Boards for some time do not know the rules of order when conducting a business meeting. At times, state board reps are not present to assist and they don't always know. No one will know every rule but a good general understanding will help immensely during business meetings to keep them orderly and fair to all members attending.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

44 (B) Only members who are current employees, life members, or retirees of the agency  
45 that forms the Assembly may be voting delegates in the Assembly.

46 (C) Reassignment of members from deactivated assemblies or to correct an error shall  
47 be done as soon as possible. Any such reassignments shall be reported to the Judicial and  
48 Internal Affairs Committee and Board of Directors. All reassigned members shall be notified in  
49 writing at the time of the reassignment.

50 **Section 5. District Councils**

51 (A) All active Chapters within the district shall hold membership in the District  
52 Council.

53 (B) Only members who are current employees, life members, or active retirees of the  
54 chapters that form the District may be voting delegates in the District Council.

55 (C) Reassignment of members from deactivated District Councils or to correct an  
56 error shall be done as soon as possible. Any such reassignments shall be reported to the Judicial  
57 and Internal Affairs Committee and Board of Directors. All reassigned members shall be  
58 notified in writing at the time of the reassignment.

59 **Section 6. Rules common to all Chapters, District Councils, and Assemblies**

60 The provisions of the State Constitution and these State By-Laws shall apply to all  
61 Chapters, District Councils, and Assemblies. Additionally, the following rules apply:

62 (A) A quorum must be present at each meeting in order to conduct official business.  
63 Additionally, a quorum must be present for at least one general body or executive board meeting  
64 within two (2) consecutive quarters in order to be considered active pursuant to OCSEA

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(F)

RATIONALE: The intent is to enhance learning and increase the opportunity for efficient, effective and fair business meetings. The concern is that many new E-Board members as well as those who have been on E-Boards for some time do not know the rules of order when conducting a business meeting. At times, state board reps are not present to assist and they don't always know. No one will know every rule but a good general understanding will help immensely during business meetings to keep them orderly and fair to all members attending.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

65 Constitution Article VII, Section 7. A quorum for each Chapter, District Council, and Assembly  
66 is defined in Article X, Section 1 of the Uniform OCSEA Subordinate Body Constitution.

67 (B) Qualifications for officers, elected delegates to any Chapter, District Council, or  
68 Assembly, Executive Board members are the same as those for State Board members as  
69 described in Article IV, Section 3 of the State Constitution.

70 (C) The qualifications for stewards are the same as those qualifications as described in  
71 Article IV, Section 3 of the State Constitution except that it's only necessary that they be active  
72 union members at the time of appointment or election and during the time that they serve as a  
73 steward. The two (2) years prior active membership requirement is not applicable to Chapter  
74 stewards.

75 (D) Each Chapter, District Council and Assembly shall be solely responsible for its  
76 financial affairs. No liability may be placed on any other Chapter, District Council or Assembly,  
77 the Board of Directors or the Union as a whole. Any fund raising activity shall be the exclusive  
78 responsibility of the Chapter, District Council or Assembly promoting such activity.

79 (E) It shall be the responsibility of the officers and executive board members to  
80 ensure proper record keeping with regard to any business conducted by the Chapter, District  
81 Council or Assembly or any funds received or expended by the Chapter, District Council or  
82 Assembly.

83 (F) All business shall be conducted following proper parliamentary procedure as set  
84 forth in *Robert's Rules of Order, Newly Revised*. **Within the first ninety (90) days all newly**  
85 **elected officers and Executive Board members shall attend training offered through**  
86 **OCSEA on parliamentary procedure as set forth in Robert's Rules of Order, Newly**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(F)

RATIONALE: The intent is to enhance learning and increase the opportunity for efficient, effective and fair business meetings. The concern is that many new E-Board members as well as those who have been on E-Boards for some time do not know the rules of order when conducting a business meeting. At times, state board reps are not present to assist and they don't always know. No one will know every rule but a good general understanding will help immensely during business meetings to keep them orderly and fair to all members attending.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Revised. Re-elected officers and Executive Board members shall take this training at least once during any two (2) consecutive terms.**

(G) All members in good standing are eligible to hold office in any Chapter, District Council, and Assembly pursuant to B of this section.

(H) Voting members of District Councils and Assemblies shall consist of the District Council and Assembly's Officers, Board of Directors members or State Officers (who are members from the District or work in the agency represented by the Assembly), Executive Board members and Chapter Delegates.

(I) All records maintained by any Chapter, District Council or Assembly shall be open for review by any member of that Chapter, District Council or Assembly upon reasonable advance written request. The request shall specify the records and time period to be reviewed. The request shall be submitted to the keeper of the records (Secretary or Treasurer) who shall make arrangements for the review. The review shall be scheduled within thirty (30) days of the request, unless other arrangements are mutually agreed upon.

(J) Executive Board meetings of each Chapter, District Council or Assembly shall be open to any member of that Chapter, District Council or Assembly. In the case of a District Council or Assembly, the term member shall include all active members who could qualify as a delegate to that District Council or Assembly.

(K) The Executive Board of a Chapter, District Council or Assembly may deliberate in executive session but take no official action or vote during executive session.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(I)

RATIONALE: No member should need to submit a written request or schedule a meeting just to receive or review approved meeting minutes and/or treasures reports. Members who attend the business meeting get this information, it is readily available. Because a person cannot or chooses not to attend the business meeting is no reason they should not receive this information. The fact that a member may request this information shows interest; the beginning involvement. This interest should not be hindered by this section as it is currently written.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article IV - Chapters, District Councils, and Assemblies**

**Section 1. Establishment of Chapters**

(A) A group of members sharing a community of interest may petition the Board of Directors for approval of Chapter formation and the granting of a Charter.

(B) Each Chapter shall adopt and follow the Uniform Subordinate Body Constitution. Chapters shall also be subject to the State Constitution and State By-Laws. Chapter By-Laws may be adopted after submission to the Judicial and Internal Affairs Committee (JIAC) for approval. The name of the Chapter should be identifiable with the community of interest the members share.

(C) No Chapter shall be created where the cost of its existence exceeds the revenue produced by that proposed Chapter.

(D) Petitions for Chapter formation shall be forwarded to JIAC for recommendation to the Board of Directors. The decision of the Board shall be final.

**Section 2. Assignment of Members to Chapters**

After review and recommendation of JIAC, authority for assigning members to active Chapters shall rest with the President. Decisions of the President may be appealed to the Board, which shall resolve the matter by a majority vote.

**Section 3. Chapters**

(A) **Newly Chartered Chapters.** For newly chartered Chapters, a notice of the formation of the Chapter and the requirements for an election of permanent officers shall be mailed to the affected members by the Secretary-Treasurer as soon as possible after the Board of Directors' meeting granting the charter.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(I)

RATIONALE: No member should need to submit a written request or schedule a meeting just to receive or review approved meeting minutes and/or treasures reports. Members who attend the business meeting get this information, it is readily available. Because a person cannot or chooses not to attend the business meeting is no reason they should not receive this information. The fact that a member may request this information shows interest; the beginning involvement. This interest should not be hindered by this section as it is currently written.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

23           **(B) Deactivated Chapters.** Reassignment of members from deactivated Chapters or  
24 to correct an error shall be done as soon as possible. Any such reassignments shall be reported to  
25 the Judicial and Internal Affairs Committee and Board of Directors. All reassigned members  
26 shall be notified in writing at the time of the reassignment.

27           **(C) Transfers.** Members may, individually or as a group, request transfer to a more  
28 appropriate Chapter. If the request is for any reason other than a change in public employer,  
29 work location, or change of residence, the request must be made to the Board of Directors  
30 through the Judicial and Internal Affairs Committee. Such requests shall be written and shall  
31 contain reasons the member(s) feel(s) a Chapter assignment should be changed. Requests shall  
32 be heard at the next regular Board of Directors' meeting after receipt. Ease of attendance shall be  
33 considered. The Board of Directors' decision on the request shall be final.

34           **(D) Appeal Procedures.** Should a member be dissatisfied with his/her chapter  
35 assignment, he/she may appeal such assignment to the Board of Directors through the Judicial  
36 and Internal Affairs Committee. The appeal must be in writing and shall contain the current  
37 chapter assignment, an explanation of reasons for requesting another assignment and a more  
38 appropriate chapter assignment. Action on such appeals shall be taken at the next regular Board  
39 of Directors' meeting following receipt of appeal. The Board of Directors' decision shall be  
40 final.

41 **Section 4. Assemblies**

42           **(A)** All active Chapters containing a member of the agency that forms the Assembly  
43 shall hold membership in the Assembly.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(I)

RATIONALE: No member should need to submit a written request or schedule a meeting just to receive or review approved meeting minutes and/or treasures reports. Members who attend the business meeting get this information, it is readily available. Because a person cannot or chooses not to attend the business meeting is no reason they should not receive this information. The fact that a member may request this information shows interest; the beginning involvement. This interest should not be hindered by this section as it is currently written.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

44 (B) Only members who are current employees, life members, or retirees of the agency  
45 that forms the Assembly may be voting delegates in the Assembly.

46 (C) Reassignment of members from deactivated assemblies or to correct an error shall  
47 be done as soon as possible. Any such reassignments shall be reported to the Judicial and  
48 Internal Affairs Committee and Board of Directors. All reassigned members shall be notified in  
49 writing at the time of the reassignment.

50 **Section 5. District Councils**

51 (A) All active Chapters within the district shall hold membership in the District  
52 Council.

53 (B) Only members who are current employees, life members, or active retirees of the  
54 chapters that form the District may be voting delegates in the District Council.

55 (C) Reassignment of members from deactivated District Councils or to correct an  
56 error shall be done as soon as possible. Any such reassignments shall be reported to the Judicial  
57 and Internal Affairs Committee and Board of Directors. All reassigned members shall be  
58 notified in writing at the time of the reassignment.

59 **Section 6. Rules common to all Chapters, District Councils, and Assemblies**

60 The provisions of the State Constitution and these State By-Laws shall apply to all  
61 Chapters, District Councils, and Assemblies. Additionally, the following rules apply:

62 (A) A quorum must be present at each meeting in order to conduct official business.  
63 Additionally, a quorum must be present for at least one general body or executive board meeting  
64 within two (2) consecutive quarters in order to be considered active pursuant to OCSEA

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(I)

RATIONALE: No member should need to submit a written request or schedule a meeting just to receive or review approved meeting minutes and/or treasures reports. Members who attend the business meeting get this information, it is readily available. Because a person cannot or chooses not to attend the business meeting is no reason they should not receive this information. The fact that a member may request this information shows interest; the beginning involvement. This interest should not be hindered by this section as it is currently written.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

65 Constitution Article VII, Section 7. A quorum for each Chapter, District Council, and Assembly  
66 is defined in Article X, Section 1 of the Uniform OCSEA Subordinate Body Constitution.

67 (B) Qualifications for officers, elected delegates to any Chapter, District Council, or  
68 Assembly, Executive Board members are the same as those for State Board members as  
69 described in Article IV, Section 3 of the State Constitution.

70 (C) The qualifications for stewards are the same as those qualifications as described in  
71 Article IV, Section 3 of the State Constitution except that it's only necessary that they be active  
72 union members at the time of appointment or election and during the time that they serve as a  
73 steward. The two (2) years prior active membership requirement is not applicable to Chapter  
74 stewards.

75 (D) Each Chapter, District Council and Assembly shall be solely responsible for its  
76 financial affairs. No liability may be placed on any other Chapter, District Council or Assembly,  
77 the Board of Directors or the Union as a whole. Any fund raising activity shall be the exclusive  
78 responsibility of the Chapter, District Council or Assembly promoting such activity.

79 (E) It shall be the responsibility of the officers and executive board members to  
80 ensure proper record keeping with regard to any business conducted by the Chapter, District  
81 Council or Assembly or any funds received or expended by the Chapter, District Council or  
82 Assembly.

83 (F) All business shall be conducted following proper parliamentary procedure as set  
84 forth in *Robert's Rules of Order, Newly Revised*.

85 (G) All members in good standing are eligible to hold office in any Chapter, District  
86 Council, and Assembly pursuant to B of this section.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(I)

RATIONALE: No member should need to submit a written request or schedule a meeting just to receive or review approved meeting minutes and/or treasures reports. Members who attend the business meeting get this information, it is readily available. Because a person cannot or chooses not to attend the business meeting is no reason they should not receive this information. The fact that a member may request this information shows interest; the beginning involvement. This interest should not be hindered by this section as it is currently written.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

87           (H)     Voting members of District Councils and Assemblies shall consist of the District  
88 Council and Assembly's Officers, Board of Directors members or State Officers (who are  
89 members from the District or work in the agency represented by the Assembly), Executive Board  
90 members and Chapter Delegates.

91           (I)     All records maintained by any Chapter, District Council or Assembly shall be  
92 open for review by any member of that Chapter, District Council or Assembly upon reasonable  
93 advance written request. The request shall specify the records and time period to be reviewed.  
94 The request shall be submitted to the keeper of the records (Secretary or Treasurer) who shall  
95 make arrangements for the review. The review shall be scheduled within thirty (30) days of the  
96 request, unless other arrangements are mutually agreed upon. **Any member requesting to**  
97 **receive Chapter, District Council or Assembly approved meeting minutes with attached**  
98 **treasurer's report, shall be provided an electronic copy within fifteen (15) days of request.**

99           (J)     Executive Board meetings of each Chapter, District Council or Assembly shall be  
100 open to any member of that Chapter, District Council or Assembly. In the case of a District  
101 Council or Assembly, the term member shall include all active members who could qualify as a  
102 delegate to that District Council or Assembly.

103           (K)     The Executive Board of a Chapter, District Council or Assembly may deliberate  
104 in executive session but take no official action or vote during executive session.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(J)

RATIONALE: Generally, non E-Board members who attend E-Board meetings do not speak during the meeting. For the most part, these members attend E-Board meetings to listen to the discussion and learn. However, at times, E-Board members may want members to expound on an issue being discussed or provide information on a matter. They should be given the opportunity. This same opportunity for members to speak at state board meetings.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article IV - Chapters, District Councils, and Assemblies**

**Section 1. Establishment of Chapters**

(A) A group of members sharing a community of interest may petition the Board of Directors for approval of Chapter formation and the granting of a Charter.

(B) Each Chapter shall adopt and follow the Uniform Subordinate Body Constitution. Chapters shall also be subject to the State Constitution and State By-Laws. Chapter By-Laws may be adopted after submission to the Judicial and Internal Affairs Committee (JIAC) for approval. The name of the Chapter should be identifiable with the community of interest the members share.

(C) No Chapter shall be created where the cost of its existence exceeds the revenue produced by that proposed Chapter.

(D) Petitions for Chapter formation shall be forwarded to JIAC for recommendation to the Board of Directors. The decision of the Board shall be final.

**Section 2. Assignment of Members to Chapters**

After review and recommendation of JIAC, authority for assigning members to active Chapters shall rest with the President. Decisions of the President may be appealed to the Board, which shall resolve the matter by a majority vote.

**Section 3. Chapters**

(A) **Newly Chartered Chapters.** For newly chartered Chapters, a notice of the formation of the Chapter and the requirements for an election of permanent officers shall be mailed to the affected members by the Secretary-Treasurer as soon as possible after the Board of Directors' meeting granting the charter.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(J)

RATIONALE: Generally, non E-Board members who attend E-Board meetings do not speak during the meeting. For the most part, these members attend E-Board meetings to listen to the discussion and learn. However, at times, E-Board members may want members to expound on an issue being discussed or provide information on a matter. They should be given the opportunity. This same opportunity for members to speak at state board meetings.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

23           **(B) Deactivated Chapters.** Reassignment of members from deactivated Chapters or  
24 to correct an error shall be done as soon as possible. Any such reassignments shall be reported to  
25 the Judicial and Internal Affairs Committee and Board of Directors. All reassigned members  
26 shall be notified in writing at the time of the reassignment.

27           **(C) Transfers.** Members may, individually or as a group, request transfer to a more  
28 appropriate Chapter. If the request is for any reason other than a change in public employer,  
29 work location, or change of residence, the request must be made to the Board of Directors  
30 through the Judicial and Internal Affairs Committee. Such requests shall be written and shall  
31 contain reasons the member(s) feel(s) a Chapter assignment should be changed. Requests shall  
32 be heard at the next regular Board of Directors' meeting after receipt. Ease of attendance shall be  
33 considered. The Board of Directors' decision on the request shall be final.

34           **(D) Appeal Procedures.** Should a member be dissatisfied with his/her chapter  
35 assignment, he/she may appeal such assignment to the Board of Directors through the Judicial  
36 and Internal Affairs Committee. The appeal must be in writing and shall contain the current  
37 chapter assignment, an explanation of reasons for requesting another assignment and a more  
38 appropriate chapter assignment. Action on such appeals shall be taken at the next regular Board  
39 of Directors' meeting following receipt of appeal. The Board of Directors' decision shall be  
40 final.

41 **Section 4. Assemblies**

42           **(A)** All active Chapters containing a member of the agency that forms the Assembly  
43 shall hold membership in the Assembly.

44           **(B)** Only members who are current employees, life members, or retirees of the agency  
45 that forms the Assembly may be voting delegates in the Assembly.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(J)

RATIONALE: Generally, non E-Board members who attend E-Board meetings do not speak during the meeting. For the most part, these members attend E-Board meetings to listen to the discussion and learn. However, at times, E-Board members may want members to expound on an issue being discussed or provide information on a matter. They should be given the opportunity. This same opportunity for members to speak at state board meetings.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

46 (C) Reassignment of members from deactivated assemblies or to correct an error shall  
47 be done as soon as possible. Any such reassignments shall be reported to the Judicial and  
48 Internal Affairs Committee and Board of Directors. All reassigned members shall be notified in  
49 writing at the time of the reassignment.

50 **Section 5. District Councils**

51 (A) All active Chapters within the district shall hold membership in the District  
52 Council.

53 (B) Only members who are current employees, life members, or active retirees of the  
54 chapters that form the District may be voting delegates in the District Council.

55 (C) Reassignment of members from deactivated District Councils or to correct an  
56 error shall be done as soon as possible. Any such reassignments shall be reported to the Judicial  
57 and Internal Affairs Committee and Board of Directors. All reassigned members shall be  
58 notified in writing at the time of the reassignment.

59 **Section 6. Rules common to all Chapters, District Councils, and Assemblies**

60 The provisions of the State Constitution and these State By-Laws shall apply to all  
61 Chapters, District Councils, and Assemblies. Additionally, the following rules apply:

62 (A) A quorum must be present at each meeting in order to conduct official business.  
63 Additionally, a quorum must be present for at least one general body or executive board meeting  
64 within two (2) consecutive quarters in order to be considered active pursuant to OCSEA  
65 Constitution Article VII, Section 7. A quorum for each Chapter, District Council, and Assembly  
66 is defined in Article X, Section 1 of the Uniform OCSEA Subordinate Body Constitution.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(J)

RATIONALE: Generally, non E-Board members who attend E-Board meetings do not speak during the meeting. For the most part, these members attend E-Board meetings to listen to the discussion and learn. However, at times, E-Board members may want members to expound on an issue being discussed or provide information on a matter. They should be given the opportunity. This same opportunity for members to speak at state board meetings.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

67 (B) Qualifications for officers, elected delegates to any Chapter, District Council, or  
68 Assembly, Executive Board members are the same as those for State Board members as  
69 described in Article IV, Section 3 of the State Constitution.

70 (C) The qualifications for stewards are the same as those qualifications as described in  
71 Article IV, Section 3 of the State Constitution except that it's only necessary that they be active  
72 union members at the time of appointment or election and during the time that they serve as a  
73 steward. The two (2) years prior active membership requirement is not applicable to Chapter  
74 stewards.

75 (D) Each Chapter, District Council and Assembly shall be solely responsible for its  
76 financial affairs. No liability may be placed on any other Chapter, District Council or Assembly,  
77 the Board of Directors or the Union as a whole. Any fund raising activity shall be the exclusive  
78 responsibility of the Chapter, District Council or Assembly promoting such activity.

79 (E) It shall be the responsibility of the officers and executive board members to  
80 ensure proper record keeping with regard to any business conducted by the Chapter, District  
81 Council or Assembly or any funds received or expended by the Chapter, District Council or  
82 Assembly.

83 (F) All business shall be conducted following proper parliamentary procedure as set  
84 forth in *Robert's Rules of Order, Newly Revised*.

85 (G) All members in good standing are eligible to hold office in any Chapter, District  
86 Council, and Assembly pursuant to B of this section.

87 (H) Voting members of District Councils and Assemblies shall consist of the District  
88 Council and Assembly's Officers, Board of Directors members or State Officers (who are



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IV – Chapters, District Councils, and Assemblies, Section 6(J)

RATIONALE: Generally, non E-Board members who attend E-Board meetings do not speak during the meeting. For the most part, these members attend E-Board meetings to listen to the discussion and learn. However, at times, E-Board members may want members to expound on an issue being discussed or provide information on a matter. They should be given the opportunity. This same opportunity for members to speak at state board meetings.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

89 members from the District or work in the agency represented by the Assembly), Executive Board  
90 members and Chapter Delegates.

91 (I) All records maintained by any Chapter, District Council or Assembly shall be  
92 open for review by any member of that Chapter, District Council or Assembly upon reasonable  
93 advance written request. The request shall specify the records and time period to be reviewed.  
94 The request shall be submitted to the keeper of the records (Secretary or Treasurer) who shall  
95 make arrangements for the review. The review shall be scheduled within thirty (30) days of the  
96 request, unless other arrangements are mutually agreed upon.

97 (J) Executive Board meetings of each Chapter, District Council or Assembly shall be  
98 open to any member of that Chapter, District Council or Assembly. **With approval from the**  
99 **chair, an Executive Board member may yield to any member in attendance the opportunity**  
100 **to address the Executive Board.** In the case of a District Council or Assembly, the term  
101 member shall include all active members who could qualify as a delegate to that District Council  
102 or Assembly.

103 (K) The Executive Board of a Chapter, District Council or Assembly may deliberate  
104 in executive session but take no official action or vote during executive session.

105

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article VI – Financial Matters; Section 3

RATIONALE: The intent is to minimize the opportunity for fraud. Considering some chapters have been harmed through the misappropriation of funds, audits need to be done more frequently. Additionally, given the E-Board members are responsible and accountable as stated in the constitution for proper financial record keeping, E-Board members should have access to the information they are responsible for making sure is proper. E-Board members must receive the training needed to understand the financial information and reports. Finally, to be consistent with current language and other proposed changes.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article VI - Financial Matters**

**Section 1.**

The Fiscal Year of this Union shall be from January 1 through December 31.

**Section 2. Rebates**

Rebates to Chapters, District Councils or Assemblies shall be paid on a quarterly basis as promptly as possible after the following requirements are met:

(A) Each Chapter, District Council and Assembly must be in active status as defined in Article VII, Section 7 of the State Constitution.

(B) A complete quarterly financial report including copies of all bank statements must be submitted to the Comptroller and must have all information requested as well as the proper signatures.

(C) Funds distributed to Chapters, Assemblies and/or Councils for rebates along with any other monies in the possession of the Bodies shall be deposited in Federally Insured Banks or Savings and Loan Institutions. Chapter, District Councils, or Assemblies shall adhere to the financial standards code of the International Union.

(D) The Comptroller shall be a signatory on every Chapter, District Council, and Assembly account along with the Chapter, District Council, and Assembly President and Treasurer. The comptroller's signature shall not be required to conduct regular financial business of the Chapter, District Council, and Assembly. Rebates to Chapters, District Councils or Assemblies shall be withheld if they fail to comply with this procedure.

**Section 3. Audits**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article VI – Financial Matters; Section 3

RATIONALE: The intent is to minimize the opportunity for fraud. Considering some chapters have been harmed through the misappropriation of funds, audits need to be done more frequently. Additionally, given the E-Board members are responsible and accountable as stated in the constitution for proper financial record keeping, E-Board members should have access to the information they are responsible for making sure is proper. E-Board members must receive the training needed to understand the financial information and reports. Finally, to be consistent with current language and other proposed changes.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

Upon notice to any Chapter, District Council, or Assembly, the financial records of such Body shall be furnished to the Comptroller, who at least once each calendar year~~during any two (2) year period~~, shall audit each Chapter, District Council and Assembly financial records and report the results of such audit to the Finance Committee,~~and~~ Board of Directors and the Executive Board of the Chapter, District Council or Assembly. The Comptroller shall complete the audit within thirty (30) days. The audit report shall include the signature of the Secretary-Treasurer.

Upon completion of an election or other change in the Office of President, Secretary and/or Treasurer, the unaudited portions of the Chapter, District Council or Assembly records shall be forwarded to the Comptroller's Office for audit. The Comptroller shall complete the audit within ninety (90) days after election. The audit report shall include the signature of the Secretary-Treasurer. Said records shall be audited and returned to the Chapter, District Council or Assembly Treasurer upon completion. A report of the results of such audit shall be made to the Finance Committee, Board of Directors and the Executive Board of the Chapter, District Council or Assembly within thirty (30) days after audit. All new Executive Board members shall attend the OCSEA financial leadership ~~Treasurer's and/or Leadership~~ Training ~~shall be~~ arranged by the State Secretary-Treasurer, ~~if requested~~.

#### Section 4. Review of Records Maintained by the OCSEA Secretary-Treasurer

The Secretary-Treasurer shall cause an accurate accounting of all income and expenses to be made on an annual basis and in conjunction with each regular meeting of the Board. Such accounts shall be open for review by any member upon reasonable advance request.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article VI – Financial Matters; Section 3

RATIONALE: The intent is to minimize the opportunity for fraud. Considering some chapters have been harmed through the misappropriation of funds, audits need to be done more frequently. Additionally, given the E-Board members are responsible and accountable as stated in the constitution for proper financial record keeping, E-Board members should have access to the information they are responsible for making sure is proper. E-Board members must receive the training needed to understand the financial information and reports. Finally, to be consistent with current language and other proposed changes.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

43           The expense records of the officers and Board shall be open for review by a member,  
44 provided an advance written request specifying the records and time periods to be reviewed is  
45 submitted to the Secretary-Treasurer. Upon receipt of such request, the Secretary-Treasurer shall  
46 make arrangements for the review during normal business hours and shall afford all persons  
47 whose records are being reviewed with the right to be present during such inspection. Financial  
48 or expense records shall not be removed from the union offices and copies may be made only  
49 with the consent of the officers or Board member involved.

50 **Section 5. Financial Transactions**

51           No loan shall be made to officers, agents or members of the Union and no business or  
52 financial transaction involving an officer, agent, or employee of the Union, or their spouse,  
53 children, parents or other family member, shall conflict with the fiduciary responsibility of such  
54 persons to the Union.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article VI – Financial Matters; Section 4

RATIONALE: This section applies specifically to the review of records maintained by the OCSEA secretary and more specifically to the review of expense records of the officers and board. There is a need to include specificity in this section to distinguish it from review of records maintained by chapters, district and assemblies in by-laws, Article IV, Section 6 in which the proposed change is to include providing members with copies of approved minutes and/or treasurers reports at the chapter, district and assembly level.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article VI - Financial Matters**

**Section 1.**

The Fiscal Year of this Union shall be from January 1 through December 31.

**Section 2. Rebates**

Rebates to Chapters, District Councils or Assemblies shall be paid on a quarterly basis as promptly as possible after the following requirements are met:

(A) Each Chapter, District Council and Assembly must be in active status as defined in Article VII, Section 7 of the State Constitution.

(B) A complete quarterly financial report including copies of all bank statements must be submitted to the Comptroller and must have all information requested as well as the proper signatures.

(C) Funds distributed to Chapters, Assemblies and/or Councils for rebates along with any other monies in the possession of the Bodies shall be deposited in Federally Insured Banks or Savings and Loan Institutions. Chapter, District Councils, or Assemblies shall adhere to the financial standards code of the International Union.

(D) The Comptroller shall be a signatory on every Chapter, District Council, and Assembly account along with the Chapter, District Council, and Assembly President and Treasurer. The comptroller's signature shall not be required to conduct regular financial business of the Chapter, District Council, and Assembly. Rebates to Chapters, District Councils or Assemblies shall be withheld if they fail to comply with this procedure.

**Section 3. Audits**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article VI – Financial Matters; Section 4

RATIONALE: This section applies specifically to the review of records maintained by the OCSEA secretary and more specifically to the review of expense records of the officers and board. There is a need to include specificity in this section to distinguish it from review of records maintained by chapters, district and assemblies in by-laws, Article IV, Section 6 in which the proposed change is to include providing members with copies of approved minutes and/or treasurers reports at the chapter, district and assembly level.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

22           Upon notice to any Chapter, District Council, or Assembly, the financial records of such  
23   Body shall be furnished to the Comptroller, who at least once during any two (2) year period,  
24   shall audit each Chapter, District Council and Assembly financial records and report the results  
25   of such audit to the Finance Committee and Board of Directors. The Comptroller shall complete  
26   the audit within thirty (30) days. The audit report shall include the signature of the Secretary-  
27   Treasurer.

28           Upon completion of an election or other change in the Office of President, Secretary  
29   and/or Treasurer, the unaudited portions of the Chapter, District Council or Assembly records  
30   shall be forwarded to the Comptroller's Office for audit. Said records shall be audited and  
31   returned to the Chapter, District Council or Assembly Treasurer upon completion. Treasurer's  
32   and/or Leadership Training shall be arranged by the State Secretary-Treasurer, if requested.

33   **Section 4. Review of Records Maintained by the OCSEA Secretary-Treasurer**

34           The Secretary-Treasurer shall cause an accurate accounting of all income and expenses to  
35   be made on an annual basis and in conjunction with each regular meeting of the Board. Such  
36   accounts shall be open for review by any member upon reasonable advance request.

37           The expense records of the officers and Board shall be open for review by a member,  
38   provided an advance written request specifying the records and time periods to be reviewed is  
39   submitted to the Secretary-Treasurer. Upon receipt of such request, the Secretary-Treasurer shall  
40   make arrangements for the review during normal business hours and shall afford all persons  
41   whose records are being reviewed with the right to be present during such inspection. Financial  
42   or expense records shall not be removed from the union offices and copies may be made only

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article VI – Financial Matters; Section 4

RATIONALE: This section applies specifically to the review of records maintained by the OCSEA secretary and more specifically to the review of expense records of the officers and board. There is a need to include specificity in this section to distinguish it from review of records maintained by chapters, district and assemblies in by-laws, Article IV, Section 6 in which the proposed change is to include providing members with copies of approved minutes and/or treasurers reports at the chapter, district and assembly level.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

43 with the consent of the officers or Board member involved. **Provisions pursuant to State By-**  
44 **laws Article IV, Section 6(I) apply.**

45 **Section 5. Financial Transactions**

46 No loan shall be made to officers, agents or members of the Union and no business or  
47 financial transaction involving an officer, agent, or employee of the Union, or their spouse,  
48 children, parents or other family member, shall conflict with the fiduciary responsibility of such  
49 persons to the Union.

50

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Charges

RATIONALE: This clarification incorporates language from Article X of the International Constitution to provide a charged member with notice of the allegations that are being made against them.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article IX – Charges**

**Section 1. Basis for Charges**

Charges may be brought against a member or officer solely for the reasons set forth in Article XIII of the State Constitution. **The person bringing the charge shall file the original charge in sufficient detail as to afford the accused person full opportunity to prepare a defense.**

**Section 2. Due Process**

(A) When charges are filed against a member, they shall be reviewed by the Judicial and Internal Affairs Committee (JIAC) and, if actions are to be taken, a hearing shall be scheduled. All members involved shall be given written advance notice of the date, time and location of any hearing to be held, together with a written copy of the allegations and an invitation to attend the hearing.

(B) In such hearing, the JIAC will hear and review all evidence and, by a majority vote of those present, based on the preponderance of the evidence, shall determine the guilt or innocence of the affected member to each allegation in the charge. At the hearing, no member or charging party may be represented by any person who is a member of, representative of, or in any way connected with a competing organization. The hearing shall be conducted pursuant to rules established by the JIAC.

(C) If the member is found guilty, the committee may recommend to the Board of Directors that the member be warned, fined, suspended from membership for a period certain, removed from office, or expelled from membership permanently. No suspension, fine, removal from office, or expulsion from membership shall be effective until the Board of Directors concurs in the recommendation.

(D) Where JIAC recommends to fine, suspend, remove or expel a member, JIAC shall present their recommendation in writing to the Board of Directors no later than one (1) day prior

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IX – Charges

RATIONALE: This clarification incorporates language from Article X of the International Constitution to provide a charged member with notice of the allegations that are being made against them.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

to the Board voting on JIAC's recommendation and shall include at least the following separate items:

1. A statement of charges;
2. A summary of the evidence;
3. A finding of fact;
4. The recommendation of a penalty.

(E) At the next meeting of the Board of Directors following any hearing, action shall be taken on the committee recommendation. A two-thirds (2/3) vote of the Board of Directors present shall be required to modify the recommendation of the committee. The member involved shall be permitted to attend such Board of Directors' meeting and state his or her views, before both the Judicial and Internal Affairs Committee and the Board of Directors.

(F) Appeal and due process procedures shall be provided to all interested parties when any matter pertaining to irregularities and/or disputes in the various Chapters, District Councils, or Assemblies is brought before the Judicial and Internal Affairs Committee. All interested parties shall be afforded the following procedural rights: (1) timely notice of hearing, (2) an opportunity to testify before the committee at the hearing, (3) the right to have representation, if desired, (4) the right to appeal, and (5) the right of the accused to choose either an open or closed hearing.

(G) Should the Judicial and Internal Affairs Committee determine that dissolution of a Chapter, District Council or Assembly is imminent; the Committee may consider the internal irregularities and make a recommendation to the Board of Directors relative to imposition of trusteeship without affording interested parties one or more of the procedural rights set forth above.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article IX – Charges, Section 2(A)

RATIONALE: There are no timeframes established in the OCSEA Constitution and it needs to be addressed. Language added to mimic AFSCME's established timeframes.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article IX – Charges**

**Section 1. Basis for Charges**

Charges may be brought against a member or officer solely for the reasons set forth in Article XIII of the State Constitution.

**Section 2. Due Process**

(A) When charges are filed against a member, they shall be reviewed by the Judicial and Internal Affairs Committee (JIAC) **within 30 days** and, if actions are to be taken, a hearing shall be scheduled. **This hearing shall be held within 60 days from the date the charges were filed. This timeframe may be extended by written mutual agreement of both parties.** All members involved shall be given written advance notice of the date, time and location of any hearing to be held, together with a written copy of the allegations and an invitation to attend the hearing.

(B) In such hearing, the JIAC will hear and review all evidence and, by a majority vote of those present, based on the preponderance of the evidence, shall determine the guilt or innocence of the affected member to each allegation in the charge. At the hearing, no member or charging party may be represented by any person who is a member of, representative of, or in any way connected with a competing organization. The hearing shall be conducted pursuant to rules established by the JIAC.

(C) If the member is found guilty, the committee may recommend to the Board of Directors that the member be warned, fined, suspended from membership for a period certain, removed from office, or expelled from membership permanently. No suspension, fine, removal from office, or expulsion from membership shall be effective until the Board of Directors concurs in the recommendation.

(D) Where JIAC recommends to fine, suspend, remove or expel a member, JIAC shall present their recommendation in writing to the Board of Directors no later than one (1) day prior

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article IX – Charges, Section 2(A)

RATIONALE: There are no timeframes established in the OCSEA Constitution and it needs to be addressed. Language added to mimic AFSCME's established timeframes.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

to the Board voting on JIAC's recommendation and shall include at least the following separate items:

1. A statement of charges;
2. A summary of the evidence;
3. A finding of fact;
4. The recommendation of a penalty.

(E) At the next meeting of the Board of Directors following any hearing, action shall be taken on the committee recommendation. A two-thirds (2/3) vote of the Board of Directors present shall be required to modify the recommendation of the committee. The member involved shall be permitted to attend such Board of Directors' meeting and state his or her views, before both the Judicial and Internal Affairs Committee and the Board of Directors.

(F) Appeal and due process procedures shall be provided to all interested parties when any matter pertaining to irregularities and/or disputes in the various Chapters, District Councils, or Assemblies is brought before the Judicial and Internal Affairs Committee. All interested parties shall be afforded the following procedural rights: (1) timely notice of hearing, (2) an opportunity to testify before the committee at the hearing, (3) the right to have representation, if desired, (4) the right to appeal, and (5) the right of the accused to choose either an open or closed hearing.

(G) Should the Judicial and Internal Affairs Committee determine that dissolution of a Chapter, District Council or Assembly is imminent; the Committee may consider the internal irregularities and make a recommendation to the Board of Directors relative to imposition of trusteeship without affording interested parties one or more of the procedural rights set forth above.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV - Officers and Executive Board; Section 3

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SC Article IX allowing members to become delegates with one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IV – Officers and Executive Board**

**Section 1.** The officers of this Body shall consist of at least a President, Vice President, Secretary and/or Treasurer.

**Section 2.** The Executive Board of a Chapter, District Council or Assembly shall consist of a minimum of three elected members plus the officers.

**Section 3.** Qualifications for nomination or election to and maintenance of office are the same as for the State Board of Directors with the following exceptions:

**(A) Only such employees who are active members of the Union for a period of at least one (1) continuous year immediately prior to election or appointment shall be eligible for election or appointment as Subordinate Body Officers or Executive Board Members.**

**(AB)** In the initial election held in the establishment of a newly chartered Chapter, District Council, or Assembly, it is not necessary to have been an active member of the Union for ~~two (2) years~~ **any length-of-membership to be eligible to be elected to office.**

**(BC)** Life and Retired members may be nominated for, elected to and maintain any office except (1) President or Vice President in any Chapter, District Council, or Assembly, and (2) run for or maintain a seat on the State Board of Directors.

**(CD)** For a subordinate body position: Where (1) there is only one nominee; and (2) that nominee would be ineligible only because of the length-of-membership requirement, that nominee may be declared elected and may serve the full term of that office. If there is more than one nominee and all of them are ineligible only because of the length-of-membership requirement, they should be considered eligible and their names placed on the ballot. This includes delegates to an Assembly or District Council.

**Section 4.** All officers or Executive Board Members shall comply with all provisions of the Union's State Constitution and State By-Laws and the Constitution and By-Laws of the Body,

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Article IV - Officers and Executive Board; Section 3

RATIONALE: This modification will loosen up the requirements to be a delegate to encourage participation by newer members after the U.S. Supreme Court's decision in *Janus* holding that fair share fees are unconstitutional. This proposal is similar to proposed modifications to SC Article IX allowing members to become delegates with one (1) year of active membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

25 and they shall not violate, or willfully attempt to violate, the Union's State Constitution and State  
26 By-Laws or the Constitution and By-Laws of this Chapter, District Council, or Assembly.

27 **Section 5.** Affiliation with a competing labor organization by any officer, Executive Board  
28 member of this Chapter, District Council, or Assembly after election, shall be deemed an  
29 automatic resignation from the office. Affiliation of any officer, Executive Board member with a  
30 non-competitive labor organization as a result of work other than public service shall not be  
31 deemed an automatic resignation.

32 **Section 6.** All officers of this Chapter, District Council, or Assembly shall be ex-officio  
33 members of all committees. No officer or executive board member shall be a member of any  
34 election committee overseeing an election wherein they are a candidate.

35

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Stewards, Section 13.

RATIONALE: Currently either a grievant is represented by OCSEA Staff or themselves only during grievance committee meetings. Often the grievant does not understand the complexities and intent of contract language while their steward of record has been trained, has investigated, and has prepared the grievance on behalf of the grievant. The steward of record should have the right to argue their case in every forum necessary so that the true facts and language intent can be explained for the grievant. This change will strengthen and protect the individual rights of OCSEA members.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article V – Stewards**

**Section 1.** Qualifications for stewards are those described in Article IV, Section 6 (C) in the State By-Laws.

**Section 2.** Stewards may be organized by Chapter; as provided for in the By-Laws of a Chapter; by agency work site members within their geographic districts as defined by master contracts; in a multiple agency work site, within such work site by members.

**Section 3.** Depending on which basis stewards are organized, those stewards may decide on their own selection method of a Chief Steward.

**Section 4.** Stewards shall be appointed by the Chapter president. The Chapter president shall respond to requests for appointment, in writing, within fifteen (15) calendar days. A member may petition the Chapter executive board, in writing, within fifteen (15) calendar days, if not appointed. The executive board shall respond, in writing, to a petition from a member within fifteen (15) calendar days of receipt.

**Section 5.** The term of office for stewards shall run concurrently with the term of office of the appointing Chapter president. Stewards must be appointed or reappointed by each Chapter president at the beginning of his/her term.

**Section 6.** Stewards may be removed by written notice from the Chapter president. The removal may be appealed, in writing, to the Chapter executive board within fifteen (15) calendar days of receipt of the notice of removal.

**Section 7.** Appeals to the Chapter executive board shall be heard within sixty (60) days of receipt. Appeals shall be forwarded to the Chapter secretary.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Stewards, Section 13.

RATIONALE: Currently either a grievant is represented by OCSEA Staff or themselves only during grievance committee meetings. Often the grievant does not understand the complexities and intent of contract language while their steward of record has been trained, has investigated, and has prepared the grievance on behalf of the grievant. The steward of record should have the right to argue their case in every forum necessary so that the true facts and language intent can be explained for the grievant. This change will strengthen and protect the individual rights of OCSEA members.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 8.** The decision of the Executive Board shall be forwarded to the member in writing and shall be final. No further appeal shall be made to OCSEA and/or AFSCME.

**Section 9.** The results of the appeal(s) shall be made part of the minutes of the executive board and a copy of the decision forwarded to OCSEA Central Office.

**Section 10.** All stewards shall comply with all provisions of the union's State Constitution, State By-Laws, the Uniform Subordinate Body Constitution and any By-Laws of the body. Stewards shall not violate, or willfully attempt to violate, the Union's State Constitution, State By-Laws, the Uniform Subordinate Body Constitution or any By-Laws of this Chapter, District Council, or Assembly.

**Section 11.** Affiliation with a competing labor organization by any steward after appointment shall be deemed an automatic resignation from the office. Affiliation of any steward with a non-competitive labor organization as a result of work other than public service shall not be deemed an automatic resignation.

**Section 12.** ODOT District Stewards

A. District Stewards are subject to all Article V conditions, with the following differences:

1. Only stewards in the Ohio Department of Transportation (ODOT) are eligible to be an ODOT District Steward.
2. ODOT District Stewards are elected from among those stewards from Chapters within each ODOT geographical district. Any expense incurred for an election shall be borne proportionally by those Chapters which contain ODOT employees.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Stewards, Section 13.

RATIONALE: Currently either a grievant is represented by OCSEA Staff or themselves only during grievance committee meetings. Often the grievant does not understand the complexities and intent of contract language while their steward of record has been trained, has investigated, and has prepared the grievance on behalf of the grievant. The steward of record should have the right to argue their case in every forum necessary so that the true facts and language intent can be explained for the grievant. This change will strengthen and protect the individual rights of OCSEA members.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

- 42           3.     The election shall be overseen by the President of the District Council within  
43                 which the majority of Chapters are affiliated as listed in Section 11 of this Article.
- 44           4.     If a vacancy occurs in the position of ODOT District Steward, a new election  
45                 must be held within forty-five (45) days.
- 46           5.     To be eligible for a District Steward position, the member must have been an  
47                 active, certified steward for at least one year prior to the election date.
- 48           6.     No Chapter President may remove an ODOT District Steward from his/her  
49                 position as District Steward. However, pursuant to Section 6 of this Article,  
50                 stewards may be removed from the Chapter roster.
- 51           7.     A District Steward may be removed by the ODOT Stewards pursuant to Article  
52                 XII of the OCSEA Subordinate Body Constitution. The removal may be appealed  
53                 to the ODOT Assembly Executive Board within fifteen (15) calendar days of the  
54                 removal. The Executive Board has sixty (60) days to respond. The decision of the  
55                 Executive Board shall be final.
- 56           8.     All ODOT District Stewards shall be voting delegates to the ODOT Assembly.
- 57           9.     The State Secretary-Treasurer shall determine and have oversight of the process  
58                 for recouping expenses incurred by ODOT District Stewards for representing  
59                 members in Chapters other than their own.
- 60           10.    The term of office for a District Steward shall be three (3) years except for those  
61                 elected prior to January 1, 2014.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article V – Stewards, Section 13.

RATIONALE: Currently either a grievant is represented by OCSEA Staff or themselves only during grievance committee meetings. Often the grievant does not understand the complexities and intent of contract language while their steward of record has been trained, has investigated, and has prepared the grievance on behalf of the grievant. The steward of record should have the right to argue their case in every forum necessary so that the true facts and language intent can be explained for the grievant. This change will strengthen and protect the individual rights of OCSEA members.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

11. District Steward elections shall be held in conjunction with the assigned District Council elections. ODOT districts are assigned to OCSEA districts as follows:

**District Council Assignments**

<u>OCSEA</u>	<u>ODOT</u>
1	1
1	2
1	7
2	8
3	3
4	4
5	5
5	11
6	6
7	12
8	10
9	9

**Section 13. Grievance Hearings**

**The Steward of record shall be allowed to attend and speak on behalf of any grievant in front of any OCSEA grievance committee (i.e. Article 17 Committee, Arbitration Committee, etc.).**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article IX – Duties, Section 1

RATIONALE: Agency Assemblies are the highest authority within the BU of a particular agency, therefore, the highest BU representative within an agency is the Assembly President. Assemblies are where all issues dealing with multiple chapters (especially conglomerate chapters) need to be discussed so no agreement can be made at a chapter level in OCSEA that may affect other members of an agency throughout the state.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IX - Duties**

**Section 1.** The Chapter, District Council, or Assembly President shall:

(A) Preside over all meetings.

(B) Transfer to the succeeding officer within seven (7) days of election any and all records, books, and property of the office and/or Chapter including and not limited to the records of the Chapter's chief steward.

(C) Except as otherwise provided herein, the president shall appoint all committees needed to conduct this Chapter's, District Council's or Assembly's business. At least one (1) Chapter, District Council, or Assembly executive board member other than the Chapter, District Council, or Assembly officers shall be appointed on each standing committee.

(D) Chapter president shall appoint representatives to the district grassroots committee. The District president shall appoint the district grassroots committee chairperson and vice-chairperson.

(E) Through the chapter secretary, shall provide a list to OCSEA Central Office of all current stewards within ten (10) days of his/her election. Any new appointments or removals of stewards thereafter must be reported to OCSEA within seven (7) days of the action.

**(F) Assembly Presidents (or their designees) shall be the Union chair of any Statewide Agency Committees and an automatic steward.**

**(G) Assembly Presidents (or their designees) shall be invited to any meeting between OCSEA staff and Agency management at least 10 days prior to the meeting or as soon as possible if time is of the essence.**

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article IX – Duties, Section 1

RATIONALE: Agency Assemblies are the highest authority within the BU of a particular agency, therefore, the highest BU representative within an agency is the Assembly President. Assemblies are where all issues dealing with multiple chapters (especially conglomerate chapters) need to be discussed so no agreement can be made at a chapter level in OCSEA that may affect other members of an agency throughout the state.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**(H) All agreements (concerning individual members and/or job classifications that involve more than one (1) Chapter and/or Agencies and the impacted agencies have an Assembly) shall be submitted to the affected Assembly President(s) for approval prior to any Chapter President, District Council President, and/or OCSEA staff signing of said agreement (ie. MOU, MOA, LOA, etc.).**

**Section 2.** The Vice President shall:

(A) Assist the President when called upon to do so and, in the case of absence or disability of the president, shall act as President.

(B) Transfer to the succeeding officer within seven (7) days of election all records, books, and property of the office.

**Section 3.** The Chapter, District Council, or Assembly Secretary shall:

(A) Keep

(1) All records in books or files; the location of which is known by the President at all times; and

(2) A copy of the State Constitutions and State By-Laws of the OCSEA, and By-Laws of the Chapter, District Council, or Assembly, if any, and the Board policies; and

(3) A current membership list of the Chapter, District Council, or Assembly; and

(4) A record of the minutes of all the meetings of the Chapter, District Council, or Assembly, its Executive Board and Committees after they have been approved; and

(5) All communications initiated by the Chapter, District Council, or Assembly.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article IX – Duties, Section 1

RATIONALE: Agency Assemblies are the highest authority within the BU of a particular agency, therefore, the highest BU representative within an agency is the Assembly President. Assemblies are where all issues dealing with multiple chapters (especially conglomerate chapters) need to be discussed so no agreement can be made at a chapter level in OCSEA that may affect other members of an agency throughout the state.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

43 (B) Prepare and forward all supporting documentation regarding the unaudited portion  
44 of the Chapter, District Council or Assembly records to the Comptroller's office after an election  
45 or other change of office of the Secretary.

46 (C). Transfer to the succeeding officer all other records and books of the office within  
47 seven (7) days of election or taking office.

48 (D) The Secretary or Secretary-Treasurer, where applicable, of the Chapter shall  
49 notify, in writing, the assigned Staff Representative of the Union, and the assigned State Board  
50 of Directors member, at least ten (10) days in advance of each Chapter's meeting.

51 (E) The Secretary or Secretary-Treasurer, where applicable, of the District Council  
52 and Assembly shall notify the Secretary-Treasurer of the Union, in writing, at least ten (10) days  
53 in advance of each District Council's or Assembly's meeting.

54 (F). Sign all certified copies of activities of the body, such as minutes, unless  
55 otherwise specified in the documents.

56 **Section 4.** The Chapter, District Council, or Assembly Treasurer shall:

57 (A) Receive and hold all monies, securities, vouchers and such other property of the  
58 Chapter, District Council, or Assembly as may pertain to the Treasurer's office.

59 (B) Keep an accurate account of all financial transactions of the Chapter, District  
60 Council, or Assembly.

61 (C) Report all financial transactions at each regular meeting of the Chapter, District  
62 Council, or Assembly and submit in writing to the Secretary. The report, including Board polls  
63 and Executive Board actions, shall be attached to the minutes after approval by the Chapter,  
64 District Council, or Assembly.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article IX – Duties, Section 1

RATIONALE: Agency Assemblies are the highest authority within the BU of a particular agency, therefore, the highest BU representative within an agency is the Assembly President. Assemblies are where all issues dealing with multiple chapters (especially conglomerate chapters) need to be discussed so no agreement can be made at a chapter level in OCSEA that may affect other members of an agency throughout the state.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

65           (D)     Submit all necessary financial reports to the Comptroller, as required in the State  
66 Constitution Article XII, Sections 3 and 4.

67           (E)     Shall pay out monies only after the Chapter, District Council, or Assembly or  
68 Executive Board has authorized payment or as the State By-Laws prescribe.

69           (F)     Submit all financial records upon request of the Chapter, District Council, or  
70 Assembly's duly appointed and elected audit committee or the Comptroller.

71           (G)     Not authorize any expenditures or incur any obligations for which funds are  
72 unavailable.

73           (H)     Forward all unaudited portions of the Chapter, District Council or Assembly's  
74 financial records to the Comptroller's Office after an election or other change in the office of  
75 Treasurer.

76           (I)     Transfer to the succeeding officer all monies, securities, vouchers and all other  
77 property, including audited records, within seven (7) days of a change in the office of Treasurer.

78           (J)     Sign as evidence of certification all financial transactions of the Chapter, District  
79 Council, or Assembly.

80           (K)     Ensure that the Comptroller is a signatory on all chapter, District Council or  
81 Assembly bank accounts within thirty (30) days of taking office.

82

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IX – Duties, Section 4(C)

RATIONALE: The intent is to improve the readability of this section. Difficult to understand the way it is currently written and created confusion and misinterpretation.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IX - Duties**

**Section 1.** The Chapter, District Council, or Assembly President shall:

(A) Preside over all meetings.

(B) Transfer to the succeeding officer within seven (7) days of election any and all records, books, and property of the office and/or Chapter including and not limited to the records of the Chapter's chief steward.

(C) Except as otherwise provided herein, the president shall appoint all committees needed to conduct this Chapter's, District Council's or Assembly's business. At least one (1) Chapter, District Council, or Assembly executive board member other than the Chapter, District Council, or Assembly officers shall be appointed on each standing committee.

(D) Chapter president shall appoint representatives to the district grassroots committee. The District president shall appoint the district grassroots committee chairperson and vice-chairperson.

(E) Through the chapter secretary, shall provide a list to OCSEA Central Office of all current stewards within ten (10) days of his/her election. Any new appointments or removals of stewards thereafter must be reported to OCSEA within seven (7) days of the action.

**Section 2.** The Vice President shall:

(A) Assist the President when called upon to do so and, in the case of absence or disability of the president, shall act as President.

(B) Transfer to the succeeding officer within seven (7) days of election all records, books, and property of the office.

**Section 3.** The Chapter, District Council, or Assembly Secretary shall:

(A) Keep

(1) All records in books or files; the location of which is known by the President at all times; and

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IX – Duties, Section 4(C)

RATIONALE: The intent is to improve the readability of this section. Difficult to understand the way it is currently written and created confusion and misinterpretation.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

(2) A copy of the State Constitutions and State By-Laws of the OCSEA, and By-Laws of the Chapter, District Council, or Assembly, if any, and the Board policies; and

(3) A current membership list of the Chapter, District Council, or Assembly; and

(4) A record of the minutes of all the meetings of the Chapter, District Council, or Assembly, its Executive Board and Committees after they have been approved; and

(5) All communications initiated by the Chapter, District Council, or Assembly.

(B) Prepare and forward all supporting documentation regarding the unaudited portion of the Chapter, District Council or Assembly records to the Comptroller's office after an election or other change of office of the Secretary.

(C). Transfer to the succeeding officer all other records and books of the office within seven (7) days of election or taking office.

(D) The Secretary or Secretary-Treasurer, where applicable, of the Chapter shall notify, in writing, the assigned Staff Representative of the Union, and the assigned State Board of Directors member, at least ten (10) days in advance of each Chapter's meeting.

(E) The Secretary or Secretary-Treasurer, where applicable, of the District Council and Assembly shall notify the Secretary-Treasurer of the Union, in writing, at least ten (10) days in advance of each District Council's or Assembly's meeting.

(F). Sign all certified copies of activities of the body, such as minutes, unless otherwise specified in the documents.

**Section 4.** The Chapter, District Council, or Assembly Treasurer shall:

(A) Receive and hold all monies, securities, vouchers and such other property of the Chapter, District Council, or Assembly as may pertain to the Treasurer's office.

(B) Keep an accurate account of all financial transactions of the Chapter, District Council, or Assembly.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IX – Duties, Section 4(C)

RATIONALE: The intent is to improve the readability of this section. Difficult to understand the way it is currently written and created confusion and misinterpretation.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

51           (C)     **Provide a written R**report **of** all financial transactions at each regular meeting of  
52 the Chapter, District Council, or Assembly and **its Executive Board and** submit **in writing** to  
53 the Secretary. **After approval by the Chapter, District Council, or Assembly, Tthe** report,  
54 including Board polls and Executive Board actions, shall be attached to the minutes~~—after~~  
55 **approval by the Chapter, District Council, or Assembly.**

56           (D)     Submit all necessary financial reports to the Comptroller, as required in the State  
57 Constitution Article XII, Sections 3 and 4.

58           (E)     Shall pay out monies only after the Chapter, District Council, or Assembly or  
59 Executive Board has authorized payment or as the State By-Laws prescribe.

60           (F)     Submit all financial records upon request of the Chapter, District Council, or  
61 Assembly's duly appointed and elected audit committee or the Comptroller.

62           (G)     Not authorize any expenditures or incur any obligations for which funds are  
63 unavailable.

64           (H)     Forward all unaudited portions of the Chapter, District Council or Assembly's  
65 financial records to the Comptroller's Office after an election or other change in the office of  
66 Treasurer.

67           (I)     Transfer to the succeeding officer all monies, securities, vouchers and all other  
68 property, including audited records, within seven (7) days of a change in the office of Treasurer.

69           (J)     Sign as evidence of certification all financial transactions of the Chapter, District  
70 Council, or Assembly.

71           (K)     Ensure that the Comptroller is a signatory on all chapter, District Council or  
72 Assembly bank accounts within thirty (30) days of taking office.

73



SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IX – Duties, Section 4(D)

RATIONALE: To correct an error, not mentioned in state constitution Article XII, Section 3 only Section 4.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IX - Duties**

**Section 1.** The Chapter, District Council, or Assembly President shall:

(A) Preside over all meetings.

(B) Transfer to the succeeding officer within seven (7) days of election any and all records, books, and property of the office and/or Chapter including and not limited to the records of the Chapter's chief steward.

(C) Except as otherwise provided herein, the president shall appoint all committees needed to conduct this Chapter's, District Council's or Assembly's business. At least one (1) Chapter, District Council, or Assembly executive board member other than the Chapter, District Council, or Assembly officers shall be appointed on each standing committee.

(D) Chapter president shall appoint representatives to the district grassroots committee. The District president shall appoint the district grassroots committee chairperson and vice-chairperson.

(E) Through the chapter secretary, shall provide a list to OCSEA Central Office of all current stewards within ten (10) days of his/her election. Any new appointments or removals of stewards thereafter must be reported to OCSEA within seven (7) days of the action.

**Section 2.** The Vice President shall:

(A) Assist the President when called upon to do so and, in the case of absence or disability of the president, shall act as President.

(B) Transfer to the succeeding officer within seven (7) days of election all records, books, and property of the office.

**Section 3.** The Chapter, District Council, or Assembly Secretary shall:

(A) Keep

(1) All records in books or files; the location of which is known by the President at all times; and

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IX – Duties, Section 4(D)

RATIONALE: To correct an error, not mentioned in state constitution Article XII, Section 3 only Section 4.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

(2) A copy of the State Constitutions and State By-Laws of the OCSEA, and By-Laws of the Chapter, District Council, or Assembly, if any, and the Board policies; and

(3) A current membership list of the Chapter, District Council, or Assembly; and

(4) A record of the minutes of all the meetings of the Chapter, District Council, or Assembly, its Executive Board and Committees after they have been approved; and

(5) All communications initiated by the Chapter, District Council, or Assembly.

(B) Prepare and forward all supporting documentation regarding the unaudited portion of the Chapter, District Council or Assembly records to the Comptroller's office after an election or other change of office of the Secretary.

(C). Transfer to the succeeding officer all other records and books of the office within seven (7) days of election or taking office.

(D) The Secretary or Secretary-Treasurer, where applicable, of the Chapter shall notify, in writing, the assigned Staff Representative of the Union, and the assigned State Board of Directors member, at least ten (10) days in advance of each Chapter's meeting.

(E) The Secretary or Secretary-Treasurer, where applicable, of the District Council and Assembly shall notify the Secretary-Treasurer of the Union, in writing, at least ten (10) days in advance of each District Council's or Assembly's meeting.

(F). Sign all certified copies of activities of the body, such as minutes, unless otherwise specified in the documents.

**Section 4.** The Chapter, District Council, or Assembly Treasurer shall:

(A) Receive and hold all monies, securities, vouchers and such other property of the Chapter, District Council, or Assembly as may pertain to the Treasurer's office.

(B) Keep an accurate account of all financial transactions of the Chapter, District Council, or Assembly.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article IX – Duties, Section 4(D)

RATIONALE: To correct an error, not mentioned in state constitution Article XII, Section 3 only Section 4.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

51           (C)     Report all financial transactions at each regular meeting of the Chapter, District  
52 Council, or Assembly and submit in writing to the Secretary. The report, including Board polls  
53 and Executive Board actions, shall be attached to the minutes after approval by the Chapter,  
54 District Council, or Assembly.

55           (D)     Submit all necessary financial reports to the Comptroller, as required in the State  
56 Constitution Article XII, ~~Sections 3 and~~ Section 4.

57           (E)     Shall pay out monies only after the Chapter, District Council, or Assembly or  
58 Executive Board has authorized payment or as the State By-Laws prescribe.

59           (F)     Submit all financial records upon request of the Chapter, District Council, or  
60 Assembly's duly appointed and elected audit committee or the Comptroller.

61           (G)     Not authorize any expenditures or incur any obligations for which funds are  
62 unavailable.

63           (H)     Forward all unaudited portions of the Chapter, District Council or Assembly's  
64 financial records to the Comptroller's Office after an election or other change in the office of  
65 Treasurer.

66           (I)     Transfer to the succeeding officer all monies, securities, vouchers and all other  
67 property, including audited records, within seven (7) days of a change in the office of Treasurer.

68           (J)     Sign as evidence of certification all financial transactions of the Chapter, District  
69 Council, or Assembly.

70           (K)     Ensure that the Comptroller is a signatory on all chapter, District Council or  
71 Assembly bank accounts within thirty (30) days of taking office.

72

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article X – Business, Section 2

RATIONALE: The first paragraph is reworded in an attempt to better clarify the section. Some believe that once the minutes are approved at the general membership meeting, should any member have a question or want to revisit a motion they cannot because the minutes were approved. Meaning that if you approve the minutes, you approve the motions and therefore cannot be reconsidered or revisited even if the action of the motion has yet to happen. The second paragraph is consistent with state board action. It also identifies who can execute a board poll as we learned in financial leadership training, adds the added protection of including the president and updates the language to include text messaging.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article X- Business**

**Section 1.** No Body business shall be conducted without a quorum present.

(A) A quorum for a Chapter shall be a majority of the Chapter's Executive Board Members.

(B) A quorum for a District Council shall be a majority of the Executive Board plus 35% of the active Chapters within the Council.

(C) A quorum for an Assembly shall be a majority of the Executive Board plus three (3) other delegates representing at least two separate Chapters of the Assembly.

**Section 2.** No funds shall be disbursed or expended without the prior approval of the Chapter, District Council, or Assembly or its Executive Board, and the vote with detailed motions and seconds shall be duly recorded in the minutes of the meeting. All Chapter, District Council, or Assembly and executive board meeting minutes shall ~~contain detailed motions and seconds and~~ be presented for approval at the next regular Chapter, District Council, or Assembly meeting ~~for approval~~. The Chapter, District Council, or Assembly may revisit motions at any time prior to the expenditure of approved funds.

When time is of the essence, the Treasurer with the approval of the President may cause the entire Executive Board to be polled by telephone, text and/or e-mail. In taking the poll, the Treasurer and President shall agree upon a common statement to be read and/or sent to each Board member. The results of the poll shall be the decision of the Executive Board and be made part of the minutes of the next regularly scheduled Chapter.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article X – Business, Section 2

RATIONALE: The first paragraph is reworded in an attempt to better clarify the section. Some believe that once the minutes are approved at the general membership meeting, should any member have a question or want to revisit a motion they cannot because the minutes were approved. Meaning that if you approve the minutes, you approve the motions and therefore cannot be reconsidered or revisited even if the action of the motion has yet to happen. The second paragraph is consistent with state board action. It also identifies who can execute a board poll as we learned in financial leadership training, adds the added protection of including the president and updates the language to include text messaging.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

21 **District Council, or Assembly meeting pursuant to Subordinate Body Constitution Article**

22 **IX, Section 4(C).**

23 **Section 3.** All checks and financial reports shall be signed by the President and the Treasurer.  
24 Should either be incapacitated, the Chapter, District Council, or Assembly shall designate an  
25 alternate to sign checks until the incapacitated officer resumes office or is replaced. By motion  
26 and approval of the General Body, additional signatory(ies) may be added to the account(s). At  
27 all times, financial accountability and reporting shall comply with provisions of OCSEA's State  
28 Constitution and State By-Laws.

29 **Section 4.** All Officers and Executive Board members shall be responsible for their actions in  
30 handling the Chapter, District Council, or Assembly's funds. Where any one (1) or more of said  
31 Officers and Executive Board members fails to properly handle Chapter, District Council, or  
32 Assembly funds, each shall be held fully accountable and must repay such improperly handled  
33 funds to the Chapter, District Council, or Assembly or to the Union's Comptroller.

34

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article X – Business, Section 3

RATIONALE: Because subordinate bodies are allowed to have more than just the President and Treasurer as signatories on the accounts by current language, but the OCSEA Comptroller and OCSEA Treasurer scold subordinate bodies during audits if someone other than the President or Treasurer signs a check. It is the subordinate body's discretion as to who can sign a check based on the Constitution.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article X- Business**

**Section 1.** No Body business shall be conducted without a quorum present.

(A) A quorum for a Chapter shall be a majority of the Chapter's Executive Board Members.

(B) A quorum for a District Council shall be a majority of the Executive Board plus 35% of the active Chapters within the Council.

(C) A quorum for an Assembly shall be a majority of the Executive Board plus three (3) other delegates representing at least two separate Chapters of the Assembly.

**Section 2.** No funds shall be disbursed or expended without the prior approval of the Chapter, District Council, or Assembly or its Executive Board, and the vote duly recorded in the minutes of the meeting. All Chapter, District Council, or Assembly and executive board meeting minutes shall contain detailed motions and seconds and be presented at the next regular Chapter, District Council, or Assembly meeting for approval.

**Section 3.** All checks and financial reports shall be signed by the President and/or the Treasurer. Every check is required to have 2 signatures in order to be a properly written check. By motion and approval of the General Body, additional signatory(ies) may be added to the accounts. Any additional signatory of the Chapter, District Council, or Assembly may sign a check for payment or reimbursement in the absence of either the President or the Treasurer, but not both. Should either the President or the Treasurer be incapacitated, the Chapter, District Council, or Assembly shall designate an alternate to sign checks until the incapacitated officer resumes office or is replaced. Since the OCSEA Comptroller is on every subordinate body account, a check is valid with the OCSEA Comptroller's signature in lieu of the President and/or the Treasurer as long as there are 2 signatures on the check. By

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Article X – Business, Section 3

RATIONALE: Because subordinate bodies are allowed to have more than just the President and Treasurer as signatories on the accounts by current language, but the OCSEA Comptroller and OCSEA Treasurer scold subordinate bodies during audits if someone other than the President or Treasurer signs a check. It is the subordinate body's discretion as to who can sign a check based on the Constitution.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

- 24 ~~motion and approval of the General Body, additional signatory(ies) may be added to the~~  
25 ~~account(s).~~ At all times, financial accountability and reporting shall comply with provisions of  
26 OCSEA's State Constitution and State By-Laws.
- 27 **Section 4.** All Officers and Executive Board members shall be responsible for their actions in  
28 handling the Chapter, District Council, or Assembly's funds. Where any one (1) or more of said  
29 Officers and Executive Board members fails to properly handle Chapter, District Council, or  
30 Assembly funds, each shall be held fully accountable and must repay such improperly handled  
31 funds to the Chapter, District Council, or Assembly or to the Union's Comptroller.  
32

SUBMITTED BY: District 5

SUBJECT: Article X – Business, Section 3

RATIONALE: Due to the word incapacitated, in the event that the President and/or Treasurer is absent (due to illness, vacation, mandatory OT or any other single day occurrence) the Chapter, District Council or Assembly is unable to sign checks to carry-out normal union business.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article X- Business**

**Section 1.** No Body business shall be conducted without a quorum present.

(A) A quorum for a Chapter shall be a majority of the Chapter's Executive Board Members.

(B) A quorum for a District Council shall be a majority of the Executive Board plus 35% of the active Chapters within the Council.

(C) A quorum for an Assembly shall be a majority of the Executive Board plus three (3) other delegates representing at least two separate Chapters of the Assembly.

**Section 2.** No funds shall be disbursed or expended without the prior approval of the Chapter, District Council, or Assembly or its Executive Board, and the vote duly recorded in the minutes of the meeting. All Chapter, District Council, or Assembly and executive board meeting minutes shall contain detailed motions and seconds and be presented at the next regular Chapter, District Council, or Assembly meeting for approval.

**Section 3.** All checks and financial reports shall be signed by the President and the Treasurer. In the absence of either, the Chapter, District Council or Assembly ~~Should either be incapacitated, the Chapter, District Council, or Assembly~~ shall designate an alternate to sign checks ~~until the incapacitated officer resumes office or is replaced.~~ The designated alternate shall be appointed by motion and approval of General Body and added as a signatory to the account(s). ~~By motion and approval of the General Body, additional signatory(ies) may be added to the account(s).~~ At all times, financial accountability and reporting shall comply with provisions of OCSEA's State Constitution and State By-Laws.

**Section 4.** All Officers and Executive Board members shall be responsible for their actions in handling the Chapter, District Council, or Assembly's funds. Where any one (1) or more of said Officers and Executive Board members fails to properly handle Chapter, District Council, or



SUBMITTED BY: District 5

SUBJECT: Article X – Business, Section 3

RATIONALE: Due to the word incapacitated, in the event that the President and/or Treasurer is absent (due to illness, vacation, mandatory OT or any other single day occurrence) the Chapter, District Council or Assembly is unable to sign checks to carry-out normal union business.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

- 25 Assembly funds, each shall be held fully accountable and must repay such improperly handled  
26 funds to the Chapter, District Council, or Assembly or to the Union's Comptroller.  
27

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article XI – Meetings; Section 2(B)

RATIONALE: To increase opportunity for members to attend meetings whether business or informational. Also consistent with other mentions, i.e. 1(A) of this section.

BE IT RESOLVED THAT ARTICLE XI OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XI - Meetings**

**Section 1.**

(A) The Chapter shall hold at least one regular meeting and one Executive Board meeting per quarter and hold other meetings as called by the Chapter President at a time and place specified by the President and approved in advance by the Chapter Executive Board.

(B) District Councils and Assemblies shall hold at least one regular meeting and one Executive Board meeting per quarter ~~a minimum of one meeting per quarter~~ and hold other meetings as called by the District Council or Assembly President.

**Section 2.** A meeting shall be called upon written petition to the Chapter, District Council, or Assembly's President, signed by (1) a majority of the District Council, or Assembly's delegates or Executive Board Members or (2) Chapter Executive Board Members. The petition shall specify the time and place of such meeting.

**Section 3.** In the event the President will not call a meeting, or the District Council or Assembly's delegates or Executive Board Members or Chapter Executive Board will not petition for a meeting, the State President and/or the State Board of Directors' member assigned to that Chapter, District Council, or Assembly may order that a meeting be held.

**Section 4.** All Chapter delegates to the State Biennial Convention shall be elected at a regular or special Chapter meeting, from among the active members, in good standing, of the Chapter excepting the President, who by virtue of the office, is a Delegate-at-Large. In the event that the Chapter president is unable to attend the convention as the Chapter's representative, the delegate-at-large position shall be filled pursuant to Article IX, Section 1 of the State Constitution.

**Section 5.** All meetings shall be conducted in accordance with *Robert's Rules of Order, Newly Revised*, except where such rules conflict with this Subordinate Body Constitution or OCSEA's State Constitution and State By-Laws.

SUBMITTED BY: JFS Chapter 2599

SUBJECT: Article XI – Meetings; Section 2(B)

RATIONALE: To increase opportunity for members to attend meetings whether business or informational. Also consistent with other mentions, i.e. 1(A) of this section.

BE IT RESOLVED THAT ARTICLE XI OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

25 **Section 6.** All officers, delegates, and Executive Board members of the Chapter, District  
26 Council, or Assembly shall be notified of all meetings of this Chapter, District Council, or  
27 Assembly.

28 **Section 7.** In the event of unforeseen circumstances (to include but not be limited to emergencies  
29 such as inclement weather) whereby a subordinate body (Assembly, Chapter or District) meeting  
30 could not be held or timing does not permit members coming together, OCSEA will recognize all  
31 virtual media meetings held in lieu of a physical meeting (Executive and General Body  
32 meetings) as an official meeting. A virtual meeting includes audio and/or video teleconferencing,  
33 such as including, but not limited to, telephone bridge lines, web conferencing services, Face  
34 time, Skype, OOVVOO or other similar applications.

35 Before a subordinate body may convene such a virtual meeting, its executive board and  
36 the State Board shall adopt and adhere to the written policy contained in Appendix F of the  
37 International Union Constitution. In addition, the State Board shall adopt provisions on how such  
38 meetings will be held and made accessible to all participants. Audio and/or video teleconference  
39 meetings shall not be permitted for conventions or elections.

40