

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.

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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

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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

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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

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**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.