

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

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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.

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