

# LOCAL 1000 POLICY FILE

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EFFECTIVE JUNE 30, 2024 UPON INSTALLATION OF OFFICERS

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#### DIVISION 1: ESTABLISHMENT, PURPOSE, AND GOVERNANCE

##### 1.0.00 ESTABLISHMENT

##### 1.0.01 Local 1000

SEIU Local 1000 (Local 1000) is the designated representative under the Dills Act (Govt. Code 3500 et seq.) for employees in civil service bargaining units 1, 3, 4, 11, 14, 15, 17, 20, and 21 and under other appropriate collective bargaining laws for those employed under any public service employment program, and any other person employed by a public or private employer who is approved for membership by the Board of Directors. Membership is open to all rank and file employees in those bargaining units, and as otherwise provided by the Local 1000 Bylaws. Local 1000 is affiliated with the Service Employees International Union (SEIU) and the California State Employees Association (CSEA).

##### 1.0.02 Purpose

Local 1000 is a strong, member led union. The purpose of Local 1000 is to have the power necessary to give our members – and all Californians – the opportunity to have a good life, live in sustainable communities and enjoy the fruits of social, economic and environmental justice.

We will achieve this by engaging and developing our members and by creating strategic alliances with key leaders and organizations who share our purpose and values.

##### 1.0.03 Governance: Definitions

###### (a) Local 1000 Committee of the CSEA Board of Directors:

The Local 1000 committee of the CSEA Board of Directors represent the membership of Local 1000.

###### (b) Local 1000 Board of Directors:

The Local 1000 Board of Directors serves as the corporate board of directors for Local 1000. It comprises the two statewide officers, the president of each District Labor Council (DLC) and the chair of each Bargaining Unit Negotiating Council (BUNC).

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The Local 1000 Board of Directors sets the direction for Local 1000, determines goals and objectives, adopts and monitors plans, adjusts budgets and evaluates progress in carrying out the purposes of Local 1000, including all matters of employee-employer relations, wages, hours and other terms and conditions of employment. The Local 1000 Board of Directors promotes grassroots union activism through the establishment or strengthening of work site locals, DLCs, Statewide Bargaining Advisory Committees (SBACs), and Bargaining Unit Negotiating Committees (BUNCs). The Local 1000 Board of Directors determines its own rules and procedures, and delegates its authority as it deems expedient within the framework of Local 1000. The Local 1000 Board of Directors has power to interpret and define Local 1000 bylaws and policy in areas of uncertainty or ambiguity.

### 1.0.04 District Labor Councils

The DLCs carry out Local 1000's programs within designated jurisdictional boundaries. The number of DLCs is determined by the Local 1000 Board of Directors. Members are assigned to DLCs based on permanent worksite locations according to alignment plans established by the Local 1000 Board of Directors. Each DLC is governed by its own executive board.

### 1.0.05 Bargaining Unit Negotiating Councils

BUNCs are responsible for negotiating contracts for wages, hours, benefits and other terms and conditions of employment for their respective bargaining units. Each bargaining unit has a SBAC consisting of one or more District Bargaining Unit Representatives (DBURs) from each DLC in which the affected bargaining unit has members. In addition, the SBAC for Bargaining Unit 1 includes Classification Bargaining Unit Representatives (CBURs).

### 1.0.06 Officers' Committee

The President, Vice President/Secretary-Treasurer, Board Chair, Chief Negotiator, two BUNC chairs to be designated by the BUNC chairs, and the seven Regional Officers shall be members of the Officers' Committee. The Executive Director shall be a non-voting member of the Officers' Committee. The Officers' Committee shall meet monthly. In addition, the President may call special meetings of the Officers' Committee if needed. The Officers' Committee shall review reports on the programs of the Union (both retrospectively and prospectively,) and shall make recommendations to the Executive Director for improving the execution of the programs and policies adopted by the Board of Directors. The Board of Directors may assign other duties to the Officers' Committee. All actions shall be reported to the Board of Directors no later than the next meeting.

### 1.0.07 General Council Delegates

Local 1000 is represented at CSEA's General Council by delegates elected directly by the members of their respective jurisdictions, or as otherwise provided by the CSEA or Local

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1000 Bylaws. General Council delegates have no role in the governance or administration of Local 1000 except for those responsibilities expressly delegated to them by the Local 1000 Bylaws, this Policy File, or by the express direction of the Local 1000 Board of Directors.

### 1.1.00 COMMITMENT TO ORGANIZATIONAL EQUITY, INCLUSION AND DIVERSITY

- (a) Local 1000 is committed to organizational equity, inclusion and diversity. It prohibits discrimination in employment based on race, color, sex, religion, national origin, sexual orientation, gender, gender identity, gender expression, ancestry, disability, age, creed, marital status, or political affiliation.
- (b) Local 1000 shall enforce and pursue the development of programs and laws to strengthen the implementation and enforcement of existing civil rights and legislation that promotes diversity and equality.
- (c) Local 1000 shall provide support and representation for those members who believe they have been discriminated against in their work place, by pursuing the filing of charges and legal actions where appropriate.
- (d) Local 1000 shall ensure that Local 1000 itself is in compliance with the letter and intent of appropriate federal and state laws.
- (e) Training in laws and issues relevant to the rights of protected groups identified in this policy shall be incorporated into steward training modules.
- (f) Whenever Local 1000 takes part in or subscribes to a political, cultural or social event, it shall research those individuals or participating organizations and the principal owners, operators or agents for the venues to be utilized, and take appropriate action to ensure that this participation will not support or serve indirectly to advocate for discriminatory policies, activities or measures in any form.

### 1.2.00 PROHIBIT WEAPONS

In order to ensure a safe environment for SEIU Local 1000 members, staff and guests SEIU Local 1000 prohibits the wearing, transporting, storage, or presence of firearms or other dangerous weapons in our facilities or on our property including SEIU Local 1000 owned, rented or leased vehicles. Any members or staff in possession of a firearm or other weapon while on SEIU Local 1000 facilities/property or while otherwise fulfilling job responsibilities may face disciplinary action including termination. A SEIU Local 1000 members, staff or guests who violates this policy may be removed from the property and reported to police authorities. Possession of a valid concealed weapons permit authorized by the State of California or local is not an exemption under this policy unless an express exemption is granted for good cause by the SEIU Local 1000 Chair of the Board, SEIU Local 1000 Executive Director, or their designees.

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### 1.2.01 Definition

Firearms or other dangerous weapons mean:

- any device from which a projectile may be fired by an explosive
- any simulated firearm operated by gas or compressed air
- sling shot
- metal knuckles
- any spring blade knife
- any knife which opens or is ejected open by an outward, downward thrust or movement
- any instrument that can be used as a club and poses a reasonable risk of injury

### 1.2.02 Exemptions

This policy does not apply to:

- any law enforcement personnel engaged in official duties
- any security personnel engaged in official duties
- any person engaged in military activities sponsored by the federal or state government, while engaged in official duties

### 1.2.03 Notification

“No Firearms or other Dangerous Weapons” signs shall be conspicuously posted within all SEIU Local 1000 facilities and in parking areas and grounds surrounding SEIU Local 1000 property. These signs will clearly indicate that firearms and other weapons are not to be carried onto SEIU Local 1000 property or into SEIU Local 1000 facilities.

### 1.2.04 Reporting

Any SEIU Local 1000 member or staff who is aware of a weapon of any type or form within any SEIU Local 1000 property including SEIU Local 1000 owned, rented or leased vehicles or that a SEIU Local 1000 staff has a weapon in their possession while engaging in SEIU Local 1000 business off-site, has an obligation to report this information immediately to their manager, SEIU Local 1000 Human Resources or Security. It is the responsibility of SEIU Local 1000 Human Resources and Security to do what is necessary to ensure the safety of all individuals in SEIU Local 1000.

SEIU Local 1000 Staff or Security personnel will request any member or guests found in possession of a firearm or other dangerous weapon to remove it from the facility and, when appropriate, local law enforcement authorities will be notified promptly.

### 1.2.05 Special Instructions for Employees

In the event SEIU Local 1000 believes a SEIU Local 1000 member, staff or guest poses a risk of danger to themselves or others, SEIU Local 1000 reserves the right to make further inquiry as to whether a SEIU Local 1000 member, staff or guest has a weapon on SEIU Local 1000 property. In the event SEIU Local 1000 learns that a SEIU Local 1000 member,

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staff or guest has a firearm in their vehicle, SEIU Local 1000 has the right to question any SEIU Local 1000 member, staff or guest in order to determine that the above conditions are satisfied.

### 1.3.00 Workplace Violence, Bullying, Harassment and Respect

- (a) Local 1000 is committed to addressing workplace violence, bullying, and harassment.
- (b) Local 1000 shall aggressively pursue enforcement of programs and laws that address workplace Violence, Bullying and Harassment committed by the State of California against Local 1000 members by using all the levers of power at the disposal of SEIU Local 1000.
- (c) The Board of Directors urges the Executive Director, staff, and stewards to engage members on these subjects by addressing workplace violence, bullying and harassment during their organizing activities.
- (d) The Local 1000 Board of Directors urges the Executive Director to employ staff resources as necessary to develop these concepts and the work necessary to inform and assist members who have been subjected to workplace violence, bullying and harassment
- (e) Local 1000 shall pursue political and legislative measures to address these problems.
- (f) Local 1000 shall endeavor to build relationships and partnerships with other SEIU Locals in California to achieve a holistic resolution to these pervasive problems.
- (g) Consistent with Policy File requirements regarding the authority of the BUNCs, matters within the scope of bargaining shall be referred to the BUNCs for further action.

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### DIVISION 2: MEMBERSHIP

#### 2.1.00 MEMBERSHIP DEFINITIONS

(a) Employee:

All rank and file employees in bargaining units represented by Local 1000.

(b) Member:

A member is an employee who pays dues to Local 1000.

(c) Active Member:

An Active member is a member who is current in the payment of all dues, fees, and assessments.

(d) Associate Member:

An Associate Member is a member who is on unpaid leave of absence from employment. Associate members may participate in Local 1000 programs but may not vote, hold office, serve on committees or serve as job stewards unless expressly approved by the Local 1000 Board of Directors.

(e) Member in Good Standing:

A member in “good standing” is a member who is current in the payment of all dues, fees, and assessments and is not under disciplinary suspension.

#### 2.2.00 MEMBERSHIP EFFECTIVE DATE

##### 2.2.01 Initial Membership

(a) Local 1000 membership is effective at the time a signed membership payroll deduction authorization is received by the Membership department of Local 1000.

(b) New members are deemed to be in good standing at the time Local 1000 receives the membership application.

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### 2.3.00 MEMBERSHIP CARDS

Local 1000 shall provide each member with a membership card or other proof of membership.

### 2.4.00 WITHDRAWAL FROM MEMBERSHIP

- (a) Immediately upon receipt of a request for cancellation or letter of withdrawal, Local 1000 shall send a letter informing the member of the loss of benefits and requesting the reason(s) for cancellation. A membership application shall be sent with each letter.
- (b) Members who cancel their notice of withdrawal before the loss of dues to Local 1000 shall retain their prior membership status. Employees who reinstate to membership after a loss of dues shall have the status of new members.

### 2.5.00 MEMBERSHIP STATUS WHILE OFF PAYROLL

#### 2.5.01 Continuation of Benefits

When a member's dues are delinquent because of unpaid leave status, as defined in current collective bargaining contracts, and where such member's group insurance may be jeopardized because of non-membership, the Local 1000 President may continue the active membership by handling the dues as an account receivable.

When an associate member's dues are delinquent, and where such member's group insurance may be jeopardized, the Local 1000 President may continue benefits by handling the dues as an account receivable.

#### 2.5.02 Layoff or Termination

When a member is off the payroll because of layoff or involuntary termination, he or she is eligible for Local 1000 benefits and representation provided membership dues or fees are maintained.

#### 2.5.03 Military Leave

When a member is on full time military leave and off payroll, dues shall be suspended until such time as he or she returns from such leave or is separated from state service/employment within a represented bargaining unit.



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### 2.6.00 MEMBERSHIP LISTS

Local 1000 member lists may be used only for authorized purposes. The complete official membership list shall be maintained by Local 1000 and is the exclusive property of Local 1000.

#### 2.6.01 Provision of Lists

Upon request, a DLC President or BUNC Chair shall be provided a copy of the DLC's or Bargaining Unit's current member list. All membership names and addresses provided to DLCs or BUNCs shall be considered confidential and shall not be copied or distributed to DLC or Bargaining Unit members.

- (a) No DLC President or BUNC Chair is authorized to obtain the member list of any other DLC or BUNC without the written authorization of the affected DLC President or BUNC Chair.
- (b) Member lists shall not be used to disseminate information that is contrary to Local 1000's approved policies or programs; or be sold, loaned or gifted to any person or organization unless expressly authorized by Local 1000.

#### 2.6.02 Use of Name and Emblem or Logo

Local 1000's name, logo, emblem, or graphics may be used only for authorized business purposes.

#### 2.6.03 Use

The member lists shall be used as follows:

- (a) The Local 1000 Board of Directors authorizes staff to disseminate:
  - (1) Official publications and communications as directed by the Local 1000 Board of Directors and budgeted for the normal business of Local 1000 and other publications and communications as directed by the President in connection with the advancement of the Local 1000's stated goals and objectives and organizational activities;
  - (2) DLC, bargaining unit committee, worksite publications and communications within respective jurisdictions at cost of materials, labor and postage to the official requesting mail services;
  - (3) Information to the full membership or any portion thereof on matters relating to member benefits, including PERS-sponsored health programs. These shall comply with the

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following criteria: (i) that subject mailings be authorized by the Vice President/Secretary-Treasurer or designee; (ii) that such mailings be at the cost of the organization requesting the mailing; (iii) that the mailings be done in a union print shop, when available, or by a certified mailing company; and (iv) that any mailing list provided to a certified mailing company or outside organization be marked “confidential, do not copy” or be accompanied by a similar notice, and reasonable steps be taken to ensure that any copy of the membership information is returned or destroyed after completion of the subject mailing.

- (b) The Vice President/Secretary-Treasurer may authorize the use of the membership list by Local 1000 to mail material on behalf of an individual member or groups of members. The Vice President/Secretary-Treasurer is authorized to develop forms for member requests for use of membership lists and to make such forms available to members. The following procedures shall apply.
- (c) Any member request for inspection of membership lists or direct mailing by Local 1000 may be denied if the mailing request is not for a proper purpose relating to the member’s rights as a member of the Local 1000, if the mailing would violate the constitutional or statutory rights of other members, if the mailing would create liability for Local 1000 or its members, would be used for a purpose in competition with Local 1000 or would interfere with Local 1000’s legal obligations, or would be used for commercial or political purposes not authorized by the Local 1000 Board of Directors or not conforming to Local 1000’s policies.
- (d) DLCs or BUNCs may utilize the names and addresses of their own members by requesting Local 1000 to provide them with addressed envelopes or labels for use in the conduct of official DLC or BUNC business, the cost of which shall be borne by the DLC or BUNC. DLCs may not receive mailing addresses for members of other DLCs. All membership names and addresses provided to DLCs or BUNCs shall be considered confidential and shall not be copied or distributed to DLC or Bargaining Unit members.

(e) Member Requests:

(1) Member Requests relating to elections:

Individual members who are nominees for an elected position in Local 1000 may request a mailing by submitting a written request to the Vice President/Secretary-Treasurer as follows:

- (i) The request must state (A) the office for which the member is a nominee and (B) the members who are to receive the mailing, which shall be limited to the membership group who is entitled to vote on the office in question; and

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- (ii) This request shall use the form provided by Local 1000 for mailing requests, must include a copy of the material to be mailed and must be signed by the member(s) requesting the mailing.
- (iii) The Vice President/Secretary-Treasurer will advise the member of the estimated cost of the mailing promptly, as provided below. The mailing shall be made within ten (10) days after payment of the estimated costs of mailing, unless the Vice-President/Secretary-Treasurer advises the member within that time that the mailing will not be permitted. In making that determination, the Vice President/Secretary-Treasurer shall act in accordance with applicable law.
- (iv) If a mailing request is denied, the member may appeal to the Local 1000 President in writing stating the nature of the appeal. All appeals shall be referred to the Election Committee for resolution under its procedures.

### (2) Member Requests relating to other union purposes:

Members who desire to use the union membership list for proper purposes relating to their interest as a member, which are not covered by paragraph (1) above, must apply for use of the membership list by submitting a written request to the Vice President/Secretary-Treasurer, using the following procedure:

The request must state (i) the purpose for the mailing, explaining how such a mailing is in the person's interest as a member; and (ii) which members are to receive the mailing. The Vice President/Secretary-Treasurer shall verify that the member(s) is in good standing. If not, the request will be denied.

This request shall use the form provided by Local 1000 for mailing requests, must include a copy of the material to be mailed and must be signed by the member(s) requesting the mailing.

The Vice President/Secretary-Treasurer will respond within ten business days as to whether the membership list can be used for the mailing and, if the use is authorized. In making this determination the Vice President/Secretary-Treasurer shall act in accordance with applicable law.

If the request is denied or if the member believes that the use of the union membership list as provided for herein for mailing to members does not meet the needs of the member requesting access to the union membership list, the member may appeal to the President in writing stating the nature of the appeal.

### (3) Payment of costs of mailing:

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When notifying a member that use of the membership list is approved, the Vice President/Secretary-Treasurer will advise the member of the estimated cost of the services required to do the mailing on the member's behalf. This cost will be at the standard rate for providing such services including mailing either first class mail or by pre-sorted standard mail at the member's option. The member must pay in full for the services prior to the mailing. The check or other proof of payment received for the services shall be copied and a copy shall be attached to the work order.

### Disclaimer:

All mailings under this section shall have the following statement prominently displayed on the outside of the mailer at no less than eight point bold print on the bottom or along the side margin of the message, and the return address must be the home address of the person requesting the mailing: "THIS MATERIAL IS NOT PAID FOR OR ENDORSED BY SEIU LOCAL 1000."

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### DIVISION 3: LOCAL 1000 STATEWIDE GOVERNANCE

#### 3.0.00 LOCAL 1000 BOARD OF DIRECTORS AND STATEWIDE OFFICERS

The Local 1000 Board of Directors serves as the corporate board of directors for Local 1000. It comprises the two statewide officers, the president of each DLC and the chair of each BUNC.

##### 3.0.01 Voting

- (a) On all matters before the Local 1000 Board of Directors, each Board member shall have a vote.

##### 3.0.02 Duties of the Statewide Officers

In addition to those duties set forth in the Bylaws or elsewhere in this Policy File, the duties of the two statewide officers shall include:

###### (a) President:

- (1) As directed by the Local 1000 Board of Directors, carrying out the policies and procedures of Local 1000; executing the plans and programs of Local 1000; and, between meetings of the Local 1000 Board of Directors, making all necessary interpretations or clarifications of Local 1000 bylaws and policy.
- (2) Serving as representative of Local 1000 on the CSEA Board of Directors.
- (3) Serving as Local 1000's main spokesperson, including communicating with media representatives regarding collective bargaining issues, progress of negotiations, or other items of Local 1000 policy, positions, or campaigns.

###### (b) Vice President/Secretary-Treasurer:

- (1) Assisting the President in administering the affairs of Local 1000.
- (2) Coordinating Local 1000's fiscal policy and procedures, reporting the status of Local 1000 funds; and chairing the Budget, Agenda, and Grants Committees.
- (3) Keeping, at Local 1000's principal office or such other place as the Local 1000 Board of Directors may direct:

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- (i) Minutes of all meetings, proceedings, and actions of the Local 1000 Board of Directors, committees of the Board, member or delegate meetings;
  - (ii) A copy of the current Articles of Incorporation and Bylaws;
- (4) Performing such other duties as may be prescribed by the Bylaws, the Policy File, or as directed by the Local 1000 Board of Directors.
- (i) Assume the President's duties in the event of the President's temporary absence or disability;
  - (ii) With the Local 1000 statewide officers and Budget Committee prepare the Local 1000 budget for approval by the Local 1000 Board of Directors;
  - (iii) Assist the President in coordinating media relations and dissemination of information within the policies and positions determined by the Local 1000 Board of Directors.
  - (iv) Chair the Budget, Agenda and Grants Committees.
  - (v) Together with the President, establish accounts at banks or other financial institutions for Local 1000 funds, authorize deposits to and withdrawals from such accounts, review the balances in and transactions affecting such accounts, and to take such action as deemed necessary to insure that deposits and withdrawals from such accounts are made with the approval of the appropriate Local 1000 statewide officers and are used for authorized purposes of Local 1000.

### 3.0.03 Duties of the Local 1000 Board of Directors

Duties of the Local 1000 Board of Directors, subject to simple-majority vote to approve, include:

- (1) From the Board of Directors, a Chair will be elected to schedule and preside over all meetings of the Local 1000 Board of Directors and the Local 1000 Executive Committee. The Chair of the board will serve at the pleasure of the Board of Directors and may be removed as Chair and replaced by a majority vote of the Local 1000 Board of Directors. The Board Chair may not simultaneously hold an office that is part of the Officers' Committee other than Board Chair.
- (2) Performing such other duties as may be prescribed by the Bylaws, this Policy File, or as needed by the Local 1000 Board of Directors. Any and all other such duties to be placed under the governance of the three aforementioned governing bodies best suited to the need of the circumstance at the time. Said placement to be determined by the

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Board of Directors via a full Board vote.

- (3) Designating a General Council Committee of 14 members from all of Local 1000's DLCs/regions to coordinate Local 1000's activities at CSEA General Council and to chair all meetings of Local 1000's General Council delegates.
- (4) Filling DLC vacancies, whenever procedures to fill vacancies do not exist or have been exhausted and vacancies still exist.

### 3.0.04 Duties of the Chair of the Local 1000 Board of Directors

- (1) Scheduling and presiding over all meetings of the Local 1000 Board of Directors.
- (2) Reviewing agenda items submitted for Local 1000 Board of Directors meetings and referring or deferring agenda items.
- (3) Any other duties assigned by the Local 1000 Board of Directors.

### 3.1.00 LOCAL 1000 STATEWIDE OFFICERS LEAVE

- (a) Union Leave for the Local 1000 statewide officers:

Local 1000 shall secure union leave for the Local 1000 statewide officers as follows:  
The President and Vice President/Secretary-Treasurer shall have full time union leave.  
The Board Chair shall have at least half-time union leave.

- (b) Should union leave not be available, Local 1000 shall pay directly to the Local 1000 statewide Officers the State salary the statewide officer would have drawn while on union leave, including any scheduled State salary adjustments during their term of office. In addition, Local 1000 shall pay the cost of any benefits that would have been paid by the State employer for the period of union leave.

#### 3.1.01 Vacancies

If the positions of President or Vice President/Secretary-Treasurer become vacant, within 30 days, or at the next Board meeting, whichever is sooner, the Board shall make an appointment to fill the vacancy by majority vote for the remainder of the term. Except, after making the appointment, the Board may call for a special election to fill the unexpired term (i.e. the Board-appointed officer would serve on an interim basis).

### 3.2.00 MEETINGS

Meetings of the Local 1000 Board of Directors or any sub-organization of Local 1000, whether at the workplace or other locations, are conducted by and under the authority of the Board of Directors of Local 1000, the DLC, SBAC, BUNC or other duly authorized

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body of Local 1000. Non-members, including staff, whose presence is unnecessary to the issues under discussion, may be excluded from such meetings by the presiding officer subject to the disaffirmation of the body.

- (a) The Local 1000 Board of Directors shall meet at least four times per year to discuss routine business of the Local for a minimum of two days per meeting. At least two Board meetings shall be in person. Special or emergency meetings shall be called by the Chair of the Board as needed to meet operational requirements.
- (b) Upon petition by a majority of the Local 1000 Board of Directors members, the Chair of the Board shall call a special meeting of the Board.
  - (1) Such petition shall contain the following information:
    - (i) The specific issue(s) for the proposed agenda and the circumstance(s) or reason(s) such issue(s) cannot reasonably be dealt with at the next regularly scheduled Board meeting;
    - (ii) The potential damage or loss to the Local or its members which is likely to occur if such issue(s) are not resolved at the meeting proposed by the petition;
  - (2) Such petition shall be delivered to the Local 1000 Chair of the Board or, in the Chair's absence, the Vice President/Secretary-Treasurer for consideration 24 hours prior to its circulation.
- (c) Except in urgent situations, notice shall be given to Directors at least 30 days prior to the meeting date.
- (d) In urgent situations, notice shall be given to Directors at least five days prior to the meeting date.
- (e) Notice of meetings shall be the responsibility of the Chair of the Board as directed by the Board of Directors. In the event the Chair does not issue the call for such a meeting within three (3) business days of receipt of a petition by majority of the UCSW Board of Directors members, the Executive Director shall issue the call for such a meeting within five (5) business days of the delivery of the petition to the Board Chair.

### 3.2.01 Quorum

- (a) A majority of the Local 1000 Board of Directors shall constitute a quorum.
- (b) Business requiring a vote shall not be conducted without a quorum.

### 3.2.02 Order of Business



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- (a) No member of the Executive Committee, the Board of Directors, or other may address the body until roll call has been taken and the agenda has been presented, except the Vice President/Secretary-Treasurer or their surrogate in doing these tasks.
- (b) The order of business of all routine meetings of the Board shall include the following:
  - (1) Report of the agenda committee;
  - (2) Approval of agenda;
  - (3) Approval of minutes;
  - (4) Reports;
  - (5) Unfinished Business;
  - (6) New Business; and
  - (7) Added Items.

### 3.2.03 Parliamentary Procedure

Policy of Local 1000 and Roberts Rules of Order, Newly Revised, latest edition, in that order, shall govern the procedure of Board meetings.

### 3.2.04 Amending the Policy File

- (a) No member of the Executive Committee, the Board of Directors, or other may address the body until roll call has been taken and the agenda has been presented, except the Vice President/Secretary-Treasurer or their surrogate in doing these tasks.
- (b) Amendments to the Policy File may be proposed by any Director.
- (c) All amendments to Local 1000 Policy File must be voted on separately by division or a lesser part.
- (d) Amendment to the Policy File shall be by a majority vote of the Local 1000 Board of Directors present, except that amendments to the sections or subsections listed in section (i) shall require 15 days prior notice and a two-thirds (2/3) vote of the board members present and voting.
  - (i) *[intentionally left blank]*
  - (ii) A motion to remove an item from the above list shall require 15 days prior notice and a two-thirds (2/3) vote of the board members present and voting.

### 3.2.05 Source and/or Impact of Funding

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Any motion before the Local 1000 Board of Directors that proposes to expend funds not otherwise budgeted must contain a funding source. Proposals in excess of \$20,000 shall be referred to the Budget Committee for an impact analysis prior to vote by the Local 1000 Board of Directors.

### 3.2.06 Agenda

- (a) Items for inclusion on the agenda must be submitted to the Chair of the Board at least 25 days prior to the date of the meeting and shall be accompanied by factual supporting data. The agenda shall be sent to Local 1000 Board of Directors at least 15 days prior to the meeting.
- (b) Items submitted for the agenda may be referred or deferred by the Chair of the Board. Items referred or deferred by the Chair of the Board will become informational items on the agenda with a recommendation from a committee or in its original form unless the Chair of the Board referred or deferred the item for a specific time period. The Local 1000 Board of Directors may by a majority vote place informational items on the action agenda.
- (c) Agenda action items submitted to the Local 1000 Board of Directors proposing Policy File changes shall be written in appropriate Policy File language.
- (d) Each agenda shall include a list of all previous Local 1000 Board of Directors' motions on which action items have not been completed.
- (e) Special or emergency Local 1000 Board of Directors meeting agenda items need not comply with this policy.

### 3.2.07 Continuation of Agenda Items

All matters appearing on the agenda which are not disposed of, shall appear on the next agenda as items of unfinished business.

### 3.2.08 Approval of Meetings

- (a) All meetings of the Local 1000 Board of Directors, SBACs and BUNCs shall be called at the direction of the Chair or BUNC Chair.
- (b) All meetings of SBACs and BUNCs at Local 1000 expense require prior approval of the President. In the absence of the President, approval must be obtained from the Chief Negotiator or Vice President/Secretary-Treasurer. Each request must be accompanied by an agenda in order to be approved. Meeting requests for SBACs and BUNCs shall be made by the BUNC Chair. Any denial shall be in writing and appealable to the Local 1000 Board of Directors. The appeal shall be voted on by

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the Local 1000 Board of Directors within five days.

(c) All meetings of Local 1000 committees require prior approval of the President.

### 3.2.09 Executive Sessions

The Local 1000 Board of Directors, Executive Committee, SBACs, BUNCs and Officers' Committee may meet in executive session when discussing development of bargaining strategy, personnel matters, disciplinary actions, representation appeals, or other matters deemed by the President, the Board, or the BUNC Chair as confidential. Executive sessions, when held as a part of regular meetings, shall be scheduled for an announced time certain. Any actions taken during an executive session shall be reported in open session in a manner that does not disclose any of the confidential information.

Attendance at executive sessions shall be restricted to the member(s) of the body holding the meeting, statewide officers, and staff and other individuals who have pertinent information and whose presence is determined to be necessary by the presiding officer, subject to disaffirmation by the body.

### 3.2.10 Child Care

Every attempt will be made to provide childcare to members attending Local 1000 meetings.

### 3.2.11 Board Debate

- (a) The presiding officer shall give preference to the maker and then to the second of a motion to speak first. Thereafter, recognition shall alternate, insofar as practicable, between those favoring the questions and those opposing the question. No member shall speak for more than two minutes, nor speak a second time, until all those wishing to speak on that question have spoken.
- (b) Once a member has spoken to a question, he or she may not thereafter move to close debate without being recognized a second time.
- (c) When the presiding officer judges that members on both sides of a question have had ample opportunity to debate, the presiding officer, on his/her/their initiative, may propose that debate be closed. If there is objection from the assembly, then the presiding officer shall proceed to put to a vote the question of whether to close debate. Any individual member may also move to close debate at any time, provided there has actually been debate on the issue. It shall take a two-thirds vote to close debate on any main motion, but debate may be closed for amendments and procedural motions by a majority of the Local 1000 Board of Directors.

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- (d) Nothing in this section is intended to limit the authority of the Local 1000 Board of Directors to adopt a motion to either extend or limit debate as otherwise provided by its parliamentary authority.

### 3.2.12 Requests for Personal Privilege and Information

(a) Procedural Privilege:

If a member's ability to participate fully or effectively in the meeting is hindered in some way, that member has the right to be recognized immediately upon a point of personal privilege, and the presiding officer shall address the problem immediately.

(b) Nonprocedural Privilege:

All other points of personal privilege shall be recognized at the discretion of the presiding officer. The presiding officer has the discretion to require that he or she be provided with written notice of a member's desire to make a point of personal privilege that is not procedural. The presiding officer shall defer to the time immediately prior to the next recess or adjournment all such points that do not, in the presiding officer's judgment, warrant earlier attention.

(c) Request for Information:

A member may interrupt a speaker to request information from the presiding officer that is relevant to the discussion. A request for information shall not be used to engage in debate. If, in the presiding officer's judgment, a member has intentionally misused a request for information, the presiding officer may deem the member as having spoken to the question and shall not recognize the member further until all other members wishing to speak to the question have done so.

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### DIVISION 4: DISTRICT LABOR COUNCILS

#### 4.0.00 DISTRICT LABOR COUNCILS

##### 4.0.01 Purpose of the District Labor Councils

- (a) The DLC is the organization of members and stewards that carries out Local 1000's programs within its jurisdictional boundaries. The DLC also coordinates the administration of worksite locals, which may be created within the DLC's jurisdiction.
- (b) The DLC also serves as the basic structure for members to participate in the democratic decision making process.
- (c) Geographic Jurisdiction of the DLC:
  - (1) The jurisdiction of a DLC is determined by the Local 1000 Board of Directors.
  - (2) Members are assigned to DLCs based on permanent worksite locations.
  - (3) The jurisdiction of a DLC may be realigned by the Local 1000 Board of Directors.
  - (4) The Local 1000 Board of Directors must approve any realignment of DLCs prior to implementation.
  - (5) No DLC officer or DBUR shall lose their position by virtue of such realignment until their existing term of office has expired.
  - (6) At least six months prior to each election cycle, the Local 1000 Board of Directors shall determine if any realignments are necessary and take appropriate action.

##### 4.0.02 Responsibilities of the DLCs

- (a) The DLC shall:
  - (1) Organize and carry out the Local 1000's representation, recruitment, bargaining and political programs through networks of members and stewards within its jurisdiction.
  - (2) Hold membership and executive board meetings at least quarterly.

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- (3) Give at least seven days public or written notice to all stewards and to each worksite for all DLC general membership and executive board meetings.
- (4) Provide funds to its Worksite Locals when feasible, and coordinate and monitor the activities of Worksite Locals under its jurisdiction. The DLC shall establish procedures by which funds are disbursed.
- (5) Make annual financial reports to the DLC membership.
- (6) Recruit and help train stewards.
- (7) Hear complaints and appeals against the Worksite Locals by their members.
- (8) Assist in the development and enforcement of Local 1000 policy.
- (9) Inform their members of the fact that representation is available for those who express a need for such help.
- (10) Publicize to their members the person(s) to whom grievance problems are to be referred.

### 4.0.03 District Labor Council Officers

The officers of the DLC are President, Vice President, Secretary/Treasurer or Secretary and Treasurer, and Senior Stewards from worksite locals. They are elected from and by Local 1000 members within the jurisdiction of the affected DLC.

### 4.0.04 District Labor Council Executive Boards

- (a) The Executive Board is made up of the DLC President, Vice President, Secretary/Treasurer or Secretary and Treasurer, each Senior Steward and one DBUR per bargaining unit within the DLC.
- (b) Upon petition of two-thirds of the DLC Executive Board members, the President shall call a special meeting of the Executive Board or DLC Membership for the purposes designated by the petition.
- (c) The Executive Board by majority vote shall determine if the office of the Secretary/Treasurer shall be divided or combined prior to the beginning of the election cycle or if either office becomes vacant.
- (d) DLC officers may not concurrently hold another office in Local 1000, except that of General Council delegate. The DLC President and or Bargaining Unit Chair, as a

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member of the board may serve as Chairperson of the Board of Directors and President of their respective DLC concurrently.

- (e) All DLC officers and DBURs must be members of Local 1000 and be certified stewards.

Any DLC officer or DBUR shall forfeit their position upon ceasing to work within the jurisdiction of the DLC. Exceptions exist when:

(1) A DBUR who is a BUNC member:

- (i) Has been involuntarily transferred to a different DLC but remains within the bargaining unit.
- (ii) Voluntarily transfers from a state restriction of appointment list in lieu of layoff.
- (iii) No DBUR who is a BUNC member shall lose their position by virtue of such reassignment.
- (iv) If positions on the BUNC have designated seats, the SBAC, by its rules, may make exceptions to the designation when either (i) or (ii) above occurs.

(2) A DLC President:

- (i) Has been involuntarily transferred to a different DLC; and
- (ii) The DLC Vice President position is vacant; and
- (iii) The involuntary transfer is within geographic proximity to other worksites in the DLC; or
- (iv) The Board of Directors has instituted realignment.
- (v) No DLC President or Bargaining Unit Chair shall lose their position by virtue of such involuntary transfer for the remainder of their term or until an election can be held for a new DLC President, whichever is sooner.

(3) An elected official of the DLC is on a disability leave for less than 90 days or for over 90 days with the approval of the DLC Executive Board.

### 4.0.05 Duties of the DLC Officers

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### (a) Duties of the DLC President:

The DLC President shall be responsible for the activities of the DLC and ensuring the proper administration of the DLC:

- (1) Represent the DLC as a member of the Local 1000 Board of Directors;
- (2) Assist in the development and implementation of Local 1000's policies and programs;
- (3) Serve on Local 1000 committees as requested by the Local 1000 President;
- (4) Assist the Vice President in training Senior Stewards and may serve as trainer for other DLC training activities, evaluate and monitor those training programs;
- (5) Appoint all members to DLC committees subject to disaffirmation by the DLC Executive Board;
- (6) Appoint a local appeals panel to hear complaints from worksite members concerning DLC or Worksite Local activities;
- (7) Publish the financial report yearly to the members of their respective DLC; and
- (8) Schedule and preside over all meetings of the DLC Executive Board and general membership meetings.

### (b) Duties of the Vice President:

The Vice President is responsible for the administration of the steward training and contract enforcement program and shall:

- (1) Serve in place of the DLC President in the President's absence, or upon the President's request, except when otherwise provided by law or by the Local 1000 Bylaws;
- (2) Ensure the continuing certification of all worksite stewards within the jurisdiction of the DLC;
- (3) Report quarterly to their Regional Officer the implementation and status for the representation program;
- (4) Communicate grievance settlements and information to the senior stewards for training worksite stewards;
- (5) Perform such other duties as requested by the DLC President; and



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(6) Serve as a member of the DLC Executive Board.

(c) Duties of the Secretary/Treasurer:

The Secretary/Treasurer is the financial officer of the DLC and shall:

- (1) Maintain minutes of all DLC meetings and forward copies to the Vice President/Secretary-Treasurer for appointments and copies to Local 1000 Accounting;
- (2) Maintain the DLC's bylaws, and retain a copy of the Local 1000 Policy File and Bylaws;
- (3) Present any financial reports when requested by the DLC Executive Board and annually to the members of the DLC;
- (4) Prior to December, call a meeting of the DLC Executive Board to prepare a budget for the upcoming year;
- (5) Present the proposed budget at a membership meeting for approval, prior to the upcoming budgetary year;
- (6) Perform such other duties as requested by the DLC President; and
- (7) Serve as a member of the DLC Executive Board.

(d) If the DLC has divided the office of Secretary/Treasurer then the duties shall be as follows:

(1) Duties of the Secretary:

- (i) Take, maintain, and submit to appropriate persons the minutes of all DLC meetings;
- (ii) Maintain the DLC's bylaws; and
- (iii) Perform such other duties as requested by the DLC President.

(2) Duties of the Treasurer:

- (i) Coordinate the financial records of the DLC with Local 1000;
- (ii) Report the status of DLC finances to the DLC Executive Board;

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- (iii) Prior to December, call a meeting of the Executive Board to prepare a budget for the upcoming year;
- (iv) Present the proposed budget at a membership meeting for approval prior to the upcoming budgetary year; and
- (v) Perform such other duties as requested by the DLC President.

### 4.0.06 Duties of the District Bargaining Unit Representatives

There shall be one DBUR for each bargaining unit that has members in that bargaining unit within the jurisdiction of the DLC unless an alternative SBAC structure has been approved by the Local 1000 Board of Directors.

DBURs shall:

- (a) Participate in SBAC meetings;
- (b) Elect the BUNC, and the Chair, Vice Chair and Alternate Vice Chair;
- (c) Serve as the conduit for information from the SBAC and the BUNC to the members of their DLC;
- (d) Participate in bargaining campaign activities;
- (e) Solicit, receive and compile concerns relating to wages, hours and working conditions from the stewards and members;
- (f) Bring these concerns forward to the SBAC for discussion and, when requested, provide contract proposals in writing;
- (g) Educate stewards and members on the contract and help coordinate the ratification/strike vote;
- (h) Serve on the DLC Executive Board as a voting member (if an alternative SBAC structure has been approved by the Local 1000 Board of Directors, there shall be only one DBUR per bargaining unit with a vote on the DLC Executive Board); and
- (i) Perform such other duties as requested by the DLC President and bargaining unit chair.

### 4.0.07 Filling of the DLC Vacancies

Vacancies in a DLC office occurring through circumstances other than “recall” shall be filled as follows:

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(a) President:

In the event of a vacancy in the office of President, the Vice President assumes the office of President.

(b) President and Vice President Simultaneously:

Should the offices of President and Vice President become vacant simultaneously, the order of succession shall be Secretary/Treasurer or Treasurer then the Secretary.

(c) All Officers Simultaneously:

Should all officer positions become vacant simultaneously, the Local 1000 President shall call a special meeting of the DLC Executive Board to be held within 24 hours of confirmation of such emergency situation. The DLC Executive Board shall meet, elect a temporary chair from among their ranks and proceed to immediately elect a President. The election must be ratified by the DLC membership at a called meeting within 90 days of the appointment.

(d) Other Officers:

To fill a vacancy among the DLC officers, except as provided above, the President shall make an appointment from stewards within the DLC. Such appointment shall take effect immediately, upon written notification to the Local 1000 President, but must be ratified either by the next DLC Executive Board or membership meeting. The pertinent minutes shall be delivered to the Local 1000 President.

(e) District Bargaining Unit Representatives:

Except in circumstances where the vacancy exists because the position was declared vacant pursuant to section 7.0.05, the DLC President shall make an appointment from the membership of the respective bargaining unit in the DLC. Such appointment shall take effect immediately upon written notification to Local 1000 President but must be ratified either by the next DLC Executive Board or membership meeting. The pertinent minutes shall be delivered to the Local 1000 President. If the position was declared vacant pursuant to section 7.0.06, the procedures set forth in that section shall apply.

### 4.0.08 Regional Officers

The Board of Directors shall assign each DLC to one of seven geographic regions. Each DLC region shall have a Regional Officer, elected by the DLC Presidents within that region, as provided by Section 12.4.00.

(a) The duties of the Regional Officers shall be:

- (1) To serve as a member of the Officers' Committee.

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- (2) To serve as a liaison between the DLC Presidents of that region and the Executive Committee and the Executive Director.
    - i. This shall not prevent a DLC President from directly contacting staff, members of the executive committee, or their BUNC. However, it is expected that the Regional Officer will facilitate improved communication and coordination of the programs adopted by the Board of Directors to the benefit of the members in their regions while also improving feedback from the DLC Presidents and other members to the Executive Committee, the Executive Director, and appropriate staff.
    - ii. The Regional Officers shall not direct staff in their regions but shall be afforded the necessary access to the Executive Director and other appropriate management staff to make sure that they receive the information necessary to assure accountability and the best possible performance of Local 1000 staff.
  - (3) To assist the DLCs in their region with establishing the best possible program for their members.
    - i. This may include convening meetings of the DLC presidents in their region to discuss best practices and mutual concern.
    - ii. This may include reviewing information with respect to whether/how DLC's are participating in local programs and accessing available resources as well as advocating for additional resources and support for the DLC's in their regions. It is expected that Regional Officers will be in regular contact with the DLC presidents in their regions.
    - iii. Regional Officers will be expected to monitor and support all the programs of the Union including the Union's Political, Bargaining, Organizing, and Representation programs.
- (b) Financial resources available for union leave and other support for the activities of the Regional Officers will be determined by the Board of Directors, and the cost-effectiveness of these expenditures shall be reviewed periodically by the Board of Directors and adjusted as the Board deems appropriate. The Board of Directors may establish an ad hoc committee to conduct this review and make recommendations to the Board of Directors.

### 4.1.00 WORKSITE LOCALS

#### 4.1.01 Structure and Responsibilities of the Worksite Locals

- (a) The worksite locals are officially designated organizations of stewards and members within a District Labor Council.
- (b) District Labor Council Executive Boards may propose the creation, dissolution, or modification of worksite locals within their jurisdiction. Such proposals must be submitted in writing to the Local 1000 President and shall be placed on the next Local 1000 Board of Directors agenda for confirmation, modification or rejection.

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- (c) The Worksite Locals shall have up to two officers, the Senior Steward and an optional Secretary/Treasurer.
- (d) The Worksite Local Executive Committee shall consist of the Worksite Local officers and the stewards with the purpose of coordinating member activities.
- (e) No Senior Steward will be removed from a DLC Executive Board during their term of office by creation, dissolution, or modification of a Worksite Local.

### 4.1.02 Duties of the Worksite Local Officers

#### (a) Duties of the Senior Steward:

The Senior Steward is responsible for all activities of the local, ensuring proper administration of the local and shall:

- (1) Organize all activities and programs;
- (2) Report to the DLC President the progress and results of all organizing activities;
- (3) Serve as a member of the DLC Executive Board;
- (4) Report to the DLC Vice President all representational activities, including grievances filed and training provided; and
- (5) Perform such other duties as requested by the DLC President.

#### (b) The Local Worksite Secretary/Treasurer shall:

- (1) Maintain minutes of all worksite Local meetings;
  - (2) Prepare the budget with the assistance of the Senior Steward;
  - (3) Report to the DLC Secretary/Treasurer all expenditures of funds; and
  - (4) Perform such other duties as assigned by the Senior Steward or DLC President.
- (c) If the Worksite Local has no Secretary/Treasurer, the above duties shall be fulfilled by the Treasurer or Secretary/Treasurer of the DLC.

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### DIVISION 5: COMMITTEES

#### 5.0.00 COMMITTEES

(a) The Standing Committees of Local 1000 are:

(1) African American;

(2) Agenda;

(3) Asian Pacific Islander;

(4) Local 1000 Bargaining;

(5) Budget;

(6) Committee on Political Education (COPE);

(7) Environmental;

(8) Local 1000 Grants;

(9) Local 1000 Health and Safety;

(10) Latin@;

(11) Lavender - – Lesbian, Gay, Bisexual, Transgender, Intersex, Queer (LGBTIQ);

(12) Native American;

(13) NextGen

(14) Vice Presidents Steward;

(15) Accessibility;

(16) Veterans; and

(17) Women's.

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### (b) Committee appointments:

- (1) Unless otherwise provided by the Bylaws or this Policy File, appointments to any standing, special or ad hoc committee or task forces shall be made by the President from the membership of Local 1000, subject to disaffirmation of the Local 1000 Board of Directors. The appointments shall be effective on the date(s) specified by the President. The President shall attempt to appoint members to no more than one committee, and appoint members from all areas of the state and representatives from each bargaining unit.
- (2) The Vice President/Secretary-Treasurer shall chair the Budget, Agenda and Grants Committees.
- (3) The Chief Negotiator shall chair the Local 1000 Bargaining Council.

### 5.1.01 African American Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all African American state employees, and members of the Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

#### Duties and Responsibilities:

- (a) To organize and train Local 1000 African American Members to assume leadership roles.
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting African Americans, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared African American members.

### 5.1.02 Agenda Committee

The committee is responsible for review of all items submitted for addition to the Local 1000 Board of Directors agenda. Only Local 1000 Board of Directors members may be appointed to the Agenda Committee.

#### Duties and Responsibilities

- (a) The Agenda Committee shall meet immediately prior to the Local 1000 Board of Directors meeting to review all items submitted for addition to the agenda. Each item submitted to the committee as an emergency item to be placed on the action agenda

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of the Local 1000 Board of Directors shall meet one or more of the following standards:

- (1) Must arise out of circumstances which could not reasonably have been foreseen by the deadline for submission of regular agenda items;
- (2) Some substantial damage or loss to Local 1000 or its members will occur if action is not taken; or
- (3) The proposed action involves some nonrecurring opportunity or benefit, which will be lost if not acted upon.

(b) Any item approved by the Agenda Committee shall become an action item of the agenda. Any item rejected by the Agenda Committee shall be reported to the Board and may become an action item by a majority vote of the Local 1000 Board of Directors.

### 5.1.03 Asian-Pacific Islander Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all Asian-Pacific Islander state employees, and members of the Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

#### Duties and Responsibilities:

To organize and train Local 1000 Asian-Pacific Islander Members to assume leadership roles.

- (a) To educate and inform all Local 1000 members about the needs and concerns affecting Asian-Pacific Islanders, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared Asian-Pacific Islander members.

### 5.1.04 Local 1000 Bargaining Council

The Local 1000 Bargaining Council consists of the President, Chief Negotiator and all BUNC Chairs. The Chief Negotiator shall serve as chair of this committee.

### 5.1.05 Budget Committee

The Local 1000 Budget Committee shall oversee the Local 1000 budget.

#### Duties and Responsibilities



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- (a) With the assistance of the Local 1000 statewide officers, develops the multi-year budget which is approved by the Local 1000 Board of Directors for presentation to the GC delegates whenever GC meets.
- (b) Recommends to the Local 1000 Board of Directors, for approval, line item adjustments to the budget.
- (c) Reviews proposed programs of Local 1000.
- (d) For those items in excess of \$20,000, shall present an impact analysis to the Local 1000 Board of Directors.
- (e) Recommends to the Local 1000 Board of Directors adoption, amendment or rejection of motions subject to its review.

### 5.1.06 Committee on Political Education (COPE)

- (a) The Committee on Political Education is the conduit for Local 1000's legislative and political program and shall:
  - (1) Be composed of members who are contributors to Local 1000's Political Action Fund (COPE) and who actively recruited others to do so and have actively participated in Local 1000's electoral and legislative program for at least one year. In appointing committee members the President shall endeavor to reflect both the geographic distribution and party registration, including decline to state of the membership.
  - (2) Make recommendations to the Local 1000 Board of Directors on legislative priorities, endorsements of ballot measures, candidates, and a political action budget for each election cycle.
  - (3) Keep informed of Local 1000's legislative and political programs, including those of the SEIU California State Council, central labor councils, Change to Win, The California Federation of Labor, and the SEIU International.
  - (4) Promote voter registration drives through Local 1000.
  - (5) Encourage membership participation in grassroots campaigns, propositions, legislation, candidate recommendations, issues, etc.
  - (6) Keep informed on bills introduced on state and federal levels directly related to member needs.
  - (7) Discuss issue(s) of regional and statewide impact, and recommend plans of action to

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the Local 1000 Board of Directors.

- (8) Recommend to the Local 1000 Board of Directors which campaigns to participate in at the grassroots level.

### 5.1.07 Environmental Committee

The Environmental Committee shall oversee the implementation of a coordinated environmental and environmental justice program consistent with Local 1000 policy and all applicable provisions of contracts in force.

The committee shall also make any needed recommendations to the Local 1000 Board of Directors and/or the Local 1000 statewide officers.

#### Duties and Responsibilities:

- (a) To educate and inform all Local 1000 members about environmental issues affecting our Local's members, society, and the working class in general.
- (b) To identify environmental and environmental justice issues of particular concern and to support Local 1000 and its individual members in taking collective action on these issues through the committee's leadership roles in encouraging more educated, prepared, and environmentally conscious members.

### 5.1.08 Local 1000 Grants Committee

- (a) Local 1000 Grants Committee shall review requests for grants submitted by DLCs and standing committees with annual budgets. The committee may approve, modify or reject the grant.
- (b) Approved grants will be in the form of fixed monthly revenue or a lump sum.
- (c) The Local 1000 Grants Committee may require periodic reports on the use of the grants from the DLCs or standing committees with annual budgets. Grants may be denied for sufficient reason. The DLC or Standing Committees with annual budgets shall be modified of the reasons for the denial.
- (d) The DLC or Standing Committees with annual budgets may appeal any action of the Grants Committee to the Local 1000 Board of Directors whose decision is final.
- (e) The DLC may appeal any action of the grants committee to the Local 1000 Board of Directors whose decision is final.
- (f) The Local 1000 Grant Fund shall not exceed \$100,000.

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### 5.1.09 Local 1000 Health and Safety Committees

The Local 1000 Health and Safety Committee, with the direction from the Chief Negotiator, shall oversee the implementation of a coordinated health and safety program consistent with Local 1000 policy and all applicable provisions of the contracts in force.

### 5.1.10 Latin@ Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all Latino/Latina state employees, and members of the Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

Duties and Responsibilities:

- (a) To organize and train Local 1000 Latino/Latina members to assume leadership roles.
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting Latino/Latina members, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared Latino/Latina members.

### 5.1.11 Lavender – Lesbian, Gay, Bisexual, Transgender, Intersex, Queer (LGBTIQ) Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all LGBTIQ state employees, and members of the Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

Duties and responsibilities:

- (a) To organize and train Local 1000 LGBTIQ members to assume leadership roles.
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting LGBTIQ members, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared LGBTIQ members.

### 5.1.12 Native American Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer

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that affect or impact all Native American state employees, and members of Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

### Duties and Responsibilities:

- (a) To organize and train Local 1000 Native American Members to assume leadership roles.
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting Native Americans, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared Native American members.

### 5.1.13 NextGen Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all latest cultural generations state employees, and members of Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 Statewide Officers.

- (a) To organize and train Local 1000 latest cultural generations members to assume leadership roles.
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting Gen Y or Millennial Americans, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared latest cultural generations members.

### 5.1.14 Statewide Vice Presidents/Steward Committee

- (a) This committee shall consist of one DLC Vice President from each representational area: Southeast (Rancho Cucamonga), Southwest (Los Angeles), Coastal (Oakland), Central Valley (Fresno), and Sacramento (Midtown, Downtown, and the outlying area). The statewide committee shall meet at least quarterly. Such meetings may be by conference call.
- (b) The Statewide Vice President Committee is responsible for review of the overall steward and workplace representation program and shall make recommendations to the Local 1000 Board of Directors regarding the following:

- (1) Quality, uniformity and availability of steward training;
- (2) Functioning of the statewide grievance tracking system;

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- (3) Quality, uniformity and availability of member representation;
  - (4) Review policy affecting the steward program;
  - (5) Determine the process by which decisions are made as to which grievances will be approved or denied for arbitration with the participation of appropriate staff; and
  - (6) Hear all appeals of representation.
- (c) The Statewide Vice President Committee shall elect one of its members to serve as Chair. The Chair shall serve at the pleasure of the Committee and may be removed as Chair and replaced by a majority vote of the Committee. The Chair shall be responsible to:
- (1) Schedule and preside over meetings of the Statewide Vice President Committee and the Stewards Advisory Committee.
  - (2) Meet and report to the President about issues concerning the Vice Presidents Committee's responsibilities.
  - (3) Work with staff to ensure the responsibilities of this Committee are being fulfilled.
- (d) No less than four (4) times per year the Statewide Vice President Committee shall be responsible for convening a meeting of the DLC Vice Presidents at their regional field office. The purpose of this committee is to:
- (1) Establish and implement an all-encompassing steward recruitment initiative.
  - (2) Assess and offer guidance on the standardization, quality, and accessibility of steward training.
  - (3) Deliver organizing training and support to enhance workplace representation for respective bargaining units.
  - (4) Provide recommendations on matters of steward discipline within DLCs.

### 5.1.15 Accessibility Committee

The committee shall be responsible for reviewing policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all state workers with disabilities, and members of Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

#### Duties and Responsibilities:

- (a) To organize and train Local 1000 members with disabilities to assume leadership roles.
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting its workers with disabilities, identifying issues of particular concern, and

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supporting Local 1000 through its leadership roles by means of more educated and prepared members with disabilities.

### 5.1.16 Veterans Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all veterans of military service state employees, and members of the Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

#### Duties and Responsibilities:

- (a) To organize and train Local 1000 veterans of military service members to assume leadership roles; and
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting veterans of military service members, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared veterans of military service members.

### 5.1.17 Women's Committee

The committee shall be responsible for review of the policies, training or apprenticeship programs, wages, working conditions and programs established by the State/Employer that affect or impact all women state employees, and members of the Local 1000. The committee shall also make any needed recommendations to the Local 1000 Board of Directors or the Local 1000 statewide officers.

#### Duties and Responsibilities:

- (a) To organize and train Local 1000 women members to assume leadership roles; and
- (b) To educate and inform all Local 1000 members about the needs and concerns affecting women members, identifying issues of particular concern, and supporting Local 1000 through its leadership roles by means of more educated and prepared women members.

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### DIVISION 6: STEWARDS

#### 6.0.00 STEWARDS

##### 6.0.01 Purpose

A Local 1000 steward acts with diplomacy and ethics and is a respected resource. As an agent of Local 1000, a steward advocates for and educates our members. A steward enforces the contract by applying sound knowledge of our hard-earned rights and benefits. A steward fosters unity and strength in the worksite through leadership reflecting the values and goals of Local 1000.

##### 6.0.02 Definitions

###### (a) Steward:

This level of steward has been trained and certified by Local 1000 to provide effective representation to employees within a designated area.

###### (b) Senior Steward:

In addition to the training and certification as a steward, this level of steward assists other stewards, coordinates the work of stewards within a particular local of a DLC and reports to the DLC Vice President.

###### (c) DLC Vice President:

In addition to the training and certification as a steward, this level of steward advises and counsels other stewards within the DLC.

##### 6.0.03 Duties and Responsibilities of All Stewards

(a) Acting as an agent of Local 1000 representing and advocating for all Local 1000 represented employees.

(b) Recruiting employees to Local 1000 membership, engaging them in Local 1000 activities, and encouraging and developing their skills and leadership.

(c) Creating and maintaining positive relationships among members, stewards and Local 1000 staff through effective listening, communication and action.

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- (d) Gathering data, maintaining records and reporting to Local 1000 as required for contract negotiations, grievances, legislation or other union purposes.
- (e) Promoting membership in Local 1000's Committee on Political Education (COPE).

### 6.0.04 Recording and Reporting

Recording and reporting shall be a priority for all certified stewards. The reports from stewards on both formal and informal grievances and complaints shall be maintained by Local 1000 in such a way as to provide stewards with resource information, precedent, past practice and results, and to provide our bargaining teams with information about experience factors on issues and provisions contained within the contracts, the California Department of Human Resources and SPB Laws and Rules and departmental policies.

Stewards shall provide the appropriate staff person with timely written information, when requested, about informal and formal grievances and complaints, meet and confers, steward activities, appeals, expenses incurred, their contact information, level of experience and willingness to represent co-workers in the worksite.

### 6.1.00 TRAINING

The training plan is designed to provide a uniform, comprehensive and on-going program of training for stewards.

#### 6.1.01 Steward Certification Training

##### (a) Eligibility:

Only active members not on probation and in good standing in Local 1000 are eligible for certification as stewards.

Members who wish to be certified must complete the Leadership Apprenticeship Program for Stewards (LAPS).

##### (b) Course Content:

Training shall be designed to provide an introduction to union history, mission and structure, the role of stewards, organizing in the workplace, the importance of diversity in the workplace, and to insure that stewards are capable of identifying appropriate processes to apply in resolving worksite problems related to scope, matters including the interpretation, application, and enforcement of the contract, and other written rules and



policies. This capability will include the analysis, preparation and presentation of grievances and complaints.

#### 6.1.02 Continuous Training

Continuous training for stewards shall be provided that will ensure improvement in knowledge and skills, and contribute to higher levels of proficiency in uniting, mobilizing and advocating for represented workers. Elements of such training shall be mandatory in accordance with Local 1000 policy.

##### (a) Eligibility:

Any active member in good standing certified as a steward in Local 1000 may be enrolled in on-going training.

##### (b) Course Content:

The content of on-going training shall include, but not be limited to, the subject areas of individual and group workplace representation, organizing, bargaining, politics, governance and other relevant subjects.

#### 6.1.03 New Memorandum of Understanding Training

Effective upon final ratification of each new Memorandum of Understanding (MOU), also called the contract, Local 1000 shall conduct training that covers the changes in each successor MOU. The course content shall cover all changes and amendments contained in the successor MOU and their application to Local 1000 represented employees.

### 6.2.00 STEWARD CERTIFICATION AND CONTINUED CERTIFICATION

#### 6.2.01 Continued Steward Certification

(a) A steward is eligible for continued certification provided the steward has:

- (1) Completed any new MOU training within 90 days after its final ratification unless otherwise provided by the Local 1000 Board of Directors.
- (2) Completed at least two advanced training courses per year or participated in an SEIU Special Program (tracked by Local 1000).
- (3) Attended at least three DLC events per year (shall be confirmed by the DLC).

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(4) Fulfilled any other duties of stewards enumerated in the Policy File.

(5) A steward who fails to satisfy all of the requirements specified in paragraphs (1) through (4) by December 31 of a calendar year shall forfeit their steward certification on January 1 of the following calendar year.

### 6.3.00 CORRECTIVE ACTION

(a) Corrective Action:

(1) Institution of Action:

If the DLC Vice President, DLC President, or if no DLC Vice President, Senior Steward determines the performance of a steward is not satisfactory, he or she will institute corrective action.

(2) Actions to be taken:

Such corrective action should be progressive in nature in order to allow the steward every opportunity to fulfill their responsibilities and to perform their duties.

Such actions will include:

- (i) Verbal counseling to advise the steward of any deficiencies and to offer assistance, counseling or training as needed;
- (ii) Written instructions should be given to the steward if previous counseling has not corrected the problem(s) within 21 days of verbal counseling; and
- (iii) If a steward fails to carry out the steward responsibilities, the DLC Vice President or DLC President may petition the Local 1000 President to remove the steward for cause. The steward must be given a copy of the petition.

(3) Removal:

The Local 1000 President will send the petition to the Statewide Vice Presidents Committee. The petition shall be reviewed and a determination made by this Committee within 30 days.

Any committee member involved in the removal of a steward shall not take part in the deliberations or decision of the Statewide Vice Presidents Committee. Decisions of this Committee regarding decertification may be appealed to the Local 1000 Board of Directors by written communication to the Local 1000 President and Board Chair within ten days of receipt of the

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decision.

### 6.3.01 Forfeiture of Stewardship

(a) A steward shall forfeit their steward position when:

- (1) The steward is no longer a member of the bargaining unit for which Local 1000 is the exclusive representative;
- (2) The steward resigns from state service or employment within a represented bargaining unit, or is involuntarily terminated from state service or employment within a represented bargaining unit, and has concluded the administrative appeal rights;
- (3) The steward does not meet the continued certification requirements outlined in 6.1.02;
- (4) The steward is removed for cause pursuant to section 6.3.00(a)(3);
- (5) The steward is removed for other actions the Statewide Vice Presidents Committee has good cause to believe would cause immediate, serious or irreparable harm or otherwise jeopardize the Union's duty of fair representation; or
- (6) He or she voluntarily resigns as a steward.

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### DIVISION 7: BARGAINING

#### 7.0.00 STATEWIDE BARGAINING ADVISORY COMMITTEES

##### 7.0.01 Purpose of the SBAC

- (a) Identify and set the priorities for contract negotiations;
- (b) Provide organizing support for contract bargaining campaigns for their respective bargaining unit members; and
- (c) Elect their respective BUNC members and officers as the executive board for the SBAC.

##### 7.0.02 Orientation of the SBAC

At the first SBAC following DLC elections, an orientation will be conducted for all DBURs and Classification Bargaining Unit Representatives (CBURs). The orientation shall include but not be limited to:

- (a) The responsibilities and obligations of the DBUR or CBUR;
- (b) The fundamental importance of organizing campaigns in support of the negotiation process; and
- (c) The negotiating process and evaluation of contract language and bargaining proposals.

##### 7.0.03 Composition

- (a) Each bargaining unit shall have an SBAC.
- (b) Each SBAC comprises one DBUR from each DLC which has Local 1000 members in the bargaining unit, unless the SBAC has an approved alternate structure.
- (c) Terms of office and election schedules for members of SBACs are set forth in the Bylaws and in Division 12 below.

##### 7.0.04 Alternative SBAC Structure

- (a) The Local 1000 Board of Directors may approve an alternative structure when one of the following conditions exists:

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- (1) When there is a lack of even representation on an SBAC due to size or where there are constraints because of unequal distribution of bargaining unit members, and it is proposed by an SBAC or
- (2) When there is a Statewide DLC consisting of newly represented bargaining units not covered by the Dills Act.
- (b) The proposal shall specify how the alternative SBAC structure will improve representation and communication with bargaining unit members, and it shall specify how the alternative structure will provide balance and fairness of participation among departmental structure.
- (c) Any such proposal is subject to the following standards:
  - (1) The total number of DBUR positions for the SBAC shall not exceed the number of DLCs in Local 1000;
  - (2) Only one DBUR from each Bargaining Unit may sit as a member of the DLC Executive Board; and
  - (3) Any proposal approved by the Local 1000 Board of Directors shall be revised if DLC realignment is implemented.

### 7.0.05 Temporary Vacancy or Absence

In the event of a temporary absence of a member of an SBAC, the DLC President may designate from the affected bargaining unit an alternate. The DLC President shall advise the BUNC Chair and the Local 1000 President of the substitutions in writing prior to the meeting. The alternate shall have the right to attend executive sessions at the meeting and engage in debate as a member of the committee but shall not have the right to make motions or vote.

### 7.0.06 Attendance at SBAC meetings

Members of an SBAC are expected to attend all scheduled meetings of the SBAC. It is the member's responsibility to notify the chair of the BUNC and the DLC President when the member will not be in attendance. Failure to notify the chair may result in an unexcused absence.

The chair of the BUNC shall notify, in writing, the DLC President and the Chief Negotiator when an SBAC member has two or more unexcused absences or three or more excused absences in one year. The Chief Negotiator, provided the

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BUNC chair concurs, shall declare the position vacant and provide for filling the vacancy for the remainder of the term as follows:

- (a) The Chief Negotiator shall immediately mail a notice to all eligible members of the DLC informing them of the vacancy and inviting them to apply for the position within 30 days after mailing. The DBUR member whose position had been declared vacant shall be ineligible for appointment.
- (b) Immediately upon close of the application period, the Chief Negotiator shall provide the DLC President with the list of the applicants.
- (c) The President shall convene a properly noticed special meeting of the Executive Board within 15 days during which a replacement will be appointed from among those eligible DLC members who applied for the vacancy. If the DLC is already scheduled to have a general membership meeting within this period, the Executive Board may choose to fill the vacancy by election during that meeting instead of filling the position by appointment. All applicants shall be noticed by mail of the meeting at which the vacancy is to be filled.

### 7.0.07 SBAC and BUNC Rules

Each SBAC shall develop rules of operation for the BUNC, provided such rules are not in conflict with the Local 1000 Bylaws or Policy File. Such rules shall be reviewed at least annually by the Local 1000 Board of Directors.

### 7.1.00 BARGAINING UNIT NEGOTIATING COMMITTEES

#### 7.1.01 Responsibility of the BUNCs

The BUNCs are responsible for negotiating contracts for wages, hours, benefits and other terms and conditions of employment for their respective units. BUNCs represent their bargaining unit's common interests at the master table and negotiate their unit specific issues at the unit table. BUNCs shall:

- (a) Conduct contract negotiations and participate in contract campaigns;
- (b) Meet and confer as required and inform the Chief Negotiator of the outcome of any such negotiations;
- (c) Conduct surveys for determining bargaining issues;
- (d) Supply information to the SBACs for contract ratification/strike vote meetings;

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- (e) Submit organizing and recruitment ideas and plans to the Local 1000 Board of Directors for approval before implementation; and
- (f) Chairs of the BUNC shall call meetings of the SBAC as deemed necessary by the BUNC or SBAC after approval by the Local 1000 President.

### 7.1.02 Structure of the BUNCS

Each bargaining unit represented by Local 1000 shall have a BUNC.

- (a) A BUNC comprises at least five members and up to three alternates for the first 10,000 workers in the unit. Thereafter, one additional BUNC member and alternate shall be added for every 10,000 workers or fraction thereof in the unit.
- (b) To be eligible to be a BUNC member, the member must be a member of the SBAC.
- (c) Members of the BUNC remain members of the SBAC during their tenure of office on the BUNC.
- (d) The officers of the BUNC are Chair, Vice Chair and Alternate Vice Chair.
- (e) Vacancies:

Vacancies in a BUNC (including vacancies in the position of BUNC Chair, Vice Chair, or Alternate Vice Chair) that occur through circumstances other than recall (12.3.00) shall be filled by a new election as provided by 12.2.00. Until a new election can be completed, the BUNC or SBAC may temporarily fill the vacancy as follows:

- (1) If the position of BUNC Chair becomes vacant the position shall be filled by the Vice Chair until a new election can be completed.
- (2) If position of Vice Chair becomes vacant, the position shall be filled by the Alternate Vice Chair until a new election can be completed.
- (3) If any other position on a BUNC becomes vacant, the Chair shall immediately appoint a replacement according to the rules of the SBAC. Such appointments shall be effective immediately. This replacement shall serve only until a new election can be completed.
- (4) New elections for vacant BUNC or alternate positions shall take place at the next properly noticed SBAC meeting.

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The Local 1000 President and the Chief Negotiator shall be notified, in writing, of all changes in the members of the BUNC.

### 7.1.03 BUNC Chair Responsibilities

- (a) The Chair, with concurrence of the majority of the BUNC, shall have the authority to sign tentative agreements for their respective BUNCs.
- (b) The Chair of each BUNC shall represent their respective unit on the Local 1000 Board of Directors.
- (c) The Chair of each BUNC shall appoint all members to the meet and confer negotiations (provided that the meet and confer only impacts their unit) between contract negotiations with the State of California or other affected employer subject to disaffirmation of the BUNC. Where meet and confers impact more than one unit, the Chairs of the impacted units recommend to the Local 1000 President, those members they wish to have participate in the negotiations.



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### DIVISION 8: CONCERTED ACTIONS & RATIFICATION PROCEDURES

#### 8.0.00 CONCERTED ACTIONS WITHIN LOCAL 1000

Concerted actions by members may be required in order to obtain improvements in salaries, benefits and working conditions. Concerted actions generally consist of tactics such as work slowdowns, work stoppages, sickouts, strikes, or similar tactics. Actions which do not directly interfere with the work or statutory functions of the State/Employer, such as informational picketing or demonstrations, leafleting, unity breaks, and similar activities are not considered to be concerted actions for purposes of this policy.

#### 8.0.01 Local 1000 Initiated Actions

Local 1000 may initiate concerted actions against the State of California/Employer whenever it deems necessary to support Local 1000 programs. Prior to implementation of any concerted action, the Local 1000 Board of Directors shall meet in executive session and determine the appropriate action.

#### 8.0.02 Sanction Petitioning by Groups of Members

Any clearly identifiable group of members can petition for sanction of a job action. Examples include:

- (a) Members of Local 1000;
- (b) Members of a bargaining unit;
- (c) Members of a subgroup of a bargaining unit; or
- (d) Members of specific work locations.

#### 8.0.03 Ratification of Sanction

The action sanctioned by the Local 1000 Board of Directors shall be subject to ratification by the affected group of members. Ratification requires a majority vote of those members voting.

#### 8.0.04 Sanction Directives

In sanctioning actions, Local 1000 Board of Directors shall observe all directives arising from such sanctions and guarantee representation to all members with respect to their full legal rights in any disciplinary or legal actions arising from the observance or execution of the sanctions.

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### 8.0.05 Termination of Sanction

A sanction may be terminated at any time by either the Local 1000 Board of Directors or the Local 1000 President in consultation with the statewide officers and BUNC chairs who shall report the reasons for the action at the next Local 1000 Board of Directors Meeting.

### 8.1.00 RATIFICATION OF THE CONTRACT

The ratification of a contract shall be in accordance with the following procedures:

#### (a) Balloting:

- (1) The ratification of the contract shall be by simple majority (50 percent plus one) of the total votes cast.
- (2) Voting shall be at ratification meetings or by mailed ballot.

#### (b) Ballot Materials:

##### (1) Synopsis of Unit Contracts:

The Chief Negotiator and BUNC Chairs are responsible for preparation of a synopsis of the master and unit contracts. The synopsis of the new contract shall be submitted to the membership for a ratification or rejection. The synopsis shall include information on where complete contracts are available for inspection.

##### (2) Ballots:

- (i) The ballot shall be coded for each unit and shall contain a pre-addressed and postage paid envelope.
- (ii) Members shall be required to sign and print their name on the envelope.

#### (c) Meetings:

- (1) Ratification meetings shall be scheduled and employees in the bargaining unit shall be notified of the time and place of such meetings.
- (2) The Chief Negotiator, with the assistance of each BUNC Chair shall establish procedures to be followed for ratification meetings.
- (3) A schedule will be sent to inform the membership when and where any ratification meeting will be held.

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### DIVISION 9: DISCIPLINE

#### 9.0.00 DISCIPLINE

#### 9.0.01 Criteria and Procedures for Disciplinary Action

1. Disciplinary action may be taken for the following reasons:
  - (a) Filing disciplinary charges or using the disciplinary procedures against another member or members for the purpose of harassment of the member or members so charged;
  - (b) Gross neglect of duty by a member holding an elected or appointed office or any other position in Local 1000;
  - (c) Intentional breach of confidence in matters appropriately designated confidential;
  - (d) Improper distribution or other misuse of material designed for use by or within Local 1000;
  - (e) Violation of Local 1000 Bylaws or Policy File, or DLC, SBAC or BUNC Rules;
  - (f) Taking an active part in promoting another organization which is undermining the objectives or the existence of Local 1000, which is seeking its decertification, or which directly competes with Local 1000 in the areas covered by the Ralph C. Dills Act (Govt. Code 3500 et seq.); or other collective bargaining laws under which Local 1000 has or is seeking represented members
  - (g) Unexcused absences from CSEA Board of Directors meetings by the President or Vice President/Secretary-Treasurer; Local 1000 Board of Directors meetings by members of the Board; committee meetings by committee members; or failure to participate in activities as assigned;
  - (h) Taking a public position, in the name of Local 1000, that is contrary to the adopted policy of Local 1000 as determined by the Local 1000 Board of Directors or purporting to act on behalf of Local 1000, when not so authorized;
  - (i) Misuse of Local 1000 or DLC funds, equipment or supplies;

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- (j) Intentional disrupting the orderly conduct of an official meeting;
  - (k) Behavior which is determined by the hearing panel or officer to be of such a nature that it causes discredit to Local 1000;
  - (l) Seeking or holding elective or appointive office in Local 1000, while currently holding elective or appointive office in another organization representing employees which is in competition with Local 1000; or
  - (m) Failing to carry out the duties of any office or position in Local 1000 with respect to representation of the members at the worksite.
  - (n) Distribution of member lists in any form, either those provided by Local 1000 or compiled by anyone else; or
  - (o) Failure to cooperate with an investigation when charged per Division 9.0.05 of this policy.
2. Except as provided above, members retain the right of free speech and expression regarding Local 1000 matters, but may not claim or imply that they speak on behalf of Local 1000 or any of its constituent bodies unless authorized by the Local 1000 Board of Directors to do so.

### 9.0.02 Authority for Discipline

- (a) Local 1000 has exclusive responsibility over discipline of its members.
- (1) Local 1000 may take the following actions in response to a disciplinary charge:
  - (i) Rejection of charges;
  - (ii) Reprimand;
  - (iii) Suspension from elected office within Local 1000;
  - (iv) Removal from elected office within Local 1000; or
  - (v) Other action Local 1000 deems appropriate.

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- (b) When a member files specific charges in writing on a Form HR1 against the Statewide President or the Statewide Vice President/Secretary Treasurer, the Chair of the Board shall call an emergency meeting of the Board.
- (1) In the emergency meeting, the Local Board of Directors shall designate panel of five hearing officers from the existing Hearing Officer Panel.
- (a) Said panel members shall abide by timeframes and other procedures per Division 9 of the policy file.

### 9.0.03 Suspension of Member

When, in the opinion of the President, the actions of the member are such as to impose an immediate threat to the welfare of Local 1000, the President may summarily suspend the member until the procedures established in the Policy File are concluded. If written charges are not filed within ten days, the suspension shall be terminated.

### 9.0.04 Suspension of President

If the Vice President/Secretary-Treasurer, the Board Chair, and the Chief Negotiator have good cause to believe that the action of the President is such as to pose an immediate threat to the welfare of Local 1000, the three Officers may summarily suspend the President by giving written notice thereof to the Executive Director, until the procedures established in the Policy File are concluded. If written charges are not filed within ten days, the suspension is terminated. If the President is serving as the Chief Negotiator, the concurrence of the Vice President/Secretary-Treasurer and the Board Chair shall be sufficient to cause the suspension of the President. During a period of suspension, the Board shall reallocate the duties of the President.

### 9.0.05 Procedure for Institution of Discipline

The procedures shall be as follows:

- (a) Institution of the action shall occur when a member files specific charges in writing on a Form HR1, that may be obtained from any Local 1000 office, with the President, unless said charges are filed against the President, in which case charges shall be filed with the Vice President/Secretary-Treasurer. The member filing the charges must agree to be present when the action is heard, to substantiate the charges, and present the facts supporting them. Charges must be filed within one year of the alleged violation or the discovery thereof.
- (b) Upon receipt of the completed Form HR1, the President, or the Vice

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President/Secretary-Treasurer if the action is against the President, or their designees, shall review the charges, and if he or she finds the charges are frivolous, he or she will immediately notify the charging party and no further action shall be taken. If the charges appear to have merit the President, or the Vice President/Secretary-Treasurer, shall order a hearing to be held within 30 days before a professional neutral hearing officer, panel or hearing officer. The hearing officer or panel shall conduct a preliminary investigation. If the facts are not in dispute or the recommendation is to reject the charges, no hearing is necessary. The hearing officer shall not be a party to the dispute. No member of the hearing body may be from the same DLC as any of the charging or charged parties.

- (c) The hearing panel or hearing officer after its investigation or hearing shall determine the validity of the charges. The hearing, if held, shall be open unless a request for a closed hearing is made by the member so charged. The findings of the hearing panel or hearing officer shall be confidential pending final action by the Local 1000 Board of Directors.
- (d) The hearing panel or hearing officer shall have the authority to grant extensions and continuances for good cause, upon request upon on their own motion.
- (e) The individuals involved in the hearing shall be personally notified in writing at least 15 days prior to the hearing. Such notice shall include the date, time and place of the hearing, a list of charges to be heard and the names of the hearing panel members. New charges may not be introduced after the hearing notice is mailed.
- (f) The charging party and the charged party shall each have the right to one preemptory challenge. Any hearing panel member so challenged shall be replaced immediately by the President.

Challenges must be received in writing, addressed to the President, at 1808 14th Street, Sacramento, CA 95811, no later than five days before the hearing. A challenge shall stop all timelines for conducting the hearing.

- (g) The parties to the hearing shall have the right to be represented at their own cost, to introduce evidence supporting or refuting the charges and to cross examine witnesses. Strict rules of evidence are not applicable.
- (h) A failure to personally appear or respond in writing by the member charged, without good cause, may be deemed sufficient cause for finding that the charges are correct.

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- (i) A failure to personally appear, without good cause, at the hearing by the charging party shall be deemed sufficient cause to dismiss the charges.
  
- (j) The hearing panel or hearing officer shall report to the President, or to the Vice President/Secretary-Treasurer if the charges are against the President, no later than ten days after completion of the hearing. The findings of the hearing panel or hearing officer shall be confidential. Such report shall include one or more of the following recommendation(s) and shall conform to the format contained in the Hearing Officer's Manual:
  - (1) Rejection of the charges;
  - (2) Reprimand;
  - (3) Suspension from office;
  - (4) Removal from office or any other position held in the union;
  - (5) Suspension from privileges of membership except those required by law; or
  - (6) Other action deemed appropriate to the circumstances.
  
- (k) The Local 1000 Board of Directors shall act on the report in executive session no later than its next regularly-scheduled meeting. Disciplinary action requires a two-thirds vote of the Board. The Board must make immediate disposition of the case as follows:
  - (1) The Board shall first determine whether the charges are sustained;
  - (2) If sustained, the Board shall then determine the appropriate penalty; and
  - (3) All actions shall be by a two-thirds vote of the Board.
  
- (l) In deliberating its action, the Local 1000 Board of Directors shall restrict its discussion to the report of the hearing officer or panel chair, procedural matters, and the appropriate disciplinary action to be imposed, if any. The presiding officer shall rule out of order all discussion which attempts to introduce or argue the facts at issue, whether or not presented at the original hearing.
  
- (m) In any case where a procedural error is alleged to have occurred, it shall be determined whether any charged party has been unfairly prejudiced by the error. If it

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is determined that prejudicial error has occurred, the charges against that party shall be dismissed. Otherwise, the disciplinary action shall proceed. Procedural violations not raised by a party within a reasonable time shall be deemed waived.

- (n) Decisions of the Local 1000 Board of Directors shall be final.
- (o) Removal or suspension from office of a member of the Local 1000 Board of Directors (statewide officers, DLC Presidents, BUNC Chairs) must comply with the provisions of the California Corporations Code for removing a corporate director from office.

### 9.0.06 Reimbursement of Costs to Member

If the charges are not sustained, Local 1000 shall provide reimbursement for reasonable costs to the charged member.

### 9.1.00 INTERNAL GRIEVANCES

Local 1000 members who claim to be aggrieved by an action of the Local 1000 or of any Board, officer, committee, DLC, SBAC/BUNC, or any agency thereof, are encouraged to present their grievance, insofar as practical, first at the DLC, SBAC, or BUNC level, and to exhaust this avenue of relief before appealing. Failure to grieve first at the DLC, SBAC, or BUNC level, if practical, shall be taken into consideration in determining action on the appeal.

#### 9.1.01 Procedure for Institution of Internal Grievances

When an internal grievance is filed with Local 1000, the President shall institute the following procedures:

- (a) The grievant shall submit, in writing, a list of the acts or omissions that constitute the cause for the internal grievance. The grievant must agree to be present when the grievance is heard, to substantiate the internal grievance and to present evidence to support it.
- (b) The President, or the Vice President/Secretary-Treasurer if the grievance is against the President, upon receipt of such written grievance and agreement to be present, shall order a hearing to be held within 30 days before a hearing panel or hearing officer. A participant to the grievance shall not be a member of the hearing body nor from the DLC, SBAC, or BUNC of either party to the grievance.



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- (c) The hearing panel or hearing officer shall determine the validity of the grievance. The hearing officer or panel shall conduct an investigation. If the facts are not in dispute or the recommendation is to reject the charges, no hearing is necessary. The hearing shall be open unless a request for a closed hearing is made by the member whose actions are alleged to be the cause of the grievance. The findings of the hearing panel or hearing officer shall be confidential.
- (d) The hearing panel or hearing officer shall have the authority to grant extensions and continuances for good cause upon request or on their own motion.
- (e) The members directly involved in hearing shall be personally notified in writing at least ten days prior to the hearing. Such notice shall include the date, time and place of the hearing and a list of the acts or omissions which are the subject of such grievance. New acts or omissions may not be introduced after the notice is mailed.
- (f) The parties to the hearing shall have the right to be represented at their own cost, to introduce evidence supporting or refuting the charges and to cross-examine witnesses. Strict rules of evidence are not applicable.
- (g) A failure to personally appear in response to the notice of hearing by the member whose actions are alleged to be the cause of the grievance may be deemed sufficient cause for the grievance to be granted. A failure to personally appear by the charging party may be deemed sufficient cause to dismiss the charge.
- (h) The hearing panel or hearing officer shall report to the President or the Vice President/Secretary T Treasurer if the charges are against the President, no later than ten days after completion of the hearing. Such report shall include recommendations for resolution of the grievance.
- (i) The Local 1000 Board of Directors shall act on the report no later than its next regularly scheduled meeting. In cases of urgency, the President may act on the recommendations immediately, subject to appeal to the Local 1000 Board of Directors by any party to the grievance.
- (j) Decisions of the Local 1000 Board of Directors are final.
- (k) Upon request of any party to a grievance the Local 1000 Board of Directors shall determine whether to provide reimbursement or reasonable costs to any involved members.
- (l) If the findings of the hearing panel indicate that the grievance was frivolous, without merit and intended to harass the member charged, the panel may recommend that disciplinary action be taken against the charging party or parties.

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### 9.2.00 HEARING OFFICERS PANEL

#### (a) Hearing Officers Panel

This panel shall consist of at least 14 active members, at least two from each area office, with terms which begin upon appointment and end simultaneously with those of DLC and statewide officers following each regularly scheduled election and may contain professional hearing officers. In making appointments, the Board of Directors shall endeavor to have representation from the DLCs and the BUNCs. The panel shall be responsible for conducting investigations and hearings and for making recommendations to the Local 1000 Board of Directors on matters referred to it pursuant to this policy.

- (1) This panel functions under the guidance of a chair, appointed by the Board via simple-majority vote, who has such administrative authority as is necessary, including the authority to assign internal grievances and disciplinary actions to members of the panel.
- (2) Panel members shall be trained upon appointment and approval prior to their first hearing. The training will be conducted by Local 1000 Legal staff pursuant to a program which includes, but is not limited to, the following:
  - (i) Procedures for conducting hearings;
  - (ii) Rules of evidence;
  - (iii) Evaluation of evidence;
  - (iv) Decision making;
  - (v) Report preparation; and
  - (vi) Presentation of findings and recommended decision to the Local 1000 Board of Directors.
- (3) Panel members shall be given a copy of the Local 1000 Hearing Officers Manual.
- (4) Panel members will not be members of the Board of Directors.

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### DIVISION 10: LOCAL 1000 FINANCES

#### 10.0.00 LOCAL 1000 BUDGET

##### 10.0.01 Budget

The Local 1000 Board of Directors shall establish a multi-year budget to be reviewed at least annually and shall ensure expenditures are consistent with the budget. In years in which the CSEA General Council meets, the Vice President/Secretary-Treasurer shall provide a presentation on the budget to the Local 1000 delegates.

##### 10.0.02 Membership Dues and Fees Structure

- (a) The dues and fees established by Local 1000 are not refundable.
- (b) At least annually, Local 1000 shall publish to all members the current Local 1000 dues and fee structure.

##### 10.0.03 Dues Augmentation and Reduction

###### (a) Dues Plans

Prior to making a change to the dues rates, Local 1000 shall prepare a written dues plan, which must:

- (1) Describe the membership group(s) and the present dues structure of Local 1000;
- (2) Indicate whether the requested dues augmentation or reduction is temporary or permanent; and
- (3) Describe the reason(s) for the dues change and the programs or services to be funded by the dues augmentation or the programs or services that may be reduced or may no longer be provided in the case of a reduction.

###### (b) Review of Plans

Plans for a Local 1000 dues augmentation or reduction shall be submitted to the Local 1000 statewide officers for review and to the Local 1000 Board of Directors for approval, and then to the Local 1000 membership for a vote.

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### (c) Approval of Dues Plans

- (1) The dues plan must be discussed in one or more well-publicized open meetings of the Local 1000 Board of Directors and must be approved by a majority vote prior to submission to the membership.
- (2) To become effective, dues plans for Local 1000 must be approved by a majority of the members voting. Balloting may be in person and/or by mail ballot.

### 10.0.04 Emergency Temporary Assessment

#### (a) An emergency temporary assessment may be instituted through the following process:

- (1) The President determines that an emergency which threatens vital interests of the membership exists and notifies the Local 1000 Board of Directors;
- (2) The Local 1000 Board of Directors passes a motion stating the emergency and vital interests at stake, the purpose for which the assessment will be used and the proposed assessment amount and duration; and
- (3) The emergency temporary assessment is approved by a majority vote of the membership. Balloting may be in person and/or by mail ballot.

### 10.0.05 Seasonal Worker, Permanent Intermittent and State Disability Insurance Dues Reimbursement

- (a) Seasonal or permanent intermittent employees working less than 40 hours during a monthly pay period may petition Local 1000 for full reimbursement of that month's deduction by submitting a request within ten days of the pay warrant's issuance date. Copies of the pay stub must accompany the written request for reimbursement.
- (b) Employees on State Disability Insurance (SDI) will be eligible for a reimbursement of a month's dues or fees deduction based on the actual state pay received in a month. The reimbursement will be the difference between the dues or fees actually paid calculated at the applicable percentage of their normal gross monthly pay and the dues or fees calculated at the applicable percentage of gross pay they actually received during the month in which they spent all or portion of the time on SDI. Such employees may petition Local 1000 for such reimbursement by submitting a request within ten days of the pay warrant's issuance date. Copies of the pay stub must accompany the written request for reimbursement.

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### 10.1.00 LOCAL REPRESENTATION

#### 10.1.01 General

Local 1000 provides funds to DLCs for representation of its workers. Each DLC shall receive \$220.00 per month plus \$0.85 per member.

#### 10.1.02 Use of Local Representational Funds

Local representation funds may be used by DLCs to implement the authorized local representation programs and policies of Local 1000. Since local representation funds are membership dues, some uses may be limited by law as well as by Local 1000 policy. The following non-inclusive list of DLC funds is provided as guidelines to DLC officers.

- (a) Approved Uses. The following are approved uses of DLC local representation funds:
- (1) DLC and Local meeting costs where any meeting refreshments and other activities are only incidental to the meeting;
  - (2) Representation by members of individual members in job-related matters;
  - (3) Steward and other representative meetings for the purpose of discussing and preparing for representation of individuals in job related matters;
  - (4) Reimbursement of expenses incurred as a result of authorized Local 1000 activity;
  - (5) Printing, mailing costs, newsletters, web posting costs and other communications with members advocating Local 1000's programs and providing information on authorized local representational matters;
  - (6) Equipment purchases for use by the DLC in local representation activities;
  - (7) Miscellaneous administrative matters (e.g., bank charges, audit services, copier usage, etc.);
  - (8) Union leave for authorized local representation activities, subject to prior approval of the Local 1000 President; and
  - (9) Upon approval of the Local 1000 President, and contingent on available funds, each DLC is authorized two days of union leave per month (up to a maximum of 20 hours for those who work ten-hour days), funded by Local 1000, to be used carrying out Local 1000's programs.

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- (b) Approved uses within limits. The following items are still permissible as DLC expenditures. DLCs must make expenditures for these activities only on an extremely limited basis (not to exceed an aggregate of ten percent of DLC revenues):
- (1) Social events; other than social and recreational activities for all bargaining unit members and non-members, designed to promote unity and cohesiveness in the bargaining unit in regards to wages, hours, and working conditions;
  - (2) Support of charitable activities;
  - (3) Support of Local 1000's position on legislation affecting wages, hours and working conditions of its represented employees; and
  - (4) Membership promotional activities.
- (c) Prohibited Uses. The following are prohibited uses of DLC local representation funds:
- (1) Contributions or services provided to support or oppose any candidate for public office;
  - (2) Contributions or services to any fund to support or oppose any candidate or initiative for public office;
  - (3) Paying for tickets to events that are primarily political in nature (e.g., the candidate we support will be at the event);
  - (4) Direct reimbursement to any member for loss of pay or vacation or other leave credits for Local 1000 activities;
  - (5) Contributions or other financial support of any kind to candidates for CSEA, Local 1000, or local DLC office;
  - (6) Expenditures of any kind (publications, mailing costs, expense reimbursements, contributions to other organization, support of litigation, payment to satisfy bills of private legal counsel, etc.) to advocate a position other than the position of Local 1000; and
  - (7) Expenditures for items for which Local 1000 has denied payment, unless such denial was solely because the expense should have been submitted to the DLC for payment.

### 10.1.03 Maximum DLC Accumulation

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A DLC that has an accumulation of an amount which equals six months of the DLC's allocation of dues or \$6,000, whichever is greater, shall receive no further allocation of dues until this amount is reduced below the limit.

### 10.1.04 DLC Finance Reports

#### DLC Annual Budgets

A copy of the annual budget for each DLC will be provided to the Vice President/Secretary-Treasurer each year by February 1 of that year. If an adopted DLC annual budget is not submitted, the monthly allocation of dues will be forfeited until the adopted budget is submitted. A 30 day extension may be granted by contacting the Local 1000 Vice President/Secretary-Treasurer prior to the due date.

### 10.1.05 Forfeiture of DLC Dues and Fees Allocations

In the event a DLC fails to submit its annual budget by no later than January 31 of the current budget year or fails to meet the funding limit described above, its monthly allocation of dues will be forfeited until the DLC is within the limit or complies by submitting its annual budget. The forfeited money is allocated to the Grants Fund. A 30 day extension may be granted by contacting the Vice President/Secretary-Treasurer before the due date.

### 10.1.06 Local 1000 Grants Fund

No more than \$100,000.00 of forfeited funds shall be allocated to the Local 1000 Grants Fund in any calendar year. Forfeited funds in excess of this amount shall be transferred into the Local 1000 General Fund.

### 10.1.07 District Labor Council Requests for Grants

DLCs may seek grants from the Local 1000 Grants Fund for duties and responsibilities pertaining to DLC activities required by the Local 1000 Policy File.

DLCs seeking a grant from the Local 1000 Grants fund must:

- (a) Submit a request in a format specified by the Grants Committee;
- (b) Submit a total DLC budget for local representation and indicate the current revenue and the additional amount needed to fund the budget;
- (c) Provide a copy of the latest financial statement of the DLC, including DLC reserve balances, if any; and

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- (d) Certify that the proposed DLC Budget was approved by the DLC membership in accordance with the DLC Bylaws.

### 10.1.08 Standing Committees Request for Grants

Standing Committees may seek grants from the Local 1000 Grants Fund for duties and responsibilities pertaining to the Standing Committee activities required by the local 1000 Policy File. Standing Committees seeking a grant from the Local 1000 Grants must:

- (a) Submit a request in a format specified by the Grants Committee.
- (b) Submit an annual budget for the current revenue and the additional amount needed to fund the budget.
- (c) Provide a copy of the latest financial statement of the Standing Committee, including Standing Committee fund balances.
- (d) Certify that the proposed Standing Committee was approved by the Standing Committee in accordance with the policy file and bylaws.
- (e) Maximum grant request capped up to \$10,000 per committee per year.

### 10.2.00 DLC FINANCIAL AUDITS

#### 10.2.01 Audit policy

The funds provided to DLCs are the dues of members that have been entrusted to the DLCs for their operations, and may only be used for authorized purposes. Local 1000 shall audit the financial operations of its DLCs on a regular, continuing basis for compliance with Local 1000 policy.

#### 10.2.02 Additional Audits

Annually, a financial audit will be conducted of each DLC by an independent certified public accounting firm.

- (a) Notwithstanding the schedule for audits described above, the Vice President/Secretary-Treasurer may schedule a DLC for audit for the following reasons:



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- (1) He or she determines there is reasonable cause to investigate a specific written allegation of misuse of DLC funds, equipment or supplies, or a specific written allegation of inadequate implementation of procedures to safeguard the use of DLC funds, equipment or supplies;
- (2) He or she has a reasonable suspicion that the submitted budget does not reflect the actual financial activity of the DLC;
- (3) At the request of a member of the DLC;
- (4) Routinely by geographic area or on a random basis;
- (5) Based upon matters identified in past audit reports;
- (6) Equipment purchases are not inventoried and records of physical possession are not kept current; or
- (7) Expenditures are not being made in accordance with a duly adopted budget.

### 10.2.03 DLC Financial Records

- (a) All financial records of the DLCs shall be retained for a period of five years from the close of the fiscal year.
- (b) DLC records shall consist of:
  - (1) Bank statements and canceled checks for all accounts;
  - (2) All supporting documents (i.e., invoices, expenditure request forms, and receipts) for checks issued and deposits made for all accounts;
  - (3) All minutes of DLC meetings and executive committee meetings;
  - (4) DLC budgets;
  - (5) All copies of financial quarterly reports;
  - (6) All bank reconciliations;
  - (7) Form 990 or 990T Federal tax exemptions forms, if filed;
  - (8) A list of all equipment and other assets owned at the end of the audit period; and

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- (9) List of all outstanding unpaid bills at the end of the audit period.
- (c) Security and custody of the assets of a DLC shall be the responsibility of the DLC Treasurer, shall be placed in a secure environment and shall be made available for inspection by DLC officers within a respective DLC and by Local 1000 statewide officers within a reasonable period of time. Such period of time shall not be more than ten days from the date of the written notice of intent to inspect.
- (d) Monthly financial statements shall be made available at all times for inspection by the members of the DLC.
- (e) The audit reports, along with the auditor's working papers, and financial records shall be retained by Local 1000.

### 10.2.04 Notification of Audit

DLCs shall be notified of a routinely scheduled audit at least 30 days in advance. DLCs shall be notified of non-routine audits at least ten days in advance. If allegations are made as referenced in this policy above, a written explanation of allegations will be provided at the time of notification.

### 10.3.00 DISTRICT LABOR COUNCIL TRUSTEESHIP

#### 10.3.01 Purpose

The purpose of this article is to set forth the terms for a trusteeship of a DLC, which may be imposed for the following purposes:

- (a) Correcting corruption;
  - (b) Correcting financial malfeasance;
  - (c) Restoring democratic procedures;
- or
- (d) Ensuring accountability to Local 1000's policies and programs.

Whenever the President or Vice President/Secretary-Treasurer has reason to determine the risk to Local 1000 is such that action is required, the trusteeship must be created in compliance with the procedures set forth in this article.

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### 10.3.02 Imposition of Trusteeship

Prior to the imposition of a trusteeship, the President shall issue a notice, which shall be mailed to all members of the DLC within seven calendar days, setting a time and place for a hearing for the purpose of determining whether a trusteeship should be imposed upon the DLC.

The President shall appoint a hearing panel of three Local 1000 members. The hearing shall be held in accordance with the relevant parts of Local 1000 Policy Section 9.1.01. The hearing panel shall report their recommendations to the Local 1000 statewide officers. The Local 1000 statewide officers must then act in accordance with the recommendation of the hearing panel.

### 10.3.03 Appointment of Trustee

The President shall appoint a trustee subject to confirmation of the Local 1000 statewide officers. The trustee must act in the best interests of the DLC in trusteeship.

### 10.3.04 Authority of the Trustee

The trustee shall be authorized and empowered to take full charge of the affairs of the DLC and its funds, to remove any or all officers and appoint temporary officers, to hold elections, if necessary, and to take such other action as he or she believes is necessary for the preservation of the DLC. The trustee shall also have the discretion to require the DLC to turn over to the trustee all books and property of the DLC. In addition, the trustee shall have the discretion to request the Vice President/Secretary-Treasurer to authorize disbursements to pay all outstanding claims, properly proven, if funds are sufficient. The Vice President/Secretary-Treasurer must comply with this request in a timely fashion.

### 10.3.05 Trusteeship Report to Local 1000 Board of Directors

- (a) The trusteeship must be affirmed by a majority vote at the first Local 1000 Board of Directors meeting following the hearing. The report of the hearing panel and the motion of the Local 1000 statewide officers shall be provided to the Local 1000 Board of Directors in Executive Session.
- (b) If the trusteeship is disaffirmed by the Local 1000 Board of Directors, self-governance of the DLC shall be restored. The trustee shall return all property to the DLC.

## LOCAL 1000 POLICY FILE

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- (c) At each subsequent Local 1000 Board of Directors meeting, the trustee shall report to the Local 1000 Board of Directors on the status of the trusteeship and make a recommendation to continue or to terminate the trusteeship. The trusteeship can only be terminated by a majority vote of the Local 1000 Board of Directors.

### 10.3.06 Trusteeship Termination

When the trusteeship is terminated by the Local 1000 Board of Directors self-governance of the DLC shall be restored.

### 10.4.00 DLC FINANCE – LOCAL 1000 ACCOUNTING

Funds of DLCs will be administered as follows:

- (a) DLC and DLC Worksite Local funds shall be held and disbursed at the direction of the Vice President/Secretary-Treasurer;
- (b) Claims for reimbursement and other requests for disbursement shall be subject to the same standards and limits as applied by Local 1000's Controller to other Local 1000 expenditures.
- (c) Local 1000 shall maintain sufficient records and accounts to record all DLC revenues (including the monthly allocation of a portion of dues to each DLC) and expenditures, and shall provide each DLC a monthly statement of its transaction and DLC fund balance.
- (d) Local 1000 shall credit the DLC accounts quarterly with earned interest, if any, at the prevailing rate.
- (e) All checks processed for the DLCs shall bear the original signature of the Local 1000 Vice President/Secretary-Treasurer or the designees and the original signature of one of the other statewide Local 1000 statewide officers.

### 10.5.00 ETHICAL AND RESPONSIBLE FINANCIAL PRACTICES

#### 10.5.01 Ethical Financial Practices Code

- (a) This Code of Ethical Financial Practices shall be applicable to Local 1000, its Board and committees, and all its elected and appointed officers. All officers, at every level, whether elected or appointed, have a trust and high fiduciary duty to honestly and faithfully serve the best interests of the membership. This can best be accomplished by adherence to these policies as well as applicable corporate law.

## LOCAL 1000 POLICY FILE

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- (b) No officer of Local 1000 shall, to the best of their knowledge, have an ownership or other substantial financial interest which conflicts with their fiduciary duty. In particular, it shall not be permissible for any officer to:
- (1) Have a substantial ownership or financial interest in any entity that engages in collective bargaining with Local 1000 unless that ownership or financial interest complies with applicable law and has been fully disclosed to Local 1000 and it has determined that it does not compromise the officer's ability to act in the best interest of the Local 1000 and its members;
  - (2) Have a substantial ownership or financial interest in any entity which does business or seeks to do business with Local 1000 unless that ownership or financial interest complies with applicable law and has been fully disclosed to Local 1000 and it has determined that it does not compromise the officer's ability to act in the best interest of the Local 1000 and its members;
  - (3) Be the sole or effective decision-maker concerning Local 1000's relations with an entity in which their parent, spouse, spousal equivalent or dependent child of that relationship, grandparent, grandchild, brother, sister, first or second cousin, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, step-parent, stepsibling, foster parent, foster child, or business partner has a substantial ownership or financial interest; or
  - (4) Engage in any self-dealing transactions with Local 1000, such as buying property from, or selling property to Local 1000, without the informed approval of Local 1000 obtained after full disclosure, including an independent appraisal of the fair market value of the property to be bought or sold.
  - (5) For purposes of these rules, a "substantial ownership or financial interest" is one which either contributes significantly to the individual's financial well-being or which enables the individual to significantly affect or influence the course of the business entity's decision making. A "substantial ownership or financial interest" does not include stock in a purchase plan, profit-sharing plan or an employee stock ownership plan.
- (c) No officer of Local 1000 shall accept any non-de minimis personal payment or gift from any employer that engages in collective bargaining with Local 1000 or from any business or professional entity that does business or seeks to do business with Local 1000, other than regular pay and benefits for work performed, except as may be otherwise permitted under the terms of applicable law.
- (d) No officer of Local 1000 shall convert or divert any funds or other property belonging to Local 1000 to such individual's personal use or advantage.

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- (e) As long as there is compliance with the terms of Subsection (b) above, this Code is not intended to preclude officers of Local 1000 from owning publicly traded shares of any employer that Local 1000 seeks to organize or that does business with or that engages in collective bargaining with Local 1000 through a mutual fund, national securities exchange or other similar investment vehicle, provided that all transactions affecting such interests are consistent with rates and terms established by the open market. Further, this Code does not apply to investments held in a blind trust.
- (f) Any allegation that this Code has been violated should be brought to the attention of the Local 1000 President or other statewide officer who shall refer the matter to the Local 1000 Legal Department for appropriate further action or investigation.
- (g) Local 1000 delegates to its Executive Director the responsibility for implementing a similar code of conduct for its managerial employees.

### 10.5.02 Responsible Non-profit Corporate Financial Practices

- (a) In addition to the requirements set forth above, state corporate law places additional restrictions on disclosure and voting by members of the Local 1000 Board of Directors on matters in which a Director has an interest. For these purposes, an “interest” is generally considered to be a material financial interest.
  - (1) Local 1000 Directors may be restricted from voting on items in which they have a non-de minimus financial interest.
  - (2) Local 1000 is restricted from making loans to or guaranteeing the obligations of any Director. This does not restrict the issuance of advances on expenses reasonably expected to be incurred in the performance of duties.
  - (3) When Directors are faced with any transaction involving these restrictions, it should be brought to the attention of the Local 1000 President or Vice President/Secretary-Treasurer, who shall refer the matter to the Local 1000 Legal Department for appropriate counsel on the requirements of disclosure to the Board and voting only by non-interested Directors, as well as other legal requirements.

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### DIVISION 11: DIVISION EXPENSES, MANAGEMENT STAFF AND CONTRACTORS

#### 11.0.00 PERSONS ELIGIBLE FOR REIMBURSEMENT

##### 11.0.01 Reimbursement for Local 1000 Business

The following persons may be reimbursed for expenses in connection with official business of Local 1000:

- (a) Members of the CSEA General Council;
- (b) Stewards;
- (c) Local 1000 President, and Vice President/Secretary-Treasurer;
- (d) Members of the Local 1000 Board of Directors, statewide Local 1000 committees, ad hoc committees, and task forces/advisory groups; or
- (e) Other members of Local 1000 performing duties for Local 1000, when authorized by the Local 1000 President or designee.

#### 11.1.00 PROCESSING OF EXPENSE CLAIMS

##### 11.1.01 Necessary Expenses

The most economical use of funds, consistent with the convenience of the claimant and the schedule for the meeting, is the standard to be used in determining whether expenses claimed are “necessary.” In review, Local 1000 shall include mode of travel, needed lodging and meals in relation to necessary time of departure and return.

##### 11.1.02 Expense Reimbursement Rate

- (a) Daily per diem with an overnight stay shall be reimbursed at the Internal Revenue Service (IRS) approved rate under the high-low substantiation method, as it may be amended from time to time, and no receipts shall be required.

## LOCAL 1000 POLICY FILE

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- (b) Meal allowances without an overnight stay shall be reimbursed at actual cost up to the amounts in subsection (a). Receipts for these meals are required for reimbursement. Each receipt must show the name of the restaurant or place and the date and time the meal was taken. The travel expense claim is required to include a brief description or statement of the business purpose for these meals.
- (c) Breakfast shall not be claimed if departure is after or return is prior to 8:00 a.m.

Lunch shall not be claimed if departure is after or return is prior to 12:00 p.m. (i.e., noon). Dinner shall not be claimed if departure is after or return is prior to 7:00 p.m.

- (d) When meals are purchased for other persons authorized to claim meal expense, such persons must be listed on the expense claim.

### 11.1.03 Lodging

- (a) The regular allowance for lodging is up to \$160 plus tax per night or the negotiated rate. Lodging other than General Council lodging shall not be allowed if residence is within 40 miles or 40 minutes from the meeting location.

Only actual expense within the above limits is reimbursed and receipts are required.

- (b) Incidental expense for up to \$5 per day is allowed if lodging is involved. No receipts are required.

### 11.1.04 Travel Allowance

Travel allowances are computed as follows:

- (a) Common carrier: The lowest available fare expense is reimbursed, and receipts are required.
- (b) Airporter: Actual reasonable expenses are reimbursed, and receipts are required.
- (c) Personal car: Authorized use of personal car is reimbursed at the IRS approved rate, except that the reimbursement shall not exceed the common carrier rate unless the common carrier would be reasonably inconvenient. The beginning and ending destination, and the number of miles traveled must be indicated. If more than one person eligible for mileage rates rides in the car, reimbursement will be allowed for only claimant.



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- (d) Parking: The actual authorized expense is reimbursed but amounts in excess of \$5.00 per day require receipts.
- (e) Bridge tolls: The actual expense is reimbursed, and no receipts are required.
- (f) Taxicab: Taxi fares will not be reimbursed except when no other transportation is practical or available, or unless the taxi fare for several riders is less than the common carrier fare.
- (g) Telephone, cell phone, and hotel business services: Actual expenses are reimbursable when date, place and party called are shown on the expense claim, but amounts in excess of \$1 require receipts. Fax and copier services for Local 1000 business may be reimbursable; receipts are required. Hotel internet charges are not reimbursable.

### 11.1.05 Travel Advance

- (a) A travel advance, in an amount not to exceed estimated expenses for one month, may be requested. Substantiation of expenses incurred must be submitted to the Local 1000's Accounting Department within 60 days. No subsequent advances will be issued until previous advances are cleared unless approved by the Vice President/Secretary-Treasurer.

### 11.1.06 Interpreters for the Deaf and Personal Care Service Providers

- (a) When deaf-members are expected to be present at any official function, the Local 1000 President may authorize reimbursement for all allowable expenses for interpreters for the deaf provided that the request for such services is made at least ten days in advance by the presiding officer of the sponsoring organization.
- (b) When disabled members are expected to be present at any official function, the Local 1000 President may authorize reimbursement for all allowable expenses for Personal Care Providers provided that the request for such services is made at least ten days in advance by the presiding officer of the sponsoring organization.

### 11.1.07 Exceptions

The Local 1000 President may make exceptions to the above rules in unusual circumstances.

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### 11.1.08 Appeals

A claimant may appeal the deduction of any expense item from the expense claim, first to the Local 1000 statewide officers through the Vice President/Secretary-Treasurer; if satisfaction is not received at that level, the claimant may appeal to the Local 1000 Board of Directors.

### 11.2.00 UNION LEAVE

- (a) Union Leave is a member's reimbursed absence, at the rate negotiated with the State/Employer, from the workplace (with reimbursement through the State/Employer) for representation, organizing, governance, committee duties, bargaining, required attendance at meetings, etc. Members on union leave shall work at the direction of and report to the Local 1000 President or the Local 1000 President's designee when their union leave is for the purposes of performing their duties as an elected officer or appointed committee member. When union leave is for other purposes, they shall work at the direction of and report to the Executive Director or the Executive Director's designee.
- (b) Union leave may also be used for a member's reimbursed absence for the purpose of filling a temporary staff vacancy (normally less than six months) and performing the normal range of duties for that position. Members in such positions report to the appropriate Local 1000 staff.

### 11.2.01 Administration/Authorization

- (a) Union Leave shall be administered and authorized by the President or the President's designee when union leave is for the purposes of performing the duties of an elected officer or appointed committee member. When union leave is for other purposes, union leave shall be administered and authorized by the Executive Director or the Executive Director's designee.
- (b) The Board of Directors shall be provided with a report listing the members who have served on union leave at each regular meeting of the Board.

### 11.2.02 Salary Reimbursement

BUNC or DLC elected or appointed representatives may be paid their net salary when engaged in authorized Board activities, subject to the availability of funding and with prior approval of the Local 1000 Secretary/Treasurer. Salary reimbursement shall only be authorized under the following circumstances:

- (a) Authorized state/employer paid release time is not otherwise available; and
- (b) The member is regularly scheduled to work that day and a work schedule adjustment cannot be made by the State/Employer, or the Local 1000 Secretary/Treasurer determines that other good cause exists.

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### 11.3.00 LOST TIME

Lost time is a member's reimbursed absence from their workplace with reimbursement including state/employer paid portions of any insurance or other benefits, directly paid to the member.

- (a) "Lost time" may be used when union leave is not available for the purpose of governance, committee duties, bargaining, required attendance at meetings, representation, organizing, etc. Members in such positions shall work at the direction of and report to the President or the designee; or
- (b) "Lost time" is for the purpose of filling a staff vacancy and performing the duties within the normal range of that position when union leave is not available. Members in such positions shall report to the appropriate Local 1000 manager.

### 11.3.01 Salary Reimbursement

- (a) Expenditure of funds must have prior approval of the President.
- (b) Salary reimbursement for lost time while participating in negotiations shall be limited to the actual amount of time spent in negotiations with the State/Employer plus reasonable travel time. At no time will reimbursement exceed the normal work hours of a participant.

### 11.3.02 Procedures

Requests for lost time shall be in writing to the President or designee stating the type of leave, its purpose and duration, and availability of funding.

### 11.3.03 Administration and Authorization

All lost time shall be administered and authorized by the President or their designee. Only the Local 1000 President or Vice President/Secretary-Treasurer may sign authorizations for "lost time."

### 11.3.04 Limitation of Rights

- (a) A member serving in a lost time capacity, filling a staff vacancy or union leave capacity shall adhere to the following provisions and shall not be subject to any other limitations of membership rights:
  - (1) During work time, including hours beyond an eight hour day or 40 hour work week, refrain from engaging in the internal politics of Local 1000; and
  - (2) If the lost-timer holds an elected position within Local 1000, he or she has the right to attend and participate in any official Local 1000 meeting in which he or she would

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otherwise normally attend and participate.

(c) Members serving on union leave or lost time status not filling a staff vacancy may engage in Local 1000 politics only to an incidental degree during normal work hours. No additional membership restrictions shall apply.

### 11.3.05 Lost Timers Dues

Monthly dues for Local 1000 members on lost time status shall be the regular dues rate.

### 11.4.00 CONTRACTS AND SERVICES AGREEMENTS

The Local 1000 Chair, in consultation with the other officers, is authorized to negotiate and enter into contracts and service agreements relating to management staff, consultants and other contractors consistent with the following:

- (a) The Executive Director and other managers shall be employed under the terms of a contract; and
- (b) The Executive Director shall be subordinate and directly accountable to the Board of Directors for carrying out the policies and programs of Local 1000.
  - (1) Approval: the selection or renewal of an Executive Director will be presented to the Board for approval.
  - (2) Duties and Responsibilities:
    - i. Will manage the programs and activities of Local 1000 and its staff, guided by its stated mission, purpose, policies and programs. The Executive Director's actions and directions of staff shall reflect the approved programs and policies adopted by the Board, after consultation and advice of the Chair and other officers.
    - ii. Shall have the responsibility and commensurate authority for carrying out the duties and responsibilities for Local 1000 and for the employment, performance and activities of all staff.
    - iii. May propose additional or new activities when determined to be of value to Local 1000 policies and programs.
    - iv. Monitor and report to the Board of Directors on progress being made toward achievement of Local 1000's goals and objectives.
    - v. Perform such other duties as may properly pertain to the position as prescribed by law, the Bylaws and Policy File, or other actions of the Board of Directors.
  - (3) Evaluation: The Board of Directors shall be responsible for periodic evaluations of the Executive Director.

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### (c) Management Salaries:

The Officers shall periodically review manager salaries and benefits for recommendations to the Local 1000 Board of Directors.

#### 11.4.01 Special Consultants

The President, in consultation with the other officers, is authorized to employ special consultants as may be required in the administration of Local 1000, subject to the financial ability of Local 1000.

#### 11.4.02 Contracting for Services

The Local 1000 President in consultation with the other officers is authorized to enter into contracts for providing information and services to Local 1000.

**DIVISION 12:  
ELECTION PROCEDURES**

12.0.00 GENERAL PROVISIONS

12.0.01 Election Conduct

- (a) All elections, referenda, recalls, ratifications, or other matters to be decided by either a ballot vote of Local 1000 members or vote by the Local 1000 delegates to General Council, shall be conducted in accordance with procedures established by the Local 1000 Board of Directors and shall be administered by an appropriate Local 1000 election committee.
- (b) Whenever the bylaws or policy provides for voting by a mail ballot, the Union may utilize electronic voting if feasible and allowed by law.

12.0.02 Eligibility Requirements

- (a) Stewards may run for and hold only one office within Local 1000.
- (b) Any active member in good standing in the respective jurisdiction may run for CSEA General Council delegate.
- (c) All candidates for DLC office, District Bargaining Unit Representative, and Classification Bargaining Unit Representative must be certified stewards prior to the first day of the nomination period
- (d) All candidates for Local 1000 statewide officer must:
  - (1) Be a member in good standing for the two years immediately prior to the first day of the nomination period; and
  - (2) Be an active steward for the two years immediately prior to the first day of the nomination period.
- (e) Any certified steward may be appointed to a vacant office following the appropriate procedure.

12.0.03 Term of Office

- (a) The term of office for Local 1000 statewide officers, all DLC officers, officers of worksite locals, DBURs, and CBURs is three years beginning June 30 of the election year or until their successors take office.

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- (b) The term of office for delegates to CSEA's General Council is defined in the CSEA Bylaws.

### 12.0.04 Oath of Office

The following oath of office will be used for all positions in Local 1000:

I, \_\_\_\_\_, pledge my word and honor, that I will faithfully discharge the duties of the office to which I have been elected, in accordance with the rules of Local 1000, and to the best of my ability, carry out the plans and programs of the union, help build unity, strength and participation among members in the union, in the workplace, in our communities and in the political arena and purchase union label goods and use union services whenever they can be obtained.

### 12.0.05 Computation of Timeliness

When the final date for any action falls on a Saturday, Sunday or holiday, such action may be taken on the next regular workday.

### 12.1.00 ELECTION CONDUCT

The following code of conduct shall govern elections for all Local 1000 offices.

- (a) Candidates and members offer constructive alternatives to established Local 1000 policies, procedures or programs which they wish to change.
- (b) Candidates and members shall be truthful about candidates or their policies and engage in factual presentations relevant to the election.
- (c) Candidates and members shall not encourage Local 1000 voters to base their judgments on considerations of race, color, sex, religion, occupation, national origin, sexual orientation, ancestry, disability or age.
- (d) Candidates and members should encourage consideration of experience, performance, ideals and program of the respective candidates for Local 1000 offices.
- (e) Candidates and members should conduct themselves in a manner which brings respect to Local 1000 and which attempts to avoid post-election divisions which would hamper Local 1000's effectiveness.
- (f) Candidates and members should discuss relevant Local 1000 issues.

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- (g) Candidates and members shall not use Local 1000 funds or other union resources to support or oppose any candidate for any Local 1000 office.
- (h) Candidates and members are prohibited from requesting or accepting any contribution, service, endorsement or advocacy for or against any candidate for any Local 1000 office from any Local 1000 or CSEA staff, whether rank and file or management, or from any consultant or vendor to Local 1000 whether or not such activity or support occurs outside of compensated work time.

### 12.1.01 Violations

A candidate for that office may file a protest with the President or with the Vice President/Secretary-Treasurer, if the protest is against the President, concerning violations of this code of conduct. Such protest shall be immediately referred by the President or the Vice President/Secretary-Treasurer to the Local 1000 Election Protest Committee. The committee shall immediately review the protest, and upon a finding by the committee upholding the protest, the committee may take the following actions:

- (a) If the protest concerns the conduct of a candidate, the candidacy of the members may be terminated.
- (b) The committee may take other corrective action.
- (c) The decision of the Election Protest Committee shall be final.

### 12.1.02 Election of Local 1000 statewide officers, District Labor Council Officers, District Bargaining Unit Representatives, Classification Bargaining Unit Representatives, DLC Local Officers and General Council Delegates

Local 1000 statewide officers, DLC officers, DLC Local Worksite officers, DBURs, CBURs, and General Council delegates are elected every three years by the members within their jurisdiction. These elections are conducted on a uniform statewide basis. Nominations will be open for these offices no later than the first business day in January of an election year. All elections shall be by secret mail ballot.

### 12.1.03 Local 1000 Nomination Form

The Local 1000 Nomination Form must be personally signed by the candidate and received by the Local 1000 Election Committee no later than 5:00 p.m. of the second Monday in February of the election year.



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### 12.1.04 Candidate Statement

- (a) Each candidate may submit a statement of no more than 100 words.
- (b) Statements must be received by the Local 1000 Election Committee by 5:00 p.m. of the second Monday in February of the election year. The statement shall accompany the ballots and shall be typed and printed exactly as submitted by the candidate. Words beyond the 100-word limit shall be deleted.

### 12.1.05 Election Procedures

- (a) Notification of the open nomination period for Local 1000 statewide officers, DLC officers of DLC Locals, District Bargaining Unit Representatives, and Classification Bargaining Unit Representatives shall be posted on the website and published in the Union Update no later than the first business day in January of an election year.
- (b) Notification and nomination forms for General Council and SEIU International delegates will posted on the website and published in the Union Update.
- (c) Local 1000 nomination forms indicating self-nomination shall be accepted by the Local 1000 Election Committee until 5:00 p.m. on the second Monday in February.
- (d) To be valid, the Local 1000 statewide officers, DLC, local officers, DBUR, CBUR and General Council Delegate election ballots must be received by 5:00 p.m. on May 20.
- (e) Local 1000 shall secure the services of independent vendor(s) that provides election and balloting services. Those vendor(s) will be solely responsible for mailing, receiving, sorting, opening, counting, and securing all ballots (including duplicate ballots) related to the elections enumerated in sub-division (a) of this section. Those vendor(s) shall deliver a report of the canvass of the votes to the Chair of the Election Committee and shall simultaneously post a copy of said report for viewing by observers present at the counting of ballots.
- (f) Write-in candidates are not permitted. Unopposed candidates shall be declared elected after nominations have been closed and the ballot shall so state.
- (g) All candidates will be notified of the results by May 30.
- (h) Newly elected Local 1000 statewide officers, DLC and local officers, as well as, DBURs and CBURs shall be installed (i.e., take office) no later than June 30, unless there is an unresolved election protest.

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- (i) General Council Delegates take office at General Council.
- (j) A plurality of votes cast shall determine the winner for each office, except in the case of statewide officers for whom the following ranked choice voting rules shall apply:
  - 1. Voters rank the candidates for a given office by preference on their ballots.
  - 2. If a candidate wins an outright majority of first-preference votes (i.e., 50 percent plus one), the candidate or she will be declared the winner.
  - 3. If, on the other hand, no candidate wins an outright majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated.
  - 4. All first-preference votes for the candidate with the fewest votes are eliminated, lifting the next-preference choices indicated on those ballots.

In case of a tie, the winner shall be determined by lot.

### 12.1.06 Statewide Elections Committee

- (a) No later than the first Monday of December prior to an election year, the Local 1000 Chair shall appoint an election committee of up to five members to conduct and coordinate Local 1000 elections. Members of the election committee shall not be eligible to run for any office, except Delegate to General Council and Delegate to the SEIU International Convention.
- (b) The election committee, with the assistance of such staff as necessary, is responsible for:
  - (1) Preparation of the nomination form and notification to all eligible members of the open nomination period, the election rules and timelines. Such notifications shall be posted on the Local 1000 website no later than the first business day in January.
  - (2) Verification of eligibility of candidates and voters;
  - (3) Providing a membership list consisting of name, work phone and home phone (except for California Department of Corrections and Rehabilitation, and the forensic units of Department of State Hospitals) of the electorate of the office for which he or she is a candidate. Candidates seeking such lists shall make a written request to the Committee. Candidates for Classification Bargaining Unit Representatives and Local 1000 statewide officer positions shall not receive such lists

## LOCAL 1000 POLICY FILE

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- (4) Ensuring secret ballot elections in accordance with this policy and the CSEA and Local 1000 Bylaws.
- (5) Listing delegates to the SEIU International Convention and General Council in descending order of number of votes received. The persons receiving the most votes shall be designated as delegates. This shall be repeated with each successive candidate placed on the list up to the number of delegates authorized. Each successive remaining candidate shall be placed on the list as alternate delegates. When each DLC receives notification of the number of eligible General Council delegates, the elected delegates shall be announced.
- (6) Publication of the results.
- (7) The safekeeping of all ballots and delivery to appropriate Local 1000 staff for retention following the election protest period.

### 12.1.07 Use of Membership Lists

Individual members who are nominees for an elected position in Local 1000 may request a mailing by submitting a written request to the Vice President/Secretary-Treasurer as follows:

- (a) The request must state (I) the office for which the member is a nominee and (II) the members who are to receive the mailing, which shall be limited to the membership group who is entitled to vote on the office in question.
- (b) This request shall use the form provided by Local 1000 for mailing requests, must include a copy of the material to be mailed and must be signed by the member(s) requesting the mailing.
- (c) The Vice President/Secretary-Treasurer will advise the member of the estimated cost of the mailing promptly, as provided below. The mailing shall be made within ten days after payment of the estimated costs of mailing, unless the Vice President/Secretary Treasurer advises the member within that time that the mailing will not be permitted. In making that determination, the Vice President/Secretary-Treasurer shall act in accordance with applicable law.
- (d) If a mailing request is denied, the member may appeal to the Local 1000 President in writing stating the nature of the appeal. All appeals shall be referred to the Election Committee for resolution under its procedures.
- (e) The election committee shall serve until the conclusion of the election.

### 12.1.08 Protest of Local 1000 statewide officers, DLC Officer, Local Officer, DBUR, CBUR or General Council Delegate Elections

## LOCAL 1000 POLICY FILE

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- (a) An election protest committee of three non-candidates (except for General Council Delegate) shall investigate all timely protests.
- (b) Election protests must be in writing and received by the Local 1000 President by 5:00 p.m. on June 10.
- (c) Only a candidate for the office being protested may file a protest. Election protests shall contain all information pertinent to the charge including specific violation of policy, facts to substantiate any allegations, such as dates, times, places, names of those involved in the alleged violations and any relevant documentary evidence including written statements from witnesses. Decisions of the election protest committee shall be final and binding on the parties. Decisions shall be mailed to the parties of the protest by June 25.
- (d) The incumbent in the protested office shall remain in office until the protest is decided. If there is no incumbent, the office shall remain vacant.

### 12.2.00 STATEWIDE BARGAINING ADVISORY COMMITTEES AND BARGAINING UNIT NEGOTIATING COMMITTEES

- (a) Each SBAC shall elect five SBAC members to serve as the BUNC and may elect up to three alternates for the first 10,000 workers in the bargaining unit. Thereafter, one additional BUNC member and alternate shall be added for every 10,000 workers or fraction thereof in the unit.
- (b) The SBAC shall elect from the BUNC members, the Chair, Vice Chair and Alternate Vice Chair.
- (c) A majority of votes cast shall determine the winner for each office. If there is only one candidate nominated for office, he or she will be declared elected. A tie vote shall be determined by lot.
- (d) The President shall appoint an election committee of up to four non-candidate members each from different bargaining units for the purposes of conducting BUNC elections and elections for the Chair, Vice Chair and Alternate Vice Chair from the elected BUNC members.
- (e) The election committee shall be responsible for:
  - (1) Notification of eligible voters of the meeting for the nomination and election of BUNC members and officers;
  - (2) Verification of eligibility of candidates and voters;

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- (3) Preparation of ballots; and
- (4) Counting of ballots.
- (f) The election committee shall serve until the conclusion of the election.

### 12.2.01 BUNC Election Protests

- (a) A candidate for office may file a protest with the President or designee within one hour after the election.
- (b) The President or designee(s) shall immediately appoint a hearing officer to hear the protest and to determine the validity of the protest. The decision of the hearing officer is final and binding on all parties.

### 12.3.00 RECALL OF ELECTED OFFICERS

Any person holding elective office within Local 1000 may be recalled from that office by using the following procedures:

- (a) Who may initiate and participate in the recall process

Proponent(s) of a recall must submit a written Notice of Intent to Recall to the Chair of the Board. Any Proponent of a recall must first be a dues-paying member in good standing of SEIU Local 1000 for at least the 90 days prior to the submission of any Notice of Intent to Recall an elected officer, and the Proponent(s) must maintain their membership in good standing throughout the process of the proposed recall, up to and including the potential date of any recall-removal of an elected officer pursuant to this Article. Failure of Proponent(s) to maintain continuous membership as required by this provision will be deemed a formal withdrawal of the Notice of Intent to Recall said elected officer. Further, in the case of a Notice of Intent to Recall a District Labor Council (DLC) elected officer (all DLC positions), the Proponent(s) of said Notice must all be part of and assigned to that specific DLC. In the case of a Notice of Intent to Recall a Bargaining Unit elected officer, such as a Bargaining Unit Chair (BUNC), Vice Chair, CBUR, or Alternate, the Proponent(s) of said Notice must be part of and assigned to that specific Bargaining Unit. In the case of a Notice of Intent to Recall a Bargaining Unit elected officer within a DLC, such as a DBUR, the Proponent(s) of said Notice must be part of and assigned to that Bargaining Unit in that DLC. SEIU Local 1000 members are expressly prohibited from advancing a recall election, at any stage, while on union leave or state release time. (Example, if a member is on union leave for a membership drive, that member cannot also be soliciting or collecting recall signatures or advocating for recall votes.). Likewise, SEIU Local 1000 resources (i.e. copies, phones, computers, SWAG, etc.) shall not be used in conjunction with any recall election or process. It will be a violation of this Article for a member on union leave or state release time to be advancing a recall,

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and one consequence for said violation shall be the immediate involuntary withdrawal of the recall attempt, relation back to the date of the violation. The member may also be subject for independent union discipline for this election ethics violation and misappropriation of union resources.

(b) Form of notice and process before circulation

The Notice of Intent to Recall shall include the name and title or position of the person sought to be recalled, along with the name, title and Bargaining Unit(s) and DLC of the Proponent(s). It shall also include and a statement of reasons, not to exceed 100 words, as to why the Proponent(s) believe that the elected officer should be recalled. The state reasons shall be supported by a signed declaration of the Notice that the Proponent(s) either have first-hand knowledge of the factual basis for the Notice, or that they believe them to be true. The notice shall be on a form provided by SEIU Local 1000 (which shall be made available via the [seiu1000.org](http://seiu1000.org) website).

The Notice form shall require the Proponent(s) to certify that the conditions of PF 12.3.00(a) dealing with advance membership have been met before submitting this notice to the Chair of the Board of Directors. The notice shall also clarify that the Proponent(s) will not be on Union Leave or State Release Time during the recall campaign.

The Chair of the Board of Directors, or the Chair's designee, shall notify the elected officer (which includes potentially a Bargaining Representative (DBUR) or CBUR) who is the subject of the petition that the notice has been received. This notification, via Certified US Mail and e-mail, to the elected officer potentially subject to Recall shall include a signed copy of the proposed Notice of Intent to Recall.

The elected officer subject to the potential recall shall have no less than 10 days to object to the Notice of Intent to Recall on the basis of violations of any membership criteria in PF 12.3.00(a) of the Proponent(s), that the Proponent(s) are on Union Leave or State Release Time, or that the Notice contains false or defamatory material.

If an objection is received, including potentially via email, by the Chair of the Board of Directors or by the General Counsel of SEIU Local 1000, then a neutral and uninvolved Hearing Officer shall be immediately appointed to investigate and make a recommendation to the Board of Directors or any standing committee thereof, whether the objection is sustained or rejected. The Hearing Officer, whom shall report these findings within 20 days, may only recommend to sustain or reject the objection. The Hearing Officer's recommendation to sustain or reject the objection shall be provided to the objector prior to any action by the Board of Directors regarding the objection. The Hearing Officer's recommendation shall be considered

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at the next executive session of the Board of Directors, whom will either sustain or reject the objection by a vote of the majority of a quorum.

The Proponent(s) shall not circulate the Notice of Intent to Recall prior to the later of (1) the 10 day objection window ending or (2) the ultimate decision of the Board of Directors in executive session. Failure to comply with this provision against unauthorized circulation may be a basis for discipline (per Policy File Div. 9) regarding that Proponent or their agent.

A Proponent may only make one (1) Notice of Intent to Recall any given officer during an election term of that officer. If a Notice of Intent to Recall is voluntarily or involuntarily withdrawn after the signature-gathering period begins, then this shall count as the one permitted attempted recall by that Proponent for that elected officer. Should other circumstances arise where the Proponent(s) believe would warrant a recall subsequent to their one (1) Notice of Intent to Recall in the election term, then they may complain via a HR1. Further, if an objection is sustained by the Board of Directors regarding any proposed Notice of Intent to Recall, and a signature-gathering period did not commence, then the Proponent(s) may amend their Notice anew, and this sustaining of objection shall not count as the one (1) Notice of Intent to Recall any given officer during an election term for that elected officer.

### (c) Acknowledgement and circulation process for petitions to recall

The Chair of the Board of Directors, or designee, shall acknowledge receipt of the Proponent(s) Notice of Intent to Recall, in writing, within ten (10) calendar days. This acknowledgement to the Proponent(s) shall detail the provisions and objection periods in PF 12.3.00(b). This acknowledgement shall direct that there shall be no circulation of the Notice of Intent to Recall for signatures unless and until the transmission of a second, subsequent acknowledgement that (1) there has been no timely objection by the elected officer or (2) that any objection has been rejected by the Board of Directors. Only upon submission of the second acknowledgement letter to the Proponent(s) that the elected officer's objection period was closed without objection or that any objection had been rejected by the Board of Directors, does a 30 calendar day signature-gathering period commence.

### (d) Qualifying signatures

Signatures must be gathered on an approved petition form, which will be provided along with the second acknowledgement (PF 12.3.00(c)). This petition form will

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contain the statement of reasons for recall. Any alteration to this form or alteration of the original submitted statement will invalidate the recall attempt and count as the one allowed recall attempt for that Proponent for that elected officer's term.

To be valid, the signature must also include legible information including at least (1) the name, (2) worksite, (3) phone number (or valid personal email address), (4) date of signature, and (5) bargaining unit of the person signing the petition for recall.

To be a valid signature, the person signing the petition for recall must have been a member of SEIU Local 1000 in good standing for at least 90 consecutive days prior to signing.

All signatures will be subject to verification by SEIU Local 1000 and the elected officer subject to the recall. Electronic signatures or emails of petitions will be deemed invalid and void.

Should any member wish to withdraw their signature from consideration, then they may do so prior to the counting and validation (PF 12.3.00 (e), below). Any withdrawal of signature must also be in writing and contain comparable information to verify authenticity of the withdrawal. These withdrawal authorizations may be presented to the Vice President/Secretary-Treasurer as late as the date for the time for the count.

Withdrawals of signature after the count will not be considered.

### (e) Return of signatures and period of signature-gathering

All recall petitions must be submitted to the Vice President/Secretary-Treasurer by no later than 5:00 p.m. on the 30th day from the date of the second letter of acknowledgment and all signature-gathering shall thereafter cease regarding that petition. The date for the closing of the signature-gathering period shall be listed on the second acknowledgement letter.

A true copy of all submitted signatures (with identifying information) to the Vice President/Secretary-Treasurer shall also be submitted to the elected officer subject to the petition to recall. All signatures shall be numbered in sequential order, even if the signatures are on different pages.

Signatures may only be gathered by the Proponent(s).



(f) Minimum qualifying petition signatures

In order to proceed with a recall election, the Proponent(s) of the recall must submit the signatures of not less than 20 percent of the eligible voters for that office. This 20 percent (rounded up to a whole number) shall be determined as 20% of the number of members eligible to vote for the specific office on the date of the second acknowledgement letter to start signature gathering.

(g) Signature Count Validation

The elected officer subject to the recall petition and the Proponent(s) of recall have the right to be present at the counting and validating of the signatures, or they may send a representative at their own expense. The elected officer (or designee) may personally appear for this counting and validation at an agreed upon date and time, to occur within 10 days following the closing of the period of gathering of signatures. Failure of the elected officer or designee to appear for the counting and validation shall not further delay the counting and validation of the signatures past the 10 days after the close of signature-gathering.

(h) Recall petition accouchements:

Within 48 hours of the validation of signatures, the Chair of the Board of Directors shall send a written and email notice to the elected officer subject to the recall and the Proponent(s) of the recall, informing them of the results of the signature count.

The Communications Department of SEIU Local 1000 shall also e-mail to all members impacted by the recall attempt (i.e. a specific DLC, Bargaining Unit, or all of SEIU Local 1000) with the outcome of the attempted recall. The Communications Department will inform whether it will result in a recall election or if it failed achieve the 20% required signatures. This notification to membership shall also include the name, worksite, and Bargaining Unit of the recall Proponent(s), the period of signature-gathering, the name/position of the elected officer subject to the recall attempt, and whether the recall attempt qualified for a recall election or if it failed to get sufficient signatures. This notification shall not, however, include the recall petition statement, as this could unfairly sway the electorate or harm the image of Local 1000 in a failed recall petition. This notification shall also be posted on the SEIU Local 1000 website. In the even that there will be a recall election, the notification shall also inform that the process and timing for the election will be later transmitted to the membership.

(i) Recall election timing, thresholds, and process:

An election caused by a recall petition shall take place within 60 days following the announcement that sufficient valid signatures were submitted for the recall election. Such election will follow the same procedures as Local 1000 policy provides for conducting an election to that office. An individual recalled from office is not eligible to run for, or hold, that office during the term from which the individual was recalled.

- (1) Interim Suspension. If the validated signatures to trigger a recall election are greater than fifty percent (50%) of the eligible voters for that election, then the Chair of the Board of Directors shall have the discretionary authority to summarily suspend the elected position duties (but not membership) of that elected officer subject to the recall election, during the pendency of the recall election. If that suspension impacts participation on the Board of Directors of the elected officer subject to the recall election, then the next most senior officer (i.e. DLC VP or BU Vice Chair) may exercise participation and voting powers with the Board of Directors during said potential suspension. Any suspension hereunder shall be immediately terminated if the recall process is finally concluded without a successful affirmative vote to recall the elected officer. An individual successfully recalled from office shall not be eligible to run for, or hold, that office during the term from which the individual was recalled.
- (2) Minimum Votes Required. To be an effective recall of the elected officer, the number of votes cast (for or against) in the recall must first total no less than the number of valid petition signatures to trigger the recall election. Once this threshold has been met of the minimum votes cast necessary for an effective recall, then a majority of the votes cast therein shall determine if the elected officer shall be recalled. There shall be no counting or tabulation of the votes in the event that this minimum threshold is not met, and that outcome will be final for that recall.
- (3) Staff or Professional Agent to Process Recall Election. In the case of a qualifying recall election for any of the two statewide officers, then the recall election(s) shall be processed by a professional agent engaged by SEIU Local 1000.  
All recall elections for positions other than the two statewide officers shall be processed by the Staff of Local 1000, unless the President determines that it is in the best interests of Local 1000 to engage a professional agent to process the recall election. This determination shall be made with seventy-two (72) hours of the validation of petition signatures to trigger the recall election. In the absence of any affirmative decision of the Chair of the Board of Directors to engage an outside professional agent, then the recall election shall be processed by Local 1000 Staff, with the assistance and support of the Local 1000 Elections Committee. Any decision to engage an outside agent shall be immediately communicated to the

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Proponent(s), the elected officer subject to the recall election, and to the Board of Directors.

- (4) **Conflicting Language Resolution.** Should any language in this article (PF 12.3.00) conflict with other provision of the Policy File (especially within Division 12), then these provisions of Policy File 12.3.00 shall apply to recall elections. All non-conflicting language in the Policy File pertaining to elections, including but not limited to elections conduct, elections ethics, and the use of or obtaining of membership lists for elections (PF 12.1.07) shall apply.
- (5) **Elected Officer Statement.** The elected officer subject to the recall election may have a statement, no greater than 250 words in length, e-mailed via the SEIU Local 1000 Communications Department to the eligible voters (via their available email addresses).

This statement, if timely submitted, shall also be transmitted to any eligible voter via US Mail, along with their recall election ballot. The Local 1000 Communications

Department is not required to publish or forward any material which the General Counsel or the Elections Committee deems to be defamatory or likely to cause liability to SEIU Local 1000.

- (6) **Voter Confidentiality and Secret Ballots.** The method for voting in the recall election shall be via US Mail and by a process approved by the Staff of Local 1000 to ensure vote confidentiality (i.e. secrecy interior sleeves or envelopes), after first validating the identity of the voter, so as to ensure that cast ballots are confidential and valid.
- (7) **Limited Question on Ballot.** The only question on the recall election ballot shall be whether the identified elected officer shall be recalled: “Yes” or “No.”
- (8) **Resignation of Elected Officer.** Should the elected officer subject to the recall resign their elected office via communication to the Chair of the Board, then the recall election or recall petition process shall be terminated at that point.
- (9) **Recalled Officer Ineligibility for same Office.** An individual successfully recalled from office shall not be eligible to run for, or hold, that office during the term from which the individual was recalled.

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### (j) Timeline for a Recall Election

#### (1) Timeline

**0 Day** Recall Petition Signature Count Verified. If sufficient valid signatures for a recall, proceed with the timeline below.

**3rd Day** (72 hours) Chair decides on the use of Local 1000 staff or using an outside agent to process the recall election.

**10th Day** Elected Officer subject to recall *may* submit a discretionary 250 word maximum statement to be included with the ballots. This is only the deadline to include the statement with the physical ballot. If this deadline is missed, the candidate can still have the statement emailed to the eligible voters once at any time prior to Day 41.

**14th Day** Ballots shall be US Mailed to all eligible recall election voters at their membership address of record with SEIU Local 1000. Ballots shall not be mailed to voters prior to the end of the 10 days for the elected officer to submit a discretionary statement.

**21st Day** First day to request replacement ballots via the MRC

**35th Day** Last day to call MRC to request replacement ballots.

**42nd Day** Ballots opened, validated, and counted. All ballots must have been received by the 41st Day (before 5 p.m.) to be considered. Observers welcome.

Unofficial results announced and published within 24 hours on the SEIU Local 1000 website.

**43rd Day** Recall Election protest period begins

**50th Day** Recall Election protest period closes

**60th Day** Results of Protest Committee's findings mailed and published; all decisions of the Protest Committee are final.

All days ending on a weekend, holiday, or Local 1000 office closure shall be extended to 5 p.m. on the next business day.

#### (2) Recall Election Protests

Protests, if any, shall be signed, and may be submitted electronically at an address provided. If no protest is timely received, then the results of the recall count shall be final on the 50th day. Election protests shall contain all information pertinent to the charge including specific violation of policy, facts to substantiate any allegations, such as dates, times, places, names of those involved in the alleged violations and any relevant documentary evidence including written statements from witnesses. Decisions of the election protest committee shall be final and binding on the parties.

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The only individuals eligible to file a protest of the recall results are the recall Proponent(s) and the elected officer subject to the recall.

The Protest Committee may begin to consider and decide upon any protest immediately upon receipt, and said decision shall be final at that time of decision.

(3) Duplicate Received Ballots.

Only the latest received and validated ballot shall be considered for any voter.

(k) Vacancies and New Election

Any vacancies created shall be filled by the following process: The Chair of the Board of Directors will mail to all eligible members, an election schedule that will include the nomination period, the election period and the protest period. This process shall be completed within 120 days after the vacancy created by the recall.

(l) Process Timing

The deadlines denoted above are maximum deadlines. Any of the individual steps required for recall may be completed sooner than indicated if feasible to do so. No part of the recall process shall take place during any part of a regularly scheduled election process.

(m) Interim filling of positions to preserve representation

Notwithstanding the provisions of 4.0.07 Filling of the DLC Vacancies, should a DLC presidency be deemed vacant by a successful recall and before the election and installation of a successor, the Vice President of that DLC may act as the DLC president in the DLC and with the Board of Directors, so as to ensure representation of the DLC members. Likewise, if a BUNC Bargaining Unit Chair seat is deemed vacant by a successful recall and before the election and installation of a successor, the BU Vice Chair may act as the BUNC for that Bargaining Union in SEIU Local 1000 and with the Board of Directors, so as to ensure representation of the DLC members. Such acting positions shall not be deemed to be holding two offices and does not preclude the acting officer from running for the position for the balance of the recalled term. All other recalled positions shall remain vacant until such time as a successor is elected and installed in the elected office for the balance of the term.

(n) In the event that a recall process does not strictly comply with the provisions herein, then the Proponent(s) may initiate their process anew without prejudice.

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### 12.4.00 REGIONAL OFFICERS

#### 12.4.01 Election

- (a) The DLC Presidents in each region shall elect a Regional Officer from among the DLC Presidents in that region. The election for each region shall be held no later than 60 days after DLC officers are seated following each election for statewide officers.
- (b) A majority of votes cast shall determine the winner for each office. If there is only one candidate nominated for office, that candidate will be declared elected. A tie vote shall be determined by lot.

#### 12.4.02 Removal

A Regional Officer may be removed upon a petition seeking the removal of the Regional Officer signed by a majority of the DLC Presidents in the Region with the Local 1000 President.

#### 12.4.03 Vacancy

In the event that the position of a Regional Officer becomes vacant, the DLC Presidents in the region shall meet within thirty (30) days of the position being vacated and shall elect a Regional Officer from among the DLC Presidents in the region according to the provisions of this section.

### 12.5.00 SEIU INTERNATIONAL CONVENTION DELEGATES

#### 12.5.01 Election of Delegates to SEIU International Conventions

- (a)(1) The Local 1000 President shall appoint an election committee of up to five non-candidate members for the purpose of conducting secret ballot elections for delegates to the SEIU International Conventions. The term of office shall be as defined in the SEIU Constitution and Bylaws.
- (2) In any election year that coincides with elections for local and DLC offices, the Local 1000 Election Committee (12.1.06) shall also serve as the SEIU International Convention Election Committee. The Local 1000 Election Committee may adjust the procedures required by sections 12.4.01(b) as necessary to facilitate consolidation with the general election procedures.
- (b) The election committee shall be responsible for:
  - (1) Notification to all Local 1000 members in good standing of the open nomination period, the election rules, timelines, and the counting of the ballots. Such notification posted on the website and published in the Union Update. The cost of the election shall be borne by Local 1000.
  - (2) Verification of eligibility of candidates and voters.

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- (3) Ensuring secret ballot elections.
- (4) Counting of ballots and certifying the results. The ballot count shall be open to all members. The election committee shall verify the eligibility of each voter and then separate the ballot sleeve from the return envelope. The committee shall then remove the ballot from the ballot sleeve and after all ballots are removed, count the ballots.
- (5) Listing delegates in descending order of number of votes received. The person receiving the most votes shall be designated as a delegate. This shall be repeated with each successive candidate placed on the list up to the number of delegates authorized. When Local 1000 receives notification of the number of eligible delegates, the elected delegates shall be announced. Each successive remaining candidate shall be placed on the list as alternate delegates.
- (6) Publication of the results.
- (7) Safekeeping of all ballots: All ballots shall be retained by the chair of the Election Committee until after the Convention.
- (c) The election committee shall serve until the conclusion of the election.
- (d) Any active member in good standing is eligible to be a candidate.
- (e) The electorate body shall consist of all Local 1000 active members in good standing.

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### DIVISION 13: REPRESENTATION

#### 13.0.00 REPRESENTATION

Representation is the means by which Local 1000 makes its resources available in order to provide a fair and full review of any infringement of state/represented employees' rights.

#### 13.0.01 Representation Rights and Limitations

(a) Local 1000 will provide representation, within the limitations set forth in this Policy File, to state/represented employees based upon their status as follows:

(1) Members within a bargaining unit for which Local 1000 is the exclusive agent, have the full right to good faith representation without charge in any employment-related matter.

(2) Members of affiliate organizations have such rights to representation as set forth in their affiliation agreement with Local 1000 as permitted by law.

(3) Nonmembers, only to the extent such representation is required by law.

(b) Local 1000 has the right to make fair and impartial decisions as to the merits of a particular request for representation including, but not limited to decisions:

(1) Whether to undertake representation;

(2) Whether to discontinue representation at any time;

(3) Whether to recommend that a matter be settled prior to exhaustion of the applicable administrative procedures;

(4) Whether to refuse to continue representation in the event that its recommendation of settlement is not satisfactory to the employee;

(5) Whether to seek judicial relief and redress for a particular matter in addition to or in lieu of representation through any or all of the available administrative procedures; and

(6) Whether to discontinue its representation in judicial proceedings at any point prior to their exhaustion.

(c) Representation will not be provided to members in matters resulting from events which occurred prior to the date of their application for membership, their employment in state



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service or employment for which Local 1000 is the exclusive representative, unless required by law.

- (d) Representation in court is not automatically afforded. If representation is denied, such denial may be appealed to the Local 1000 President.
- (e) Representation is not provided in workers compensation matters.

### 13.0.02 Types of Representation

Representation consists of either services or indemnity, or both.

- (a) Services consist of advice, counsel and assistance rendered by competent and qualified persons, and may include investigation, negotiation and settlement as well as appearances before administrative, judicial or legislative tribunals.
- (b) Indemnity consists of money payment in reimbursement of either a portion or all of actual and necessary representation costs. Local 1000 will not indemnify anyone for costs or expenses incurred without prior authorization by Local 1000.

### 13.0.03 Representation Before Licensing or Examining Boards

Local 1000 does not normally provide representation before licensing or examining boards but may provide such representation if the following conditions are satisfied:

- (a) The individual seeking such representation faces revocation or suspension of this license and such license is a condition of employment;
- (b) The license or certificate is sought to be revoked or suspended because of conduct which occurred in connection with the individual's employment; and
- (c) The representation is specifically approved by Local 1000.

### 13.0.04 Requests for Formal Representation

- (a) Local 1000 may deny representation based on the grounds set forth in this policy.
- (b) Local 1000 shall maintain a record of all requests for representation. Such records shall be adequate and sufficiently complete so as to advise the appropriate appeals body of the name of the person making the request, the nature of the request, the date upon which the request was received and the disposition of the request. Such records shall at all times be open for inspection by the appropriate appeals body.

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### 13.0.05 Denial of Representation

It is Local 1000's general policy to deny representation on the following grounds:

(a) Unapproved Actions:

Local 1000 normally shall not provide representation with respect to disciplinary action arising from unapproved job actions;

(b) Best Interests of the Union:

Local 1000 shall not provide representation that would conflict with the best interests of Local 1000 or require Local 1000 or its staff to take a position in any manner inconsistent with the bylaws or policies of Local 1000;

(c) Lack of Merit:

Local 1000 may deny representation in matters that appear to lack factual or legal merit; or

(d) Other Representation:

Local 1000 may deny representation when it determines that an individual has another representative in the same matter.

### 13.1.00 APPEALS

#### 13.1.01 Representation Appeal

- (a) Any member may appeal a decision to deny a request for representation in adverse actions and all other appropriate matters.
- (b) An appeal must be filed within ten days of proof of service of the denial.
- (c) The appeal must be in writing. The appeal shall be addressed to the Local 1000 President, Attention: Legal Services, 1808 14th Street, Sacramento, CA 95811.
- (d) The appeal will be heard by the Vice Presidents Committee, which shall meet to consider such appeals and make a final decision.

#### 13.1.02 Decision to Arbitrate and Arbitration Appeals

- (a) Decisions to advance grievances to the Local 1000 Legal Department to be considered for arbitration shall be made by the Union Resource Center (URC) Area Coordinator, URC representative and two appropriate stewards.

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- (b) The Statewide Arbitration Coordinator shall make recommendations to the Chief Negotiator on whether to arbitrate, combine cases, etc., or to deny arbitration.
- (c) The Chief Negotiator, after consultation with the BUNC Chairs, shall make the decision to arbitrate, combine cases, etc., or to deny arbitration.
- (d) The decision to deny arbitration must be mailed to the members(s) within ten days of the decision.
- (e) An appeal of a decision to deny arbitration must be filed in writing to the Local 1000 President within ten days of proof of service of the denial. The appeal shall be addressed to the Local 1000 President, Attention: Legal Services, 1808 14th Street, Sacramento, CA 95811.
- (f) Appeals of denial of arbitration shall be heard by the Vice Presidents Steward Committee which shall meet to consider such appeals and make a final decision.
- (g) The Committee shall maintain accurate records of matters brought before it and submit periodic reports to the Local 1000 Board of Directors.

### 13.1.03 Request for Indemnification

- (a) Any member may request indemnification after a decision to deny representation in adverse actions or other appropriate matters.
- (b) A request for indemnification must be made within ten days of proof of service of the denial of representation.
- (c) The request must be in writing addressed to the Local 1000 President, ATTENTION: SEIU Local 1000 Legal Services, 1808 14th Street, Sacramento, CA 95811.
- (d) The request shall be considered by the Local 1000 Board of Directors at its next regularly scheduled meeting.

### 13.2.00 ATTORNEY-CLIENT RELATIONSHIP

Local 1000 does not practice law nor solicit matters requiring legal services. It does employ staff attorneys whose services are made available in accordance with the representation policy. Local 1000 may authorize representation, but having given such authorization will not thereafter interfere in the attorney-client relationship so established unless authorized by the client.

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### **DIVISION 14: LOCAL 1000 COMMUNICATIONS**

#### **14.0.00 AGENDAS**

Copies of agendas for all statewide Local 1000 meetings shall be sent by email and/or first class mail or its equivalent to all members of the Local 1000 Board of Directors, at least seven calendar days prior to the date of each meeting. Backup material to agenda items will be available to any member of Local 1000 prior to a statewide meeting provided a request is made in writing, at least 15, but not more than 30 calendar days prior to such meeting.

#### **14.1.00 MINUTES**

The text of motions considered at Local 1000 Board of Directors meetings shall be sent to members of the Local 1000 Board of Directors within 14 calendar days following the meeting. Minutes of Local 1000 meetings, except for the Local 1000 Agenda Committee, shall be published and distributed within a reasonable time.

#### **14.2.00 LOCAL 1000 POLICY FILE UPDATES**

(a) Annual:

An annual updated Local 1000 Policy File, reflecting all changes adopted by Local 1000 Board of Directors, shall be posted to the Local 1000 website subsequent to the first Board meeting of each new calendar year.

(b) Updates:

Within 30 calendar days following each Local 1000 Board of Directors meeting, inserts reflecting changes adopted at that meeting will be posted to the Local 1000 website.

(c) Additional copies:

Any member of Local 1000 may request a copy of the Local 1000 Policy File from any area office or download it from the Local 1000 website.

#### **14.3.00 MISCELLANEOUS COMMUNICATIONS**

##### **14.3.01 Informing the President**

A courtesy copy of all documents and fliers sent to the membership shall be sent to the President at the same time.

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### 14.3.02 Union Colors and Logo

- (a) The official colors of the union are purple and gold. The official logo of the union shall be the following:
- (b) This logo shall be used in all union publications including, but not limited to letterheads, banners and the website(s). When using union funds, a DLC, SBAC, or BUNC, whenever possible, shall purchase apparel, equipment, and accessories bearing the SEIU colors and logo.
- (c) Any exceptions to this basic logo must be approved by the Local 1000 President or the designee.

## **LOCAL 1000 POLICY FILE**

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### **DIVISION 15 NEW BARGAINING UNITS**

For newly represented bargaining units, the following provisions apply to the formation of the bargaining unit within Local 1000:

#### 15.0.00 Formation of DLC and BUNC

The Board of Directors may approve new bargaining units when Local 1000 is seeking exclusive representation status of an appropriate group of employees under any collective bargaining law. The Board may authorize a statewide DLC structure, if appropriate, and/or an alternative SBAC structure to ensure an adequate number of DBURs to form the BUNC. This approval may be prior to certification of exclusive representation status to allow sufficient time for implementation of DLC governance, steward training, and bargaining preparation, along with other matters that may arise.

#### 15.0.01 DLC Administrator

The President may appoint an initial DLC Administrator who shall ensure that a sufficient number of stewards are trained to fill officer and bargaining positions. The Administrator may appoint stewards-in-training to temporarily fill offices until he/she conducts an election to fill DLC/BUNC positions. These temporary appointments expire when the election process is completed.

#### 15.0.02 Steward Training

Local 1000 will offer steward training to members of the proposed bargaining unit(s) to ensure that a sufficient number of trained stewards may fill elected positions in the DLC and BUNC.

#### 15.0.03 Membership Effective Date

Membership is effective upon certification of the new unit(s) from PERB (or other agency with authority to certify a bargaining representative).

#### 15.0.04 Initial Election and Term of Office

The DLC Administrator will ensure that a sufficient number of stewards complete training so that initial elections can be conducted within a reasonable time. Those elected will take office immediately and serve the remainder of the term of office with the Local. Thereafter, future elections will be conducted in accordance with the Policy File Division 12.