



**SEIU Local 1021
CITY OF BERKELEY MAINTENANCE CHAPTER BYLAWS**

PREAMBLE:

We, the employees of the City of Berkeley Maintenance Chapter, working as free and responsible individuals, recognize that the labor movement in general, and SEIU Local 1021, CtW in particular, can be instrumental in improving our status and resolving the social and health problems of our community; therefore we enter into union and agree to adopt these bylaws, consistent with the Bylaws and Constitution of Local 1021, as an instrument for concerted action and collective bargaining in the interest of our members and for the community we serve.

Article 1. NAME AND JURISDICTION:

This Chapter will be known as the City of Berkeley Maintenance Chapter of Local 1021. The jurisdiction of this Chapter shall be all employees in the bargaining unit(s) represented by the Union.

Article 2. AFFILIATION:

This Chapter is part of SEIU Local 1021, CtW, and shall be subject to the Bylaws and Constitution of that Union and all policies adopted pursuant thereto.

Article 3. MEMBERSHIP:

All persons, without regard to race, creed, color, religion, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age, disability status, or political affiliation shall be eligible for membership.

Article 4. CHAPTER STRUCTURE:

- (1) The Chapter membership shall elect a Chapter Board of the following officers:
 - President
 - Vice President
 - Chief Steward
 - Secretary
 - Treasurer
 - COPE Coordinator/Delegate

The term of office shall be three (3) years.

- (2) The Chapter Board shall have power to act for the Chapter between General Membership meetings. The Chapter Board shall meet at least once every other month or as often as deemed necessary by the Chapter Board. A majority of the Chapter board members shall constitute a Chapter Board quorum of four (4).
- (3) The General Membership is the highest authority within the Chapter structure.

- (4) The Chapter shall hold regularly scheduled General Membership meetings at least once each quarter. 5% of the General Membership shall constitute a quorum. Special membership meetings may be called by the Chapter Board or by petition of ten percent (10%) of the membership.
- (5) The Chapter shall maintain a file of chapter minutes and make available a copy thereof to the Secretary of the Local Union upon request.
- (6) The Chapter shall maintain financial records. All funds, including income and expenditures, shall be recorded and proper financial records shall be maintained in accordance with procedures established by the Local Union. These records shall be transmitted to the Executive Board of the Local Union upon request. All fiscal records shall be kept for a period of at least six (6) years or longer if required by applicable law.

Two (2) signatures (of Chapter Officers) shall be required to expend Chapter funds. Chapter financial records shall be regularly audited by a Chapter officer or member of the Chapter Board who is not a signer on the Chapter account.

Article 5. CHAPTER OFFICERS AND DUTIES:

- (1) **President:** The President shall officiate at all meetings and shall be responsible for directing the implementation of directives voted on by the Chapter membership. The President shall be an ex-officio member of all committees and an automatic delegate to conventions.

The President shall be one of three (3) officers authorized to withdraw funds from a Chapter account after such expenditures have been approved by the Chapter Board and/or General Membership.

However, the President has the authority to authorize up to \$250.00 of expenses from the chapter funds, provided said expenditures are reported to the Chapter Board within 30 (thirty) days.

- (2) **Vice President:** The Vice President shall act as President in the absence of the President. The Vice President shall be one of three (3) officers authorized to withdraw funds from a Chapter account after such expenditures have been approved by the Chapter Board and/or General Membership.

The Vice President will automatically serve as a delegate to the Local Wide Convention.

- (3) **Secretary:** The Secretary shall attend and keep a correct record of the proceedings of all City of Berkeley 1021 Maintenance General Membership meetings, and Chapter Board meetings, and shall provide a copy thereof to the Secretary of the Local Union upon request. The Secretary shall receive all correspondence and communications on behalf of the Chapter.

The Secretary will serve as the 4th delegate for the Local Wide Convention.

- (4) **Treasurer:** The Treasurer shall be responsible for Chapter account deposits and dispersals and for carrying out the duties described in Article 4, Subsection (6). The Treasurer shall be one of three (3) officers authorized to withdraw funds from a Chapter account after such expenditures have been approved by the Chapter Board and/or General Membership. The Treasurer shall present the Chapter financial records for audit at the direction of the Treasurer of the Local Union or his/her representative.
- (5) **Chief Steward:** The Chief Steward shall serve as a resource for shop stewards in carrying out their duties at the worksite, which may include attending Skelly Hearings, receiving complaints and grievances, coordinating the process of grievances, working with Steward Council and seek solutions for issues at the worksites.

The Chief Steward will serve as the 3rd delegate for the Local Wide Convention.

- (6) **COPE COORDINATOR/DELEGATE AND COUNTY COPE COMMITTEE:** The COPE Coordinator/Delegate shall be responsible for providing political information and education to the members of the chapter. S/he shall assist and coordinate with turn-out, COPE cards, and other duties related to political activities of the chapter and Local Union. The coordinator will also be one of the chapter representatives/delegates to the Local 1021 County COPE Committee. Additional delegates shall be selected based on the rules of the applicable County COPE Committee. Additional members may attend county COPE Committee meetings.

Article 6. STEWARDS:

Stewards may be appointed to represent members under the collective bargaining agreement. Stewards are the face of the union at the worksite and are critical to building a strong, engaged, and active membership. Stewards' roles and responsibilities include, but are not limited to: providing ongoing training; welcoming and orienting new members; mobilizing, educating, and informing members on union activities and other issues; resolving worksite issues; processing grievances; providing timely and effective representation of the members.

Article 7. INDUSTRY COUNCIL REPRESENTATIVES: The chapter shall elect or appoint representatives to attend meetings of Local 1021 industry councils (method of selection is subject to industry determination).

Article 8. CONVENTION DELEGATES:

The Chapter shall send Delegates to all conventions to which the Chapter is entitled to send delegates. The President and Vice President shall serve as automatic delegates to the 1021 convention. If the chapter is entitled to additional delegates, they will be filled as follows: Chief Steward shall serve as the 3rd Delegate, and the Secretary shall serve as the 4th Delegate. Should any of the delegates not be able to attend or additional delegates are allowed, an election shall be conducted for an alternate(s).

Article 9. CONTRACTION NEGOTIATIONS: The Contract Negotiations Team consists of five (5) members consistent with applicable collective bargaining agreements. The following three (3) Chapter Board Members are automatically assigned to the Negotiations Team:

President
Vice President
Chief Steward

The General Membership shall elect the last two (2) members:
One (1) from Unit J
One (1) At-Large

If there is more than one (1) candidate for each group (Unit J and/or At-Large), the runner-up for each group will be appointed as an Alternate Team Member.

Upon completion of negotiations, a copy of the collective bargaining agreement shall be forwarded to the SEIU 1021 Executive Board.

Article 10. RECALL:

Recall of Chapter Officers may be originated by a petition signed by at least twenty-five percent (25%) of the membership. After the recall has been originated, the Chapter Board shall appoint an Election Committee and conduct a secret ballot election (In-Person or Electronically) of the General Membership within sixty (60) days of the presentation of the recall petition. A majority of votes cast shall determine the recall.

Article 11. VACANCIES:

An elective office shall be declared vacant when the holder of the position resigns from office, resigns from the Union, is no longer a member in good standing, is on an extended leave of absence, or is recalled. Vacancies, with the exception of convention delegates, that occur within six (6) months of the expiration of the term may be filled by appointment of the Chapter President; otherwise, vacancies shall be filled by the election of the General Membership.

Article 12. CHAPTER ELECTIONS:

Note: This article does not apply to elections that are solely to elect Chapter convention delegates.

- (a) **Election Schedule:** Chapter elections shall be held every three (3) years and must be completed by March 31st.
- (b) **Election Committee:** The Chapter President shall appoint three (3) members to an Election Committee. Members of the committee may not be candidates for office in the election. The committee shall adopt all rules and regulations necessary to ensure a fair and honest election and nomination procedure and shall provide each candidate with a copy of the same. The committee also hears challenges to the conduct of the election. The Election Committee shall submit a written report to the Chapter Board and Local 1021 President within three (3) days following the ballot count. The report shall include the election rules, procedures, schedule, candidate/issue vote totals, any challenges filed, and names and phone numbers of Election Committee members. Election results shall be provided to the membership following the election.

- (c) Eligibility:** In order to run for and serve as a Chapter Officer, candidates shall have been members in good standing for at least one (1) year and be employed within a bargaining unit represented by the Chapter. If the chapter has been in existence for less than one (1) year, the candidate must have been a member in good standing since the Chapter was recognized by Local 1021. No member shall be a candidate for more than one (1) Chapter Board office or seat at a time. Only members in good standing are eligible to participate in chapter elections.
- (d) Notice:** Notice of the election shall be given to each Chapter member in good standing at least thirty (30) days prior to the date set for the election by written notice and/or Chapter newsletter (notice must be at least 30 days in advance of the deadline for nominations). The notice must include method of nomination; (i.e. at a meeting or by petition), deadline for nominations, deadline for submission of candidates' statements, method of election (meeting, worksite, mail ballot etc.), date, time, and place of voting and challenge procedure. All official election materials and communications must be reviewed by the Election Committee and the assigned field representative prior to publication.
- (e) Nomination for Office:** Nominations for office will be made from the floor at a general membership meeting or submitted in writing to the Election Committee. Nominees must be present or submit written notice of acceptance of nomination within three (3) days of the deadline set for nominations.
- (f) Voting:** Chapter elections must be conducted by secret ballot. Only members in continuous good standing for at least two (2) months are eligible to vote. Proxy voting and write-in candidates are prohibited. The Chapter must provide a method for members to obtain duplicate ballots. The Election Committee shall determine if voting is conducted by mail, at the worksites, by email, at general membership meetings, or a combination of these methods. A plurality of valid ballots cast shall determine the elected candidates. In the event of a tie vote, a run-off election shall be conducted.
- (g) Ballot Count:** The Election Committee shall count ballots at a location, date, and time announced to the membership.
- (h) Election Materials:** All election ballots and duplicate ballots-marked, unmarked, voided, unused-must be saved for one (1) year (all ballots printed must be accounted for).
- (i) Challenges:** Challenges to or disputes arising from a Chapter election must be submitted to the Chapter Election Committee within three (3) working days of the submission of the committee's election report to the Chapter Board. Challenges must be submitted in writing and must cite specific violation(s) of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Bylaws and Constitution. Challenges to the election will be considered valid only if they cite specific violations of election rules and procedures, Chapter bylaws, or the Local 1021 Bylaws and Constitution and if the alleged violation may have affected the outcome of the election. The Chapter Election Committee shall investigate and resolve challenges within ten (10) working days of receipt of the challenge. The Election Committee may order a re-run of all or part of the election.

- (j) **Appeals:** Challenges or disputes which are denied or cannot be resolved by the Chapter Election Committee may be appealed in writing to the Local 1021 Executive Board within five (5) working days of receipt of the Chapter Election Committee's decision. The Local 1021 Executive Board shall investigate and respond within fifteen (15) working days of receipt of the challenge. Challenges to the election will be considered valid only if they cite specific violations of the Chapter election rules and procedures, Chapter bylaws, or the Local 1021 Bylaws and Constitution and if the alleged violation may have affected the outcome of the election.

Article 13. CONTRACT RATIFICATION:

Ratification or rejection of a tentative agreement shall be referred to the General Membership at a membership meeting(s) called for that purpose or through an in-person or electronic ballot. The ratification vote shall be by written, secret ballot. Proxy voting shall not be allowed. At least three (3) days' notice must be given before a contract ratification vote.

Only members in continuous good standing for at least two (2) months are eligible to vote for contract ratification.

Article 14. STRIKE:

The Chapter may not initiate a strike without a majority concurrence vote of the voting membership by secret ballot in compliance with the International Union Constitution. The strike vote may be conducted at a membership meeting or through a mail ballot. Proxy voting shall not be allowed. At least three (3) days' written notice shall be given before a meeting at which a strike vote is in order. If a strike vote is rendered, the Chapter shall obtain a sanction from the Local 1021 Executive Board. The Chapter shall not strike without previous notification to the SEIU President or, where prior notice is not practicable, without notification as soon as possible after the commencement of the strike, in which notice the Chapter states that it has complied with all applicable notice requirements. Strike sanction shall also be received from the local central labor council before a strike.

Article 15. PROCEDURE AND DEBATE:

Chapter meetings shall be governed by the Manual of Common Procedure, Rules of Debate and Order of Business set forth in the Constitution of the International Union. Every member shall follow and be subject to such rules governing debate at all meetings of the Chapter.

Article 16. AMENDMENT:

Amendments to these bylaws may be originated by a majority vote of the Chapter Board or by petition signed by at least fifteen percent (15%) of the membership. These bylaws may be amended by majority vote of the General Membership at a membership meeting or a mail ballot. Members must be notified at least thirty (30) days prior to the consideration of any amendment and provided with the proposed amendments and the original sections of the bylaws. Amendments to these bylaws shall be submitted to the Local Union headquarters office (100 Oak St., Oakland, CA 94607) to be reviewed for conformity to the Local 1021 Bylaws and Constitution and to be kept on file. No amendment shall be valid or become effective until approved by the Executive Board of the Local Union. Amendments required to bring these bylaws into compliance with the Constitution or bylaws of the Local Union or the International Union may be made by vote of the Chapter Board without submission to the General Membership.