

CONSTITUTION

GOVERNMENT, ADMINISTRATIVE, TECHNICAL UNIT
ESC-MEBA (AFL-CIO)

JANUARY 1983

ARTICLE I: NAME

1.01 The name of this organization shall be "Government, Administrative, Technical Unit of Engineers and Scientists of California" and Engineers and Scientists of California-MEBA (AFL-CIO) hereinafter referred to in this Constitution as the "Unit" and the "Union" respectively.

ARTICLE II: OBJECTIVES AND POLICIES

2.01 The members of the Unit shall be governed by the Constitution of ESC-MEBA and this set of Bylaws in their relationship with the Union.

2.02 The objectives of the Unit shall be:

- A. To support the principle of equal opportunity for all without regard to color, race, sex, marital status, ancestry, national origin, creed, age or handicap.
- B. To represent members of the Unit in collective bargaining by negotiating with the Employer to attain a just and equitable recognition of the work performed, together with proper compensation and working conditions.
- C. To promote the professional status of the members.
- D. To cooperate with the other units within the Union and with other unions to achieve common goals.

ARTICLE III: MEMBERSHIP

3.01 Membership in the Unit shall be confined to Government, Administrative and Technical employees.

3.02 With the consent of the Executive Board, a member of this Unit may be a member of another union.

3.03 A member in good standing shall be one who is not in arrears of dues or assessments. A member whose dues or assessments are not paid within 60 days after they become due shall be deemed in arrears and shall automatically be suspended. Such member shall lose the privilege of voting or in any manner participating in the activities of the Union. He or she may be restored to good standing under regulations which the Executive Board may institute.

3.04 Members may be disciplined by the Unit Executive Board for willful violation of the provisions of the Constitution, Bylaws, or lawful regulations of this Unit, or for acting in any manner or engaging in any practice which will tend to bring discredit on the honor or dignity of the members of this unit. Such offenses shall include the crossing of a sanctioned picket line. This Executive Board shall not act upon such disciplinary proceedings until a period of thirty (30) days have elapsed after notice of such intended proceedings giving the purported grounds for discipline has been mailed to the last known address of the member by registered mail, during which period the member shall have the right to present his/her defense to the Board in person or in writing, and to present evidence and witnesses.

3.05 A member in good standing may file charges against another member by submitting such charges in writing to the President. The President shall forthwith notify the accused that charges have been preferred against him/her and shall convene a special meeting of the Executive Board to hear the charges and the defense of the accused member in accordance with the provisions of 3.04.

The Executive Board shall hear all relevant testimony and evidence and reach a determination as to the guilt or innocence of the accused member. A guilty verdict shall require a two-thirds vote of the Executive Board.

Should the Board determine that a member is guilty of an offense, it may levy a fine not to exceed \$150.00 for each separate offense, or it may suspend or expel the offending member.

ARTICLE IV - OFFICERS

4.01 The officers of this Unit shall be:

President

Vice President

Secretary

Treasurer

Group Representative - Environmental Protection Agency

Group Representative - Port of Sacramento

Group Representative - San Francisco City & County Assessors

Group Representative - Woodland Clinic Group II

Group Representative - Sunnyvale Group II

Group Representative - X-Ray Techs - Associated Hospitals

Any additional Units that may be accepted by the ESC Executive Board, within this Unit, shall have a Group Representative installed as an officer of this Unit.

4.02 Candidates for office must be members in good standing and officers shall continue in office only so long as they remain in good standing.

4.03 The elected officers shall be installed and shall assume their new positions at the next regularly scheduled Executive Board meeting after the election.

4.04 Any officer is subject to recall. To initiate recall procedure, a written petition stating the charges purporting to justify recall, signed by at least ten percent (10%) of the members in good standing of the Unit or by at least two-thirds of the members of the Executive Board, must be submitted to the Executive Board which shall forthwith order a recall election. The officer shall be informed in writing of the charges and shall have the right of rebuttal. Recall election shall be by letter ballot and a majority of the valid votes cast shall be necessary for recall. The ballot shall be accompanied by a statement of the charges upon which the recall petition is based and by any rebuttal of these charges which may be offered. The Executive Board may by motion suspend the accused from the performance of the duties of his/her office pending the outcome of the vote.

4.05 The Treasurer shall be bonded.

ARTICLE V: DUTIES OF OFFICERS

5.01 The President shall preside at all meetings of the Executive Board and the General Membership. He/she may be a member of each committee ex-officio, except the nominating committee.

5.02 The Vice President shall perform the duties of the President during his/her absence and perform other duties as assigned by the President. The Vice President shall succeed to the presidency if it is vacated.

5.03 The Secretary shall keep minutes of meetings conducted by the Executive Board and ensure that the officers are informed of all meetings.

5.04 The Treasurer shall be responsible for maintaining accurate and adequate financial records, including the roster of members.

5.05 The Group Representative shall be responsible for liaison between their Unit and the Executive Board.

ARTICLE VI: EXECUTIVE BOARD

6.01 The Executive Board of the Unit shall consist of the President, the Vice President, the Secretary, Treasurer. Three (3) members shall constitute a quorum for the Executive Board. The Executive Board shall meet at least three (3) times per annum.

6.02 The duties of the Executive Board shall be:

- A. To conduct all business of the Unit as provided in the Constitution.
- B. To report all business transacted to the membership at the next subsequent general membership meeting of the Unit.
- C. To appoint such committees as may be required.
- D. To act as liaison between the Unit and the Union.

6.03 Any act of the Board except those involving admission, suspension, or expulsion of a member or members shall be subject to review by the membership of the Unit, by presentation of a petition to the Executive Board, signed by twenty-five percent (25%) of the members, within thirty (30) days after said act has been reported to the Unit. The Board shall, not later than thirty (30) days after presentation of the petition, submit the matter in question to all members by letter ballot to determine whether or not the membership sustains or repeals the action.

6.04 If the office of Vice President, Treasurer, Secretary or Director is vacated, the Executive Board shall within thirty (30) days conduct an election by mail ballot in accordance with the requirements under this Constitution for Officers and Directors.

ARTICLE VII: NOMINATIONS AND ELECTION OF OFFICERS

7.01 The term of office for each officer shall be two years. Election for the offices of the President, Secretary shall be held in the odd numbered years. Election for the offices of Vice President, Treasurer shall be held in the even numbered years.

7.02 Officers shall not hold office longer than two consecutive terms in each respective office.

7.03 Nominations shall be submitted by letter signed by not less than ten (10) members in good standing of the Unit. Such letter shall be filed with the Secretary on or before January 29th.

7.04 Election shall be by mail ballot.

7.05 Ballots shall be sent to all members in good standing of the Unit not later than February 14th. To be valid, ballots must be received on or before 5:00 p.m. on March 14th.

7.06 Ballots shall be opened and counted by the Election Committee, on the first work day following the closing of balloting, under the supervision of a neutral arbitrator.

7.07 A plurality of the valid votes cast shall be required for election. Write-in votes shall not be permitted.

7.08 In case of a tie, a run-off election will be held.

ARTICLE VIII: LETTER BALLOTS

8.01 Each ballot shall state the closing date of the poll, which shall not be less than thirty (30) days after the date the ballots are mailed. Unless otherwise provided in this Constitution, each issue on the ballot shall be determined by a majority of the valid votes cast. The Election Committee shall count the ballots and certify the results to the Executive Board of the Unit, which shall incorporate said certification in the minutes of its next meeting, whereupon the results of the ballot shall become effective. Letter ballots shall be so administered as to insure the validity of the votes cast and the secrecy of the ballot.

ARTICLE IX: FACILITY REPRESENTATIVES

9.01 The term of office for a facility representative shall be for two (2) years.

9.02 Facility representatives shall be nominated by three (3) members in good standing in the facility in which they are employed and only members in good standing shall be allowed to vote or, in accordance with their local Constitution and Bylaws.

9.03 Election shall be by mail ballot.

9.04 The Secretary of the Unit shall be responsible for conducting the election at the facilities where a vacancy, re-election or recall occurs.

9.05 A plurality of the valid votes cast shall be required for election. Write-in votes shall not be permitted.

9.06 In case of a tie, a run-off election shall be held.

9.07 The duties of the Facility Representative shall be:

- A. To maintain the bulletin boards at their facility which shall include postings of notices of meetings, newsletters and other appropriate announcements and literature.
- B. To attend to members' grievances.
- C. To act as liaison with the Union office.
- D. To attend to Unit and representative meetings.
- E. To inform members of their rights and responsibilities under the contract and to encourage new members to participate in the Union and Unit affairs.

9.08 A facility representative is subject to recall. To initiate recall procedure, a written petition stating the charges purporting to justify recall, signed by at least twenty five percent (25%) of the members in good standing at the facility or by at least two-thirds of the members of the Executive Board, must be submitted to the Secretary who shall forthwith order a recall election. The facility representative shall be informed in writing of the charges and shall have the right of rebuttal. Recall election shall be by letter ballot and a majority of the valid votes cast at that facility shall be necessary for recall. The ballot shall be accompanied by a statement of the charges upon which the recall petition is based and by any rebuttal of these charges which may be offered. The Executive Board may by motion suspend the accused from the performance of the duties of his/her office pending the outcome of the vote.

ARTICLE X: GROUP REPRESENTATIVES

10.01 Each employer group shall have a representative to serve as liaison between their employer group and the GAT Executive Board.

10.02 Group Representatives may be appointed by the officers of the Employer group or nominated by members in the employer group in which they and the nominee are employed and election shall be by the membership within the specific employer group.

10.03 The term of office for a Group Representative shall be two years.

10.04 Election shall be by mail ballot, or in accordance with Unit Constitution and Bylaws.

10.05 Nominations shall be submitted by letter signed by not less than three (3) members in good standing of the employer group.

ARTICLE XI: MEETINGS

11.01 Special Meetings. Special Meetings of the Unit membership may be called at the discretion of the Executive Board but must be called by the Board within thirty (30) days of the receipt by said Board of a petition for such meeting signed by not less than twenty percent (20%) of the members in good standing. A quorum for the transaction of business at the meeting shall be ten percent (10%) of the members in good standing.

11.02 Executive Board, annual and district meetings are open to the general membership.

ARTICLE XII: DUES AND FINANCES

12.01 Dues for the Unit shall be determined by a majority of the valid votes cast in a letter ballot, such ballot to be authorized by the Executive Board. The ballot shall state clearly the amount of the proposed change in the Unit dues. No change shall be effective until it shall receive the required majority and such approval is certified to the Executive Board. Letter ballot shall be in accordance with Article VIII and conducted under the supervision of a neutral arbitrator.

12.02 Dues shall be payable to the Union in advance on the first day of each semi-annual period beginning March first and September first of each year; except

that they may be paid by monthly payroll deductions authorized by the member under an agreement with the employer.

12.03 The Executive Board may determine expenses that will be paid from the Unit treasury.

12.04 At the expiration of their terms of office, the officers and all committee members of the Unit shall deliver all records and property in their possession.

12.05 The funds and other property shall remain with the Unit for its legitimate use so long as there are five (5) members. On dissolution of the Unit, all funds and other property shall become the property of the Union, provided that the Executive Board of the Union will accept them.

12.06 Annual audit of the Unit's books and accounts shall be made to comply with the requirements of the Department of Labor.

ARTICLE XIII: AMENDMENT

13.01 This Constitution may be amended after due notice has been given to all members of the Unit, by affirmative vote by letter ballot of two-thirds of the members voting. An amendment shall be declared adopted and become effective when a true copy thereof, together with a record of the count of votes, shall have been certified by the Election Committee to the Executive Board in meeting and included in the minutes of said meeting. Letter ballot shall be in accordance with Article VIII and conducted under the supervision of a neutral arbitrator.

ARTICLE XIV: RULES OF ORDER

14.01 The Parliamentary procedure of meetings of the Unit and its committees shall be guided by Roberts Rules of Order to the extent practicable except that in any conflict with this Constitution, the Constitution shall take precedence.