California School Employees Association

Policy Handbook

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Revised August 2023

AFL-CIO

California School
Employees Association

Our mission: To improve the lives of our members, students and community.

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LEGEND

The marginal notes contained in this document are cross-reference notes to direct the reader to other sections of the Constitution, Bylaws, Association Policy, or Standing Rules which pertain to the same subject. Key to the notes is as follows:

C= Constitution
B= Bylaws
P= Policy
SR = Standing Rules
Roman Numerals refer to specific Articles of the Constitution or Bylaws.
Numeric references are to specific sections of either the Constitution or Bylaws or Policy.

For example: **C-VI,1** refers to the Constitution, Article VI, Section 1.
P-203.9 refers to Policy Section 203.9.

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100
GENERAL POLICY

101 FORCE OF GOVERNANCE DOCUMENTS

Adopted September 1984

The California School Employees Association (its members, its chapters, and staff) shall be governed by the following documents, ranked in order of authority:

Association Articles of Incorporation

Association Constitution & Bylaws

Association Standing Rules

Association Policy as adopted by the Board of Directors and/or Conference delegates

Chapter Constitutions & Bylaws

Chapter Standing Rules

Any provisions adopted which conflict with a document of higher ranking authority are null and void.

102 MISSION STATEMENT

Revised May 2006

The mission statement of this Association shall be "To improve the lives of our members, students and community."

103 DEFINITION OF "ACTIVE" MEMBERSHIP "IN GOOD STANDING" C-II,1

Revised August 2023

.1 As specified in the Association's Constitution, Article II, the right to participate in the decision making processes within the Association at all levels, including but not limited to voice and vote at Association meetings and holding elected or appointed offices, is restricted to "Active" members "in good standing," except that these rights may also be accorded to "Retired" members in good standing in certain limited situations as specified.

Since these rights are the heart of union democracy, it is important that determinations either granting or denying these rights be uniform in application. It is with this intent the following interpretations are made, and in conformance with the intent, either implied or expressed, within Constitution and Bylaws provisions:

.01 Loss of "Active" membership shall occur when: **C-II,1(b)**

(a) A member is granted an unpaid leave of absence greater than thirty (30) days. This shall occur either on the effective date of the unpaid leave or on the last day the member is in a paid status, whichever occurs last.

(b) A member is laid off for lack of work or lack of funds as defined in the California Education Code and does not continue payment of full dues at the rate required at the time of layoff.

For members who work less than 12 months and who receive notice of layoff at the end of their normal work year, the effective date of the layoff shall be the beginning of the next school year.

(c) A member is placed on a 39-month reemployment list because all paid leaves with the employer are exhausted/depleted.

(d) A member continuing full dues payments during a layoff is not reemployed prior to expiration of the 39-month layoff period. Such members shall automatically be dropped at the end of the 39 months.

(e) A member's bargaining unit is lost to a competing labor organization in a decertification election. The effective date shall be the date PERB certifies the election results. **C-II,1(c) P-612.2**

(f) A member's position is declared by PERB to be management or confidential, or a member's position is declared by PERB to be supervisory and which cannot be represented by the Association in accordance with the laws of this state. The effective date shall be the date the PERB renders its decision. **C-II,1(d)**

(g) A member retires from employment and does not resume employment with another qualifying agency. The effective date shall be the effective date of retirement or the last day in paid status, whichever occurs first.

(**Exception:** Chapters MAY permit continued "Active" status for retired members WITHIN THE CHAPTER by adoption of specific provisions within their local Constitutions AND providing the retired member continues as a Retired Member in the Association and begins paying chapter dues within ninety (90) days of retirement. Active Retirees must maintain such status without interruption. Any interruption shall cause the retiree to permanently lose Active status.) **C-II,1(e)**

(h) A member voluntarily terminates employment with the employing agency and does not accept employment with another qualifying agency while in a paid status. The effective date shall be the last day the member is in a paid status.

(i) A member is involuntarily terminated from employment with the employing agency. The effective date shall be the date of conclusive governing board action in the case of a non-merit system, or personnel commission action in the case of a merit system.

(j) A member executes a document terminating payroll deduction of Association, unless arrangements have previously been made to pay dues direct to the Association in advance. The effective date shall be the date the member executes said document. However, the dues authorization signed by a member is a contract which by law is not terminable without reasonable advance written notice being provided to the Chapter and the appropriate CSEA Field Office. CSEA views the minimum notice that is reasonable as being ten (10) working days. **C-II,6 B-VII,1(d)**

(k) A member's monthly per capita dues are not paid within 60 days, unless there is a delay in the transmission of funds by the employing entity.

.02 Any membership shall be deemed to be "in good standing" if the member has fulfilled all the requirements for membership as specified in the Association's Constitution, including payment of the required dues and fees for the current month, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with provisions of the Association's Constitution and appropriate Policy. **C-II,5 & 7 P-613**

(a) A member whose dues are paid pursuant to voluntary authorization for payroll deduction shall be deemed to be "in good standing" effective with the first of the month following the month in which payroll deductions begin, unless the member pays dues in cash to cover the current month(s).

(b) A member in good standing whose dues are paid via payroll deduction shall be considered to be "in good standing" even though there may be a delay in transmission of funds by the employing entity. Further, any member whose dues have been remitted to the local chapter shall be considered to be "in good standing" even though there may be delay in transmission of funds or default in payment of dues to the Association by the local chapter.

104 SERVICES AND BENEFITS BARRED FOR NONMEMBERS AND LAST-SECOND MEMBERS

Adopted January 2018 – Revised August 2023

.1 CSEA shall provide no representational services or legal assistance payments to workers who are nonmembers or Last-Second Members (as defined below), except to the extent CSEA is affirmatively required by law to provide such services or benefits, unless such services or benefits are separately approved by the Board of Directors.

.2 "Last-Second Members" are defined as follows:

Any member who has been in the bargaining unit for more than six (6) months and who was not a member at least thirty (30) calendar days prior to needing representational services or legal assistance payments, unless:

.01 At the time they seek a members-only representational services or legal assistance payments they pay to CSEA its estimated cost for providing the requested representational services or legal assistance payments, minus a credit for dues already paid; AND

.02 They have agreed in advance to pay dues for the next year via agreement for irrevocable payroll deduction for such year (and via credit card and/or bank account deduction if they leave the job during the year).

.3 The requirements above may be waived by the Executive Director for those members who have provided or will provide significant assistance to CSEA.

105 RECORDS **B-IV,1**

Revised October 2019

.1 Individual records maintained by members of the Board of Directors, Committee Chairpersons and members, and Regional Representatives are to be kept and turned over to their successor in accordance with the Bylaws. However, prior to turning over the files, material which is of no permanent or current value should be removed.

.2 **Social Security Numbers.** No chapter officer shall request a full social security number from a member. Any member in possession of CSEA records containing full social security numbers of members shall promptly redact this information, destroy those documents, or turn them over to their field office for shredding.

106 CORRESPONDENCE **B-IV,1**

Revised September 1984

Copies of all pertinent correspondence involving major policy issues relating to retirement, legislation, bargaining positions, etc., are to be sent to all members of the Board for informational purposes.

107 REPORT OF ACTIVITIES **B-IV,2**
P-406
P-504

Revised September 1984

Members of the Board of Directors, Committee Chairpersons, Regional Representatives, and appropriate staff shall prepare a written report of activities for presentation at the Annual Conference and such other reports as required by the President and/or Board of Directors.

108 CHANNELS FOR ACTION

Revised April 2006

All courses of proposed action should be presented to the Board through the following channels: **C-VI,3 & 4**

Committees through the Chair to President to Board **P-201.8**

Staff to Executive Director to President to Board

Members to Chapter to Regional Representatives to President (to Committee Chair if involved) to Board.

109 EXPENSES OF ELECTED OR APPOINTED OFFICERS AT A CONFERENCE

Revised August 2023

.1 Persons who officially assume a seat on the Board of Directors or an Alternate Area Director position at the close of an Annual or Special Conference shall be entitled to such expenses as may be incurred in relation to attendance at the installation ceremony conducted at said Conference, if such person was not in attendance in another official capacity.

.2 A person serving in an elective or appointive office who is authorized to be in attendance at an Annual or Special Conference and whose term expires at the conclusion of the Conference is authorized to be reimbursed for appropriate expenses incurred including travel home after said Conference.

110 SPECIAL FUNCTIONS

Revised August 2023

.1 **Definition:** "Special Function" is defined to mean those functions held under the auspices of the Association, an Area, a Region, or a Chapter, and which are primarily social in nature, (i.e. installation dinners, awards ceremonies, retirement dinners, fund-raising events benefiting the Association or any of its entities.)

.2 **Those Authorized to Attend:**

.01 Reimbursement of necessary expenses in accordance with Policy Sections 113 and 114 are authorized for attendance at special functions by Area Directors and Standing Committee Chairpersons within their designated Areas, by Political Action Coordinators within their area of assignment, and by Regional Representatives and Regional Communications Officers within their Regions.

(a) Reimbursement of expenses for attendance at special functions outside the individual's respective Area, area of assignment, or Region shall be made only to those individuals who have been authorized or directed to attend by the Association President.

.02 The Association President, 1st Vice President, 2nd Vice President, Secretary and Past President may attend special functions at their discretion. However, all officers of the Board should endeavor to coordinate attendance at special functions by informing the Association President of any planned special function attendance.

.3 When any authorized person attends a special function, a guest may accompany the authorized person. However, the Association will not pay travel or other expenses for such guests, with the exception of the cost of the meal or admittance ticket to the special function event.

.4 Should overnight housing be required for any authorized person's special function attendance, Policy 115 shall govern.

.5 Attendance at Other Events: Reimbursement shall not be provided for attendance at events which do not clearly fall within the above definition of "special function" unless first approved by the Association President, whose decision shall be final.

111 EXPENSE CLAIMS B-IX,2

Revised December 2005

.1 Claims for actual and necessary expenses incurred on behalf of the Association shall be submitted on a monthly basis on the approved claim forms, and shall be accompanied by appropriate and necessary receipts, and shall be submitted to the Association President for processing. Claims for expenditures in any month shall be submitted so as to be received in the Association's Accounting Department no later than the end of the following month, except as outlined below.

.01 The final expense claim of the fiscal year (for the month of May) must be received at Association Headquarters no later than five (5) workdays following May 31, to be recorded against budgeted expenditures for that fiscal year. Expense claims received after that date shall be forwarded to the Board of Directors with written explanation as to why the claim was not submitted within the stated deadline. Any payment of such late expense claims shall be recorded as unbudgeted expenditures in the appropriate account(s) for the following fiscal year, with appropriate Board action as required under Article VIII, Section 4 of the Bylaws.

(a) **Late Expense Claims**. CSEA shall deduct 25% of the net expense reimbursement from any expense report/claim not received by the deadline of five (5) workdays following May 31.

112 INSTALLATION OF OFFICERS

Revised August 2023

It shall be the general policy of the Association that only qualified persons be allowed to exercise the powers of installation. The term "qualified" is intended to clearly designate those Active, Life, and Retired members in good standing who may assume the office of Installer, which shall be as follows: **C-III,3**

.1 **For CSEA Chapter Officers:**

.01 Regional Representatives are responsible for conducting the installation ceremony unless there is a special request for a particular installing officer as authorized below. **P-405**

.02 Members of the Board of Directors

(a) An Area Director may serve as an installing officer for a chapter or chapters within the respective Area.

(b) An Alternate Area Director may, with the approval and at the direction of the Area Director, install chapter officers within the respective Area.

(c) Other Board members may serve as installing officers upon prior approval of the Association President.

.03 Life Members

.04 Past Board Member*s*

Special arrangements for the installation of chapter officers may be made through the Association President.

.2 **For CSEA Retiree Council Officers:**

In addition to the above listing — Members of the Retiree Unit Executive Board

.01 It shall be the responsibility of the Retiree District Director to arrange for the officer installations for the Councils in the respective District. The respective District Director shall conduct the installation ceremony unless there is a request for a particular installing officer as authorized above.

.3 **Association Officer Installations.** A Past Association President shall officiate at the installation of all newly-elected Association Officers (President, 1st Vice President, 2nd Vice President, Secretary, Past President, Area Director, Alternate Area Director). Notwithstanding the foregoing, the current Association President shall officiate at the installation of newly-elected Association officers if a Past Association President is not available.

.4 **Retiree Unit Executive Board Installations**. The CSEA Association President shall officiate at the installation of newly-elected members of the Retiree Unit Executive Board, or the President may designate the 1st Vice President, 2nd Vice President, Past President, or Secretary to officiate at the installation.

.5 When a Life Member or past Board Member is requested to serve as installing officer, reasonable reimbursement for expenses incurred may be approved at the Association President's discretion and with prior approval. **B-IX,1**

113 PER DIEM AND MEAL ALLOWANCE **B-IX,1**

Revised February 2023

.1 **PER DIEM:** Payment will be provided only when authorized persons are traveling on approved Association business and will be gone from home one full day or more or where an overnight stay is required.

"One full day" shall be defined as 12 hours or more within a 24-hour period.

1/2 Day. When per diem is determined to be the appropriate charge, it may be applied in 1/2 day increments as applied to time required for travel to and from the authorized destination.

"1/2 day" shall be defined as 6 hours or more, but less than 12 hours, within a 24-hour period.

Association business and travel requiring less than 6 hours within a 24-hour period shall not be eligible for per diem.

.2 **MEAL ALLOWANCE:** Where the authorized travel does not meet the above requirements for payment of per diem allowance, the price of required meals is the proper charge in lieu of per diem in accordance with the following schedule:

.01 **Breakfast.** The actual cost thereof, but not to exceed $11.00.

.02 **Lunch.** The actual cost thereof, but not to exceed $15.00.

.03 **Dinner.** The actual cost thereof, but not to exceed $24.00.

(Note: The above amounts are inclusive of tax and tips.)

.3 Advance or delayed travel, when at the option of the individual, shall not be considered in determining eligibility for per diem vs. meal allowance, and shall not provide per diem payment or meal reimbursement beyond that which the individual would normally otherwise be entitled to.

.4 **EXCEPTIONS:**

.01 Occasionally a meal is provided at no cost to the individual in connection with attendance at an authorized function. In such a case, per diem will be paid for that day if per diem would otherwise be the proper charge. However, the authorized person will be reimbursed only the per diem amount less the allowable amount for the meal provided in accordance with the meal allowance schedule in .2 above.

When all three meals (breakfast, lunch, dinner) are provided at no cost to the individual, per diem and meal allowance will **not** be paid.

.02 It is recognized that occasionally authorized persons attend special functions (as authorized and defined in Policy Section 110) where the meal cost exceeds the meal allowance provided in .2 above. In such a case, and where the single meal is a proper charge in lieu of per diem, reimbursement may be made for the actual cost upon submission of the appropriate receipt.

.03 Chapters shall not reimburse or pay member expenses related to Association level business for which expenses are reimbursed or paid by the Association.

.04 Members shall not request reimbursement from the chapter when the expense has been or will be reimbursed or paid by the Association.

.05 Chapters are permitted to establish their own per diem and meal allowance above that which is provided by the Association Bylaws and this policy when chapters reimburse or pay member expenses related to chapter level business (for example, travel and per diem for chapter delegates to Annual Conference).

114 TRAVEL B-IX,1

Revised February 2023

.1 Persons authorized by the Association President to travel at Association expense shall be reimbursed for travel costs as follows:

.01 Travel by automobile shall be reimbursed at the current Internal Revenue Service mileage expense deduction rate allowed for travel by personal automobile. Mileage reimbursement includes operational costs of the automobile such as gasoline, oil and maintenance.

(a) With the prior approval of the Association President, members may be permitted to the use of a rental car at airport of destination under the following conditions: if complimentary transportation is not available; the required stay is for more than one day's duration; the travel is not for the purpose of attending a meeting at CSEA Headquarters; and/or the business requires travel to more than one location. The member shall coordinate rental travel with other authorized attendees. Arrangements for rental cars shall be made through the CSEA travel department.

.02 If travel is determined by the Association President to be extensive, round-trip airfare (economy class, via commercial airline) shall be provided, plus round-trip bus/shuttle fare or mileage from home to the airport and airport parking fees as appropriate. Round-trip taxi/shuttle fare from airport of destination to meeting shall be permitted if complimentary shuttle or other transportation is not provided. Arrangements for airline travel shall be made through the CSEA travel department.

.03 If commercial air travel is not available, other modes of commercial transportation may be approved by the Association President and will be reimbursed at actual cost.

.04 If authorized persons elect, because of personal preference, to travel by private automobile or other commercial carrier (e.g., bus, train, etc.) rather than by air when travel by air would have been the least expensive, they shall receive payment equivalent to the average fare for air travel and related costs outlined in .1.02 above and shall be entitled to per diem or meal reimbursement only on the basis of time required for travel by air

.05 The spouse or a guest may accompany the authorized person, but travel expenses of the spouse/guest are the responsibility of the authorized person.

.06 Coordination of travel with other authorized persons is encouraged whenever possible. If two or more authorized persons travel via one automobile, then mileage is only paid to one person.

.07 Chapters shall not reimburse or pay member expenses related to Association level business for which expenses are reimbursed or paid by the Association.

.08 Members shall not request reimbursement from the chapter when the expense has been or will be reimbursed or paid by the Association.

.2 Due to restrictions of the Association's liability insurance coverages, air travel for all persons authorized to travel at Association expense shall be restricted to commercial carriers only.

Travel on private aircraft shall not be approved under any circumstances, and if such travel is undertaken by an individual, no compensation or reimbursement in connection therewith shall be paid, including per diem/meals, housing, or other expenses connected with such trip.

.*3* **Policy Deviation.** Notwithstanding the foregoing, the Association President may authorize deviation from this policy if it is in the best interests of the Association, except that the Association President shall not have the authority to waive the provisions of Section 114.2.

115 HOUSING B-IX,1

Revised May 2023

.1 **Board of Directors.** CSEA Board Members shall be provided single-occupancy housing, or double-occupancy housing when accompanied by a spouse or guest, when attending functions which they are required or otherwise authorized to attend. The costs of such housing shall be paid by the Association.

.2 **Members and Staff Assigned to Association Business.** Persons requiring housing for a legitimate business necessity will be provided single-occupancy housing when traveling more than seventy-five (75) miles or traveling in hazardous road conditions. Housing shall be considered a legitimate business necessity when without housing one would likely need to leave home before 7:00 a.m. or arrive home after 9:30 p.m. to attend functions required or authorized by the Association President for members and by the Executive Director for staff. The costs of such housing shall be paid by the Association.

.3 **Members Assigned to Chapter Business.** When chapters reimburse or pay for member housing related to chapter business (e.g. chapter delegates attending Annual Conference), chapters are permitted to assign double occupancy housing by so amending the chapter constitution or when so approved in the chapter budget (it would be sufficient for the relevant expenditure to be based on an assumption of double occupancy).

.01 "Double occupancy" for purposes of this section means the assignment of a room with two beds to two authorized persons.

.02 If any person so authorized by the chapter requests a room for separate occupancy, the requesting member shall be required to reimburse the chapter for the difference between the cost of a single room and one-half the cost of the double room.

.4 **Policy Deviation.** Notwithstanding the foregoing, the Association President may authorize deviation from this policy if it is in the best interests of the Association.

.5 Chapters shall not reimburse or pay member expenses related to Association level business for which expenses are reimbursed or paid by the Association.

.6 Members shall not request reimbursement from the chapter when the expense has been or will be reimbursed or paid by the Association.

116 BOARD CONTRIBUTIONS

Adopted April 1999 – Revised August 2023

.1 All contribution requests received by the Association President shall be referred for review by a subcommittee of the Board of Directors (as designated by the Association President). The subcommittee will provide a recommendation to the Association President within thirty (30) days.

The subcommittee shall determine whether the contribution would serve to enhance the public image of the Association as an organization dedicated to the betterment of students and education or would otherwise serve the Association's best interests, and meet one of the following criteria:

.01 The entity requesting/receiving the donation must be a recognized charitable, educational nonprofit organization, or an organization working to further the ideals and goals of the labor force.

The donation should serve a youth-oriented purpose, geared towards fostering education, leadership skills, and other like purposes which would serve to enhance the self-worth of our youth; or should serve to further the education, advancement, or recognition of the labor movement.

.02 Donations may be approved for memorials within the "CSEA Family" (members and staff), and including deserving legislators, educators, or government officials who have contributed to the betterment of the Association.

.2 Requests determined by the subcommittee to meet the above criteria shall be submitted and recommended for approval at the next Board meeting, including a recommendation for the dollar amount of the donation, based on the budgeted amount in the contributions account. **B-VIII,4**

The Board will receive an oral report at its next Executive Session meeting on contribution requests not approved by the subcommittee.

.3 The Association President may submit donation requests to the Board of Directors without referral to the subcommittee and/or which do not meet the above criteria, if the President deems the request to be in the best interests of the Association.

117 MEMBERSHIP LISTS

Revised February 2023

.1 CSEA membership listings shall be maintained in strictest security for Association use only, and shall not be distributed to any outside person, firm, or other association without the express authorization of the Board of Directors by action taken at a regular Board Meeting except as permitted by this policy.

.01 CSEA membership listings shall only be utilized for the purpose for which they are distributed and only in accordance with that which is permitted by this policy. After the intended purpose of the list is complete, the list shall be destroyed and shall not be distributed to anyone not explicitly authorized by this policy and shall not be utilized for any purpose not explicitly authorized by this policy.

.02 Contact information for CSEA members obtained in the course of CSEA activity or by virtue of a CSEA office held cannot be utilized or shared in any way not explicitly authorized by the member to whom the information belongs absent consent otherwise (e.g. sharing phone contacts with a member running for election to an internal or external office).

.03 Any use of membership listing or contact information not explicitly permitted by this policy constitutes a serious violation of policy subject to charge under Policy 613. A prominent notice to this effect shall be provided to any member to whom a list is provided as permitted by this policy.

.2 **Targeting.** CSEA membership listings may be made available on a selective basis to approved firms for the purpose of facilitating or enhancing the targeting of CSEA members, provided that a nondisclosure agreement has been executed between CSEA and the firm.

.3 **Approved Vendors.** CSEA membership listings may be made available on a selective basis to approved special services firms, and recommended or sponsored insurance providers, for the purpose of informational mailings and special offers to CSEA members, on the following basis:

.01 All solicitation materials must first be approved for mailing by the CSEA Executive Director and Director, Member Benefits.

.02 The approved vendor shall be required to utilize CSEA's mailing agency, who shall be provided membership mailing labels in sufficient quantity for the approved mailing only.

All approved mailings shall be coordinated by the Director, Member Benefits.

.03 The approved vendor shall be charged the appropriate fee, with a minimum charge of $200, for the required mailing labels, payable in advance. The fee charged will be no less than the actual cost to the Association.

.04 Envelopes, materials to be mailed, postage and mailing agency fees, shall be the vendor's responsibility.

.05 CSEA letterhead and/or envelopes may be provided for such approved mailing at CSEA-cost to the vendor, payable in advance.

.06 Such mailings shall be limited to three per year per vendor for statewide mailings, and two per year per vendor per specialized membership group.

.4 **CSEA Chapters**

.01 **Chapter Membership Lists.** Chapter requests for membership lists (names, addresses, phone numbers, and e-mail addresses) of members in good standing of a chapter or a bargaining unit, for any purpose, shall be directed to the chapter's assigned Field Office. The Field Director shall verify that the membership list shall be used for a chapter business purpose, and that the list shall not be distributed to any outside person, firm, or other association.

If the membership list is for member contact regarding a local candidate or initiative endorsed by a CSEA chapter under Policy 311 (including phone banking and precinct walking), the Field Office may provide the endorsing chapter with a membership list for its own members. Membership lists for surrounding chapters may also be provided but must remain under the control of a CSEA staff member or a member authorized by the Association President to have control of the membership list.

.02 **Chapter Membership Labels.** Chapter requests for membership labels for mailings to all members in good standing of a chapter, or a bargaining unit, for any purpose, shall be directed to the chapter's assigned Field Office.

(a) If the mailing is for a chapter business purpose, as verified by the Field Director, the Field office may either provide mailing labels to the chapter for its use or may reproduce and complete the mailing for the chapter in the Field Office.

(b) If the mailing is for chapter political candidates' campaign purposes (reference Policy 618.6.03), the campaign literature shall be mailed from the Field Office, with the candidate required to reimburse the Field Office for all relevant costs (labor and materials). Mailing labels and information for individual members shall not be provided directly to any candidate.

.5 **Candidates for CSEA offices at the Association or Area level** shall be entitled to receive phone numbers and e-mail addresses of Regional Representatives and Chapter Presidents for the appropriate Areas relevant to the office they are seeking, at no charge, upon request to the Association Headquarters, Executive Department. This membership listing shall be restricted to use only by the candidate and only to contact Regional Representatives and Chapter Presidents about their candidacy. **P-204.7.05**

.01 Requests for campaign mailings to Regional Representatives and Chapter Presidents shall be directed to Association Headquarters, Executive Department. The campaign literature shall be mailed by Association with the candidate reimbursing the Association for all relevant costs (labor and materials) of the mailing. Mailing labels and mailing information shall not be provided directly to any candidate.

.02 Requests for campaign mailings to individual **members** of chapters, Regions or Areas shall be directed to Association Headquarters, Executive Department. The campaign literature shall be mailed by Association Headquarters or the appropriate Field Office, with the candidate reimbursing the Association for all relevant costs (labor and materials) of the mailing. Mailing labels and information for individual members shall not be provided directly to any candidate.

.6 **Membership E-mail Group Communications**

The Association may use e-mail for the purpose of efficiently communicating Association business to various member groups. Select staff shall be trained and authorized in the use of group e-mail tools. Member leadership groups having Staff Coordinators (such as standing committees and taskforces) shall make requests through the Staff Coordinator to send e-mails to a member group(s). Member leaders that do not have Staff Coordinators (such as regional officers and chapter presidents) shall make requests through their local field office to send e-mails to a member group(s). Association Board members may make requests through the Executive Department or their local field office.

Group e-mail requests may be subject to review and approval by the Association President. The Association President may suspend e-mail privileges for any entity sending message content that is detrimental to the Association. This applies to messages requested to be sent through group e-mail tools referenced above, or messages independently sent by the entity to a list of e-mail addresses provided by the Association.

118 CONFERENCE-RELATED ACTIVITIES B-V,1

Adopted February 1984 – Revised October 2014

This policy is enacted to ensure the orderly and efficient transaction of Association business on the Conference Floor through the elimination of unnecessary distractions unrelated to the business at hand, and to protect the delegates against unwanted intrusion or financial solicitation.

.1 No printed material, other than material related to campaigns for CSEA offices, may be distributed at the Conference site without the prior permission of the Association President and Executive Director.

.01 At least one copy of the printed material proposed to be distributed must be submitted at the time the request is made.

.02 If approval is granted for distribution of such printed material, the time, place, and method of distribution shall be as determined by the Association President.

.2 Solicitations for any purpose shall not be permitted on the Conference Floor, except for causes which serve a statewide purpose of the Association and which have been approved for solicitation at a specific Conference by a two-thirds vote of the Board of Directors.

.3 The sale of goods or other solicitation at the Conference site shall be restricted to:

.01 Official CSEA pins and emblems.

.02 CSEA store merchandise.

.03 Tickets for sanctioned prize drawings approved by the Board of Directors.

.04 Political action fundraisers to benefit the PACE of CSEA.

.05 Donations to the CSEA Dorothy Bjork Assistance Fund.

.06 CSEA fundraising promotions approved by the Association President.

The Board of Directors may set such registration or booth rental fees as it may deem appropriate for Conference participation under this section.

.4 Participation at Conference by sponsored or approved benefit providers, or other outside interests shall be subject to the Association President's approval.

.01 Benefit providers and other outside interests may be invited by the Association President to promote their programs or services as deemed appropriate.

.02 "Other outside interests" shall mean and shall be limited to:

(a) Other organizations within the educational or labor communities as invited by the Association President.

(b) Other organizations with which CSEA is affiliated.

.03 The Board of Directors may set such registration or booth rental fees as it may deem appropriate for Conference participation under this section.

.04 Nothing in this policy shall preclude any vendor, sponsored benefit provider, or approved benefit provider from contributing materials, goods, or services to Conference in exchange for booth or demonstration space at the event. However, all such transactions shall be subject to the Executive Director's review and periodic reporting to the Board of Directors.

.5 **Definitions:**

.01 "Conference Site" is defined as the convention facility wherein Conference business sessions are held, and its attendant rooms, hallways, entrances, and grounds.

.02 "Conference Floor" is defined as the area where Conference business sessions are conducted.

.6 Distribution of campaign materials shall be restricted as provided by Policy Section 203.9 and Association Standing Rule "A."

119 CONFLICT OF INTEREST/VENDOR RELATIONSHIPS/MEMBER BENEFITS PROGRAMS

Adopted November 1986 – Revised August 2023

.1 For the purposes of this section a "vendor" is an entity which provides materials, goods, or services to the Association acting as a business entity. For the purposes of this section a "benefit provider" is an entity which delivers direct benefits to members.

.2 CSEA's policy of purchasing practices shall be to give primary consideration to the economic interests of the Association and to purchase the best value obtainable and secure the maximum benefit for each dollar expended while giving equal opportunity to all qualified vendors to participate in the Association's purchasing process.

.3 **Procedures Governing Relations between Association Representatives and Vendors of Materials, Goods, and Services.** All CSEA representatives who are responsible for procurement of materials, goods, or services shall maintain good working relationships with vendors. They shall encourage vendor cooperation to improve service to the membership and aid in the suggestion of new products or programs.

.01 Orders are to be placed on the basis of quality, price, and delivery, with past services a factor if all other considerations are equal.

.02 Site selection for Association meetings shall be made based on the primary criteria of whether the facility is a union house. If a union facility is not available for the desired area/date, a non-union facility may be used provided the city's central labor council or other appropriate union has not placed it on a "do not patronize" list. If an appropriate facility cannot be obtained utilizing the above criteria, another location and/or date shall be selected.

.03 Representatives of CSEA shall not solicit or accept gifts for the benefit of the Association in the form of materials, goods, services, or money from any vendor or potential vendor without prior approval of the Executive Director, Association President, or their designees.

.04 Representatives of CSEA shall not solicit or accept gifts for personal gain in the form of materials, goods, services, or money from any vendor or potential vendor.

(a) This provision shall not prohibit a business meal in the normal course of business.

(b) This provision shall not prohibit the acceptance of marketing materials or other items of nominal monetary value the vendor generally makes available to others.

.4 **Authority to Purchase**

.01 Purchases of budgeted materials, goods, or services for the operation of the Association which have been approved shall be made by the Executive Director or designee.

.02 Unbudgeted purchases of materials, goods, or services must be approved by the Board of Directors.

.03 Vendors shall be instructed to deal only with or through personnel designated by the Executive Director or the Board of Directors.

(a) No purchase commitments shall be made by employees of the Association unless authority has been granted by the Executive Director or designee.

(b) No purchasing commitments shall be made by individual members of the Board of Directors unless authority has been granted by action of the Board of Directors.

.5 Vendors with whom CSEA does business shall be informed of the nature and scope of this policy.

.6 **Conflict of Interest.** No employee or elected or appointed official of the Association shall have any interest, financial or otherwise, directly or by family members in, or engage in any business or financial transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of the duties of the Association. For the purpose of effectuating the foregoing policy the following standards shall apply:

.01 No employee or elected or appointed official shall make personal investments in enterprises which said employee or official knows or could reasonably be expected to know may be affected by decisions in which the employee or official is involved; no employee or elected or appointed official shall make personal investments that may create substantial conflict between the duty to serve the Association's interest and the employee's private interest.

.02 No employee or elected or appointed official of the Association serving as a representative of the Association shall engage in any transaction with any business entity in which said employee or official has a direct or indirect interest.

.03 No employee or elected or appointed official shall directly or indirectly sell materials, goods, or services to the Association other than those specified in a contract of employment.

.04 No employee or elected or appointed official of the Association shall accept any other position which will impair independence of judgement in the exercise of said employee or official's duties.

.05 No employee or elected or appointed official of the Association shall disclose or otherwise use confidential information gained by reason of an Association position to further a personal interest.

.06 Employees who represent the interest of CSEA in endorsed Member Benefits programs by participating in the governance and other related activities of the firms involved with those programs may receive reimbursement for the necessary and actual expenses incurred in fulfilling their responsibilities.

.7 **Member Benefits Programs**

.01 "Sponsored" Insurance Programs

(a) To the extent possible, approved insurance programs shall operate on a statewide basis to utilize Association resources efficiently to maximize benefits for all members.

(b) All plans of insurance being considered for approval shall be competitively bid to the extent possible. Approval of all new plans of insurance must be reviewed by the Member Benefits Committee and approved by the Board of Directors.

(c) Companies bidding on insurance plans must agree in writing to:

(1) Maintain an A.M. Best rating of "A" or higher and an S&P rating of "AA" or higher (or as accepted by the Union Plus program) on all insurance products it sells to CSEA, or be licensed by the California Department of Corporations.

(2) Agree to acquire and maintain comprehensive liability insurance, including protective liability as will adequately protect CSEA against all damages, liability, claims, losses and expenses, including attorneys' fees, arising from any negligent act or omission of company, and to provide to CSEA proof of such coverage in effect throughout the period of sponsorship.

(3) Agree to an annual marketing arrangement with the Association to adequately promote the plans or products it offers members. This includes attendance at CSEA's Annual Conference as well as other statewide events, as required.

(4) Agree to an annual review by the Member Benefits Committee which will include statistical data on the number of members, claims experience, and all other information required by the Member Benefits Committee for its review.

(5) Agree to provide statistical data, including the disclosure of all commissions and other fees paid from the plan in order for CSEA to comply with the filing of 5500 forms with the IRS annually.

(6) Employ salaried agents.

(7) Agree to the dispute resolutions process as adopted by the Member Benefits Committee.

(8) Execute a written agreement which sets forth the terms and conditions of the relationship and the services to be provided.

(d) Chapter Programs:

(1) Chapters are prohibited from entering into any agreement or arrangement for any benefit program or insurance plan funded by or from chapter dues. "Benefit program or insurance plan" means any plan, fund, or program providing for medical, surgical, hospital care or benefits, accident, disability, death, life, cancer, and pension or annuity benefits. This is done to protect chapters from potential liability.

(2) Chapters shall not endorse, approve, or otherwise promote voluntary plans of insurance that are not available through or sponsored by the Association or that otherwise appear on a boycott list.

.02 "Approved" Consumer Discount Programs

(a) The Association may grant companies approval for consumer discount programs.

(b) Companies seeking approval of programs shall:

(1) Offer a feature exclusive to CSEA members in exchange for CSEA's approval to promote their program.

(2) Agree to an annual marketing arrangement with the Association to adequately promote the plans or products they offer members. This includes attendance at CSEA's Annual Conference and other statewide events as requested.

(3) Agree to an annual review of their programs.

(c) Chapters shall promote all consumer discount programs.

(d) There are certain programs that carry exclusivity within the agreement with CSEA where it has been mutually agreed that no competing company shall have the right to promote a similar program unless approved by the Association. Chapters are free to promote local programs provided that they do not violate an exclusivity agreement entered into by the Association.

(e) The Director of Member Benefits or designee shall generate regular General Information Bulletins outlining approved consumer discount programs and whether or not there is exclusivity to the program(s).

.03 Discounts, Tickets, and Certificates

(a) Member Benefits is responsible for maintaining amusement park, entertainment, and such other discounts, tickets, and certificates.

(b) The Director of Member Benefits shall, at the discretion of the Executive Director, present to the Board of Directors an update on existing or new programs under this section.

(c) Chapters are encouraged to solicit discounts/benefits available through local merchants, such as restaurants, book stores, etc., except those on a sanctioned boycott list or those which are subject to an exclusivity agreement entered into by the Association

.04 Any lawful labor dispute between a company the Association does business with and a local union, labor council, California Labor Federation, or AFL-CIO, shall be presented to the Board of Directors at its next regularly scheduled meeting. The Board of Directors shall determine whether the company should be removed from the program until such time as the dispute is resolved. Upon approval of the Board of Directors to remove a company from the program a General Information Bulletin shall be issued notifying the leadership of the company's removal.

.05 Promotional Goods

(a) Representatives of CSEA shall not solicit or accept gifts for the benefit of the Association in the form of materials, goods, services, or money from any benefit provider or potential benefit provider without prior approval of the Executive Director, Association President, or their designees.

(b) Representatives of CSEA shall not solicit or accept gifts for personal gain in the form of materials, goods, services, or money from any benefit provider or potential benefit provider.

(1) This provision shall not prohibit a business meal in the normal course of business.

(2) This provision shall not prohibit the acceptance of marketing materials or other items of nominal monetary value the benefit provider generally makes available to others.

(c) It is understood that in addition to any marketing package agreed to by a benefit provider, there may be times that a provider is asked to donate or contribute materials, goods or services to Association events in exchange for space or presentation time at an event, or advertising space in CSEA publications or on its website. However, all such donation requests shall be processed through the Member Benefits Department and subject, at the discretion of the Executive Director, to periodic reporting to the Board of Directors.

(d) Under no circumstances shall competing companies be solicited to donate or contribute materials, goods or services by representatives of CSEA.

.8 This policy is intended to supplement, and not to supersede or displace, any conflict of interest policy or disclosures required by law or Board policy.

120 AUTHORITY TO EXECUTE CONTRACTS

Adopted October 1989 – Revised July 2014

.1 All contracts shall be submitted to the Chief Counsel for review by the Legal Department prior to submission to the Executive Director.

.2 All contracts binding the Association which exceed $30,000 shall require the signature of the Executive Director or designee. All such contracts shall be approved by the Board of Directors.

.01 This provision shall not apply to renewal of contracts previously approved by the Board of Directors.

.02 Contracts budgeted for in the Association's approved annual budget shall be deemed approved by the Board of Directors.

.3 This policy shall apply to all contracts relating to property conveyances, leases, financial notes and loans, investments, Association sponsorship of health and welfare and insurance programs, employment of consultants, broker agreements, and purchase/lease agreements for capital equipment.

.4 Purchases of materials, goods, and services necessary to the day-to-day operations of the Association and purchase/lease agreements for capital equipment totaling $30,000 or less from any one vendor, shall be governed by Policy 119.3.

121 INVESTMENT POLICY

B-VII,3
B-VIII,3
P-1005

Revised August 2023

.1 **Scope**

This policy applies to the investment activities of the California School Employees Association (CSEA). It is intended to establish the objectives and criteria for the investment of both long-term and short-term funds for CSEA's funds and for those for which CSEA has a fiduciary duty.

This applies to daily operating funds, restricted funds of any nature, and trust funds for which CSEA has investment responsibility.

.2 **Delegation of Authority**

Management of CSEA's investment program shall be as follows:

.01 The Board of Directors, through its Investment Committee and the Chief Financial Officer, and with the assistance of an Investment Management Consultant, shall develop investment policies as it considers appropriate and prudent for the investment management of assets for which it has responsibility. The Investment Policies shall be reviewed periodically by the Investment Committee but not less than annually.

.02 The Chief Financial Officer shall have the responsibility to develop a Request for Proposal (RFP) process through which a qualified registered Investment Manager(s) shall be selected. The process will include input from the Investment Management Consultant, Board, Members, and Staff.

.03 The Chief Financial Officer and the Investment Management Consultant are charged with implementation of the investment management program designed to fulfill the investment Policy adopted by the Board.

The role of the Board of Directors shall be to concentrate on policy and general guidelines for the investment program. Management of the investment portfolio shall be the primary responsibility of the Investment Manager(s) and/or the Chief Financial Officer. However, the Investment Committee appointed by the Association President will have primary responsibility for monitoring, through regular reports and meetings, the qualitative and quantitative results achieved by the Investment Manager Consultant and the Chief Financial Officer in fulfilling CSEA's objectives.

.04 The Chief Financial Officer shall be responsible for the everyday relations with and communication of any and all policy decisions to the Investment Management Consultant and/or Investment Manager.

.05 Funds shall not be transferred or expended out of the Inflation Reserve Account without advance approval of the Board of Directors or the Conference delegates.

.3 **Objectives**

CSEA's Investment Goals (ultimate result of investment of funds) will vary with the individual account or "fund" established. It is guided by the basic investment objectives outlined below:

.01 **Safety.** Safety of principal is the primary objective of specific portfolio, this requires actions to preserve the capital in the structure of the portfolios.

.02 **Liquidity.** Sufficient funds to meet contingencies and/or a liquidity plan to meet specific future withdrawals.

.03 **Diversification.** The selection of the portfolio of specific investments is to reflect diversification by asset type, issuer, and maturity depending on the nature of the "fund" and its objectives.

.04 **Return on Investment.** It would be appropriate for each of the selected funds to "perform" (proportionately) at or above a rate comparable to an appropriate market Index.

.05 **Daily Cash Balances.** The Chief Financial Officer is charged to assure the best possible return commensurate with risk and liquidity considerations and provide available cash as needed.

.4 **Standards of Care**

.01 **Prudence.** The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolios. Investments shall be made with judgment and care which persons of prudence, discretion, and intelligence exercise in the management of their own affairs.

.02 **Ethics and Conflict of Interest.** Managers and officers involved with the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or could impair their ability to make impartial investment decisions.

.5 **Fund Guidelines**

Operating within the basic objectives set forth above, it is necessary to set the objectives based upon the specific needs of each separate investment portfolio(s). Since the purpose of each portfolio is different, the priority of objectives may be different in each case, particularly in the case of the risk profile and liquidity requirements.

Following is a restatement of the objectives and their priority for each of CSEA's portfolios:

.01 **Restricted Funds** (Includes any newly Board-designated funds until a specific policy is set.)

Goal: Provide funds for acquisition of capital equipment, buildings, and improvements.

Safety: Willing to accept modest short-term declines over a market cycle.

Liquidity: Such that needs for funds can be met in a short term.

Income Growth: To offset inflation in construction/asset costs.

.02 **Errors and Omissions Fund**

Goal: To provide funds to meet claims and costs arising from legal actions (or threatened actions) against CSEA for errors and/or omissions of appointed and elected officers.

Safety: Willing to accept modest to short-term declines over a market cycle.

Liquidity: Such that needs for funds can be met in a short term.

Income Growth: Current income with conservative to moderate capital growth.

.03 **Chapter Arbitration Fund**

Goal: To provide funds to be available to settle disputes through a negotiated resolution process.

Safety: Willing to accept modest to short-term declines over a market cycle.

Liquidity: Such that needs for funds can be met in a short term.

Income Growth: Current income with conservative to moderate capital growth.

.04 **Pension and Post-Retirement Funds**

Goal: To provide funds to provide guaranteed pension and retirement benefits while reducing the costs to CSEA.

Safety: Willing to tolerate substantial and possibly frequent short-term declines over a market cycle.

Liquidity: Provide funds for monthly payments to retirees.

Income Growth: To match the growth assumptions in the respective plan model.

.05 **Daily Cash Balances**

Daily cash funds shall be consolidated for highest return on investment.

Goal: To provide funds to be available for daily operations.

Safety: Provides an opportunity for wide flexibility.

Liquidity: Such that needs for funds can be met in a very short term.

Income Growth: To match or exceed short-term, low-risk investment rates.

.06 **Inflation Reserve Account**

Goal: Preserve the purchasing power of cash reserves by providing returns in excess of the average rate of inflation.

Safety: Willing to accept modest short-term declines over a market cycle.

Liquidity: Such that needs for funds can be met in a short term.

Income Growth: To offset inflation utilizing a long-term return target of 5% (net of fees and expenses).

.6 **Diversification and Suitable Investments**

In order to develop a balanced investment program, all assets shall be classified as Equity, Fixed Income, or Cash/Cash Equivalents.

"Equity": (which includes stocks) is an ownership interest with non-guaranteed income and non-guaranteed return on investment. Usually considered to be a more volatile holding reflecting the economic condition/growth of the country.

"Fixed Income": usually bonds or similar evidences of debt which includes a promise to pay interest at a fixed rate and/or a principal amount at maturity. Also usually of a longer term than the following "cash/cash equivalents."

"Cash/Cash Equivalents": cash or items readily and immediately convertible into cash. Includes U.S. Treasury bills, other federal or federally guaranteed obligations, certificates of deposit, commercial paper, etc. with maturities of one year or less and an average maturity not to exceed 180 days.

The overall asset mix will be managed within the following ranges:

Fund	Equity	Fixed Income	Cash/Cash Equivalents
(Special) Restricted	50% +/- 25%	50% +/- 25%	< = 10%
Errors and Omissions	50% +/- 25%	50% +/- 25%	< = 10%
Chapter Arbitration	50% +/- 25%	50% +/- 25%	< = 10%
Pension & Post Retirement Funds	50% +/- 34%	50% +/- 50%	< = 10%
Cash Balances	< = 25%	< = 100%	< = 100%
Inflation Reserve Acct	25% +/- 25%	75% +/- 25%	< = 50%

.7 **Investments and Trading**

CSEA's portfolios, with the exception of the Pension & Post-Retirement Plan having a much longer time horizon, shall be limited to publicly traded equities and fixed income securities. Specifically, investments in each of the following categories shall be made within the following guidelines:

.01 **Cash/Cash Equivalents and Fixed Income**

(a) **Permissible Investments**

U.S. Government, Government Secured, and/or Agency Issues
Insured Certificates of Deposit
High Quality or Investment-grade Corporate Bonds rated BBB or better
Bond funds investing in any of the above securities with an average rating of BBB or better
Non-Investment Grade Fixed Income securities rated less that BBB as long as the portfolio average is BBB or better
Bond Funds investing in Non-Investment Grade Fixed Income Securities as long as the fund average is BBB or better
International Fixed Income
Emerging Markets Fixed Income
Floating Rate Bank Loans

(b) **Prohibited Investments**

Any securities or firms on CSEA's "Do Not Patronize" list
Direct investment in any country where the United States Government has called for sanctions for human rights violations
Any Margin Transactions

.02 **Equities**

(a) **Permissible Investments**

Mutual Funds investing in domestic and international equity securities
Common Stocks traded on U.S. and/or foreign Exchanges
Preferred or Convertible Preferred Stocks
Equity Funds traded on U.S. Exchanges, which invest internationally
Government Guaranteed Real Estate Mortgage Funds
Equity Real Estate-direct ownership or via MLP, Mutual Fund, and/or collective Trust Fund.
Private Equity Fund of Funds

(b) **Prohibited Investments**

Letter or Restricted Stocks
Commodity Futures
Speculative Options
Direct investment in any country where the United States Government has called for sanctions for human rights violations
Any Margin Transactions
Any securities or firms on CSEA's "Do Not Patronize" list

.03 **Diversification**

In no case should more than 5% of CSEA's assets be invested in any one security other than U.S. Government obligations. Subject to the above guidelines, Investment Manager*s* have full discretion to choose the securities appropriate to CSEA. The Investment Manager*s* should always seek the best price and execution when making trades.

.04 **Risk**

The risk accepted by the investment in any security should be no greater than indicated by the investment objectives outlined above.

.8 **Custodial Bank/Investment Manager(s) Reporting**

The Investment Manager*s* (and/or Custodial Bank and/or Directed Trustee) shall provide quarterly reports, which shall include the following:

Portfolio Statement
- Summary of proportions and types of investments
- Current statistical information on each holding

Cash Flow
Detail of Monthly Income for the Fiscal Year
Listing of Purchase and Sale Transactions for the Period
Schedule of Realized Gains and Losses
Performance History including appropriate comparisons to market indices

The Annual Report for the end of the fiscal year (May 31) shall include the above information for a twelve-month period. A copy of the report shall be submitted directly to CSEA's independent auditor.

CSEA will receive from its Investment Manager*s* and/or brokerage firm*s* all original confirmations of trades and monthly statements of account. The Investment Manager*s* shall receive copies directly from the brokerage firm*s*.

The Investment Manager*s* will meet with CSEA's Investment Committee and/or the Board of Directors upon request.

.9 **Safeguarding of Investments**

CSEA's investment assets shall be held by either CSEA's commercial bank (in their Trust Department) or in a security account at a major national brokerage firm that maintains appropriate insurance coverage on CSEA's assets. It shall be the responsibility of CSEA's Chief Financial Officer to vote such proxies as may be received unless such authority is delegated by the Investment Committee to either 1) the respective investment managers; or 2) a company retained by the Investment Committee specifically for the purpose of voting all proxies.

.10 **Investment Committee**

CSEA's Investment Committee shall be a subcommittee of the Board, consisting of a minimum of three (3) board members appointed annually by the Association President. The Association President, may appoint one additional member from the membership at large to serve on the committee. The Association President shall be an ex-officio member of the committee.

The responsibility of the Investment Committee shall be to meet with the Chief Financial Officer and the Investment Management Consultant on an as-needed basis, but not less than once annually. The committee shall review the Investment Management Consultant's reports, monitor the operations of the investment portfolios, and recommend any changes in policy and/or procedure as it deems appropriate to the Board of Directors.

It is also the responsibility of the committee to review and recommend the selection of the Investment Manager(s) to the Board. The committee shall retain the Investment Management Consultant contract to provide an independent evaluation of the performance of the Investment Manager(s) against accepted performance and risk measures. This information shall be reviewed on a regular basis to be determined by the Investment Committee.

122 PROCEDURE FOR IMPLEMENTING BOYCOTTS

Adopted April 1992 – Revised August 2023

The Association recognizes that, in order to safeguard, advance and promote the principle of free collective bargaining in a democratic society (as stated in Article I, Section 2 of its Constitution), it is prudent at times to support the concerted actions of members of other labor organizations engaged in legitimate labor disputes with employers through boycott activities. It may also be prudent strategy to undertake boycott activities against companies or organizations which are engaged in activities detrimental to the welfare of the Association and its membership.

.1 All boycott activities undertaken by the Association shall be determined by this policy or action of the Association's Board of Directors as herein provided. Chapters of the Association shall not undertake or encourage boycott activities for any purpose independent of such action by the Board of Directors.

.2 **Support of Other Unions Engaged in Boycott Activity**

.01 The boycott lists (do not patronize lists) of the AFL-CIO and California Labor Federation (CLF) shall be incorporated into CSEA's boycott list.

.02 Requests of other unions for CSEA's support of boycott activities must be submitted in writing to the Executive Director. Chapters or other leadership receiving such requests shall immediately forward the same to the Executive Director for action under this section.

(a) The Executive Director shall cause an immediate investigation to be made to determine the following:

(1) The nature of the labor dispute leading to the boycott.

(2) Whether the national affiliate (parent organization) of the labor union engaged in boycott activities has sanctioned the boycott.

(3) The specific identity of each business or product subject to boycott, and the basis for directing suggested boycott activities against said business or product.

(b) Based upon the above investigation, the Executive Director shall submit a detailed report to the Board of Directors, together with a recommendation as to whether the Association should participate in said boycott.

If the Executive Director's recommendation is for support of the boycott, it shall identify the extent of CSEA's support—i.e., identify the specific companies and/or products which CSEA members are asked to boycott, and the specific activities which CSEA members and chapters will be requested to undertake.

.3 **Boycotts of Organizations Which Undertake Actions Detrimental to the Association and its Membership**

.01 The Board of Directors may take action to encourage boycott activities by the CSEA membership against a company or organization which engages in actions having an anti-labor or anti-public employee animus and that are deemed to be detrimental to the Association and its membership.

The Board may direct the Executive Director to request AFL-CIO support on CSEA boycotts.

.02 All matters relating to proposals for such boycott activities shall be referred in writing to the Executive Director, who shall cause an immediate investigation to be made to determine the following:

(a) Verify the specific actions alleged as being detrimental to CSEA.

(b) Identify the specific business(es) or product(s) of the company that would be subject to boycott by the membership, and the basis for directing suggested boycott activities against said business or product.

.03 Based upon the above investigation, the Executive Director shall submit a detailed report to the Board of Directors, together with a recommendation as to whether the Association should engage in such a boycott.

(a) If the Executive Director's recommendation is for engagement in a boycott, it shall identify the specific companies and/or products which CSEA members are asked to boycott, and the specific activities which CSEA members and chapters will be requested to undertake.

.4 If the Board approves the boycott action, the Executive Director shall send appropriate notices to the union(s), organizations, and company(ies)/business(es) involved, and appropriate information shall be disseminated to the membership as directed by the Board.

.5 The Executive Director shall keep the Board informed regarding approved boycott actions, including progress or lack thereof towards resolution of the causative labor disputes where appropriate, and shall recommend cessation of CSEA's action when deemed appropriate.

123 CSEA WEBSITES AND SOCIAL MEDIA **SR-J**

Revised March 2023

.1 **Purpose:** The Association will provide a basic website and website tools for member leaders defined by this policy in order to enhance their communications abilities and assist them in carrying out their mission for the Association in an effective manner. This policy is enacted to set forth standards of acceptable use for such websites and also social media used in the name of the Association. Each of the entities defined by this policy shall be responsible for monitoring their respective websites and social media and will be held accountable for the content therein through this policy.

.2 Definitions:

.01 "CSEA website" is defined under this policy as the website provided by the Association for Area Directors, Standing Committees, the Retiree Unit Executive Board, District Directors, Regional Representatives, Chapters, and Retiree Councils.

.02 "CSEA social media" is defined under this policy as any official web presences maintained using the name of the Association, its logo, and trademarks by Area Directors, Standing Committees, the Retiree Unit Executive Board and District Directors, Regional Representatives, Chapters, and Retiree Councils.

.3 The Association recognizes only the CSEA website and CSEA social media. Only those entities defined by section 123.2 above as CSEA websites and CSEA social media may use the name of the Association, its logo, and trademarks with the respective web presences as defined. Only the CSEA website and CSEA social media may be referenced or published in official communications. A violation of this provision constitutes conduct subject to charge under Policy 613.

Exception: Members utilizing social media who identify themselves individually (not representing their social media presence as an entity defined as CSEA Social Media) shall be permitted to use the name, logo, and trademarks of the Association so long as it's used in a manner that reflects positively on the Association. In addition, the CSEA name and logo may not be altered in any way, nor may the logo be resized in a way which changes the original proportions.

.4 In recognition of the fact that information on the Internet can be read, copied and redistributed by any person who has access to the Internet, a CSEA member's contact information shall not be published on a CSEA website or CSEA social media without the member's prior permission.

.5 CSEA websites shall not be used to promote or advertise any individual's candidacy for any elected office within CSEA at any level. CSEA social media may not be used by candidates and their designees to distribute and/or post campaign materials unless such distribution is approved by the responsible entity under section 123.2 above. Distribution and/or posting privileges on CSEA social media, if provided to one candidate, must be accorded all other candidates on an equal basis and the responsible entity under section 123.2 above must provide written notice to all candidates within twenty-four (24) hours upon approval.

.01 Posting a newsletter to a CSEA website or CSEA social media which happens to include campaign materials already duly approved through processes in other policies does not constitute a violation of this section.

.02 A candidate for CSEA office may use other non-CSEA social media for their campaign but only if the social media is explicitly identified as such and the candidate shall then be limited to using the name of the Association only to identify the office for which they're a candidate but shall not otherwise use the CSEA shield or any other identification that would tend to denote Association sanction of the materials or endorsement of the candidacy.

.6 **CSEA Websites.** CSEA websites are considered official publications of the Association and must comply with all the policies and procedures of the Association.

.01 The Association President will cause the immediate suspension of a CSEA website if the content is detrimental to the Association or violates any Association policy. This action shall be ratified by the Board of Directors.

The responsible entity will be notified in writing within fifteen (15) days of the website suspension. This notice shall outline the reasons for the suspension and what the responsible entity must do to have the CSEA website reactivated.

.7 **CSEA Social Media.** All CSEA social media presences are considered official publications of the Association and must comply with all the policies and procedures of the Association.

.01 Upon separation from office, an officer responsible for CSEA social media shall immediately turn over to their successor or other properly designated CSEA official all login credentials for CSEA social media.

.02 All speech on CSEA social media is subject to the same duties of loyalty to CSEA and other similar restrictions under Policy 613 and any violations thereof shall be addressed through that policy.

.8 A resource produced by the Association shall be made available to all members to assist in complying with the rules and procedures of this policy.

124 STALE-DATED CHECKS

Revised October 2008

.1 Checks issued by CSEA will be voided six (6) months after their issue date.

.2 CSEA may reissue unpaid checks upon request of the payee; however, any bank fees, including stop payment charges, will be deducted from the amount, unless the Association is legally prohibited from making the deduction.

Chapters and members shall be required to submit an Authorization Agreement for Automatic Deposits (Credits) form prior to the reissue of funds to the chapter or members.

125 RETURNED CHECKS

Adopted July 2002

.1 The amount of a returned check, plus bank and collection fees, returned by the issuer's financial institution unpaid will be deducted from any expense reimbursement checks due to the issuer. If the funds cannot be recovered by deduction from an expense reimbursement, then CSEA will attempt to collect the debt including sending the debt to a collection agency for recovery.

.2 Persons who have not honored returned checks issued to CSEA will not be allowed to issue checks to CSEA for payment until the debt, including charges and fees, is cleared.

126 CSEA SHIELD

Adopted December 2002 – Revised March 2016

.1 The CSEA Shield shall be described as:

On a field of royal blue, a gold California brown bear stands at the honor point facing left. Under the bear, a gold ribbon with "CSEA" running across from left to right. At the middle base, a gold wreath with two branches (with ten leaves each) crossed lifted toward the top. "AFL-CIO" shall be placed below the shield in a simple sans serif font.

.2 The CSEA Shield may only be used in a manner that reflects positively on the Association. The Shield may not be resized in a way which changes the original proportions.

127 CSEA DELEGATES/ALTERNATES TO AFL-CIO CONVENTION

Revised August 2023

.1 **Intent**

This policy provides a procedure to select CSEA's delegates and alternates at applicable AFL-CIO Conventions.

.2 **Selection System**

.01 CSEA delegates and delegate alternates to AFL-CIO conventions shall be selected by a subcommittee of the Board of Directors. The Board of Directors shall ratify the selected delegates and alternates.

.02 **Application Process.** Application forms shall be available for CSEA delegates at CSEA Annual Conferences. In addition, the application form shall be distributed via a General Information Bulletin (GIB) and available on the CSEA website. The forms shall be due at least four months before the AFL-CIO Convention.

.03 **Delegates**

(a) The Association President is an automatic delegate. The Association President or designee shall be the chairperson of the CSEA delegation.

(b) The 1st and 2nd Vice Presidents are automatic delegates. If the office of 1st Vice President or the office of 2nd Vice President is vacant, the Association Secretary shall be an automatic delegate.

(c) The AFL-CIO Vice President from CSEA shall be an automatic delegate.

(d) The Board shall select one (1) additional Board member, by lot, to attend as a delegate. If there is no AFL-CIO Vice President from CSEA, another Board member shall be selected, by lot, to attend as a delegate.

(e) Additional delegates shall be selected from the membership-at-large, from the eligible member applicants, in a number that provides no more than the remainder of CSEA's total delegate entitlement. Board members are not eligible for the membership-at-large delegate seats.

.04 **Delegate Alternates**

(a) Delegate alternates shall be selected from the Board of Directors by lot and from the membership-at-large from the eligible member applicants in a number to be determined by the Board of Directors. Delegate alternates shall attend the AFL-CIO Convention.

.3 **Criteria**

.01 To be eligible, members must have maintained Active (or Active Retired) membership in good standing in CSEA, including the Retiree Unit, for at least three (3) years prior to their selection. Active membership in good standing must also be maintained from selection through the duration of the AFL-CIO Convention. During these three (3) years, the member must have been involved in CSEA activities at the chapter (or retiree council), regional (or retiree district), and/or Association level.

.02 Must have attended a CSEA Annual Conference as a delegate at least once in the five (5) year period prior to the AFL-CIO Convention.

.03 Must be available to attend the entire AFL-CIO Convention.

.04 Must be able and willing to be an "ambassador" for CSEA. To this end, the delegate should be articulate, assertive, and accountable; must be knowledgeable about CSEA programs, issues, and political agenda; and must have displayed loyalty to CSEA.

.4 **Diversity**

The Association shall strive to achieve a diverse delegation to AFL-CIO Conventions. The Application form shall contain a statement stating this goal.

.5 **Expenses**

The Association shall pay travel, housing, per diem, and registration fees per Association Policies 113, 114, and 115. The Association shall provide paid release time for delegates and alternates.

.6 **Orientation**

Prior to the AFL-CIO Convention, all delegates and alternates shall attend an orientation on CSEA's issues and political agenda. The chairperson of the delegation shall review the Convention's agenda and discuss the AFL-CIO/CSEA relationship.

.7 **Delegate and Delegate Alternate Removal**

If the Association President becomes aware of any circumstance that may necessitate the removal of a delegate (or delegate alternate) selected from the membership-at-large, the Association President shall cause the matter to be immediately investigated. If the investigation results in a recommendation to remove the delegate (or delegate alternate), the President shall notify the delegate (or delegate alternate), via certified mail to the delegate's last known address, of the findings and recommendation.

The delegate (or delegate alternate) shall be given the right to refute the findings and recommendation. The refutation must be in writing and received by the Association President within ten (10) working days of the postmark date of the notification.

No later than the next regular Board meeting, the Association President shall provide a copy of the findings/recommendation and refutation (if provided) to the Board of Directors for final action.

The Association President shall notify the delegate (or delegate alternate), via certified mail, within five (5) working days of the Board's final action.

.8 **Report**

The Association President shall select a member from CSEA's delegation to make a report to the Board and to the membership at a subsequent Board meeting.

128 CSEA DELEGATES/ALTERNATES TO CALIFORNIA LABOR FEDERATION CONVENTION

Revised August 2023

.1 **Purpose.** This policy provides a procedure to select CSEA's delegates and alternates at applicable California Labor Federation (CLF) conventions.

.2 **Selection System**

.01 CSEA delegates and delegate alternates to CLF conventions shall be selected by a subcommittee of the Board of Directors. The Board of Directors shall ratify the selected delegates and alternates.

.02 **Application Process.** Application forms shall be available for CSEA delegates at CSEA Annual Conferences. In addition, the application form shall be distributed via a General Information Bulletin (GIB) and available on the CSEA website.

.03 **Delegates.**

(a) The Association President is an automatic delegate. The Association President or designee shall be the chairperson of the CSEA delegation.

(b) The 1st and 2nd Vice Presidents are automatic delegates. If the office of 1st Vice President or the office of 2nd Vice President is vacant, the Association Secretary shall be an automatic delegate.

(c) The Board shall select two (2) additional Board members, by lot, to attend as delegates.

(d) Additional delegates shall be selected from the membership-at-large, from the eligible member applicants in a number that provides no more than the remainder of CSEA's total delegate entitlement. Board members are not eligible for the membership-at-large delegate seats.

.04 **Delegate Alternates.**

(a) Delegate alternates shall be selected from the Board of Directors by lot and from the membership-at-large from the eligible member applicants in a number to be determined by the Board of Directors. Delegate alternates shall attend the CLF Convention.

.05 **CLF COPE Conventions.**

As assigned, selected delegates shall also attend CLF COPE (Committee on Political Education) Conventions.

.3 **Criteria**

.01 To be eligible, members must have maintained Active (or Active Retired) membership in good standing in CSEA, including the Retiree Unit, for at least three years prior to their selection. Active membership in good standing must also be maintained from selection through the duration of the CLF Convention. During these three (3) years, the member must have been involved in CSEA activities at the chapter (or retiree council), regional (or retiree district), and/or Association level.

.02 Must have attended a CSEA Annual Conference as a delegate at least once in the five (5) year period prior to the CLF Convention.

.03 Must be available to attend the entire CLF Convention.

.04 Must be able and willing to be an "ambassador" for CSEA. To this end, the delegate should be articulate, assertive and accountable; must be knowledgeable about CSEA programs, issues and political agenda; and must have displayed loyalty to CSEA.

.4 **Diversity**

The Association shall strive to achieve a diverse delegation to CLF Conventions. The Application form shall contain a statement stating this goal.

.5 **Expenses**

The Association shall pay travel, housing, per diem, and registration fees per Association Policies 113, 114, and 115. The Association shall provide paid release time for delegates and alternates.

.6 **Orientation**

Prior to the CLF Convention, all delegates and alternates shall attend an orientation on CSEA's issues and political agenda. The chairperson of the delegation shall review the convention's agenda and discuss the CLF/CSEA relationship.

.7 **Delegate and Delegate Alternate Removal**

If the Association President becomes aware of any circumstance that may necessitate the removal of a delegate (or delegate alternate) selected from the membership-at-large, the Association President shall cause the matter to be immediately investigated. If the investigation results in a recommendation to remove the delegate (or delegate alternate), the President shall notify the delegate (or delegate alternate), via certified mail to the delegate's last known address, of the findings and recommendation.

The delegate (or delegate alternate) shall be given the right to refute the findings and recommendation. The refutation must be in writing and received by the Association President within ten (10) working days of the postmark date of the notification.

No later than the next regular Board meeting, the Association President shall provide a copy of the findings/recommendation and refutation (if provided) to the Board of Directors for final action.

The Association President shall notify the delegate (or delegate alternate), via certified mail, within five (5) working days of the Board's final action.

.8 **Report**

The Association President shall select a member from CSEA's delegation to make a report to the Board and to the membership at a subsequent Board meeting.

129 EXHAUSTION OF INTERNAL REMEDIES AND DEADLINES TO FILE CLAIMS

Revised June 2023

.1 The internal remedies provided by this Policy Handbook must be exhausted before a member, chapter or Association or their officers or staff ("covered party") sues another covered party over a claim for which a remedy may be provided by such internal proceeding, except to the extent the Association is barred by law from requiring such exhaustion.

.2 If a covered party violates this exhaustion requirement, that party shall be liable for the other party's attorney fees and expenses in any action filed before exhausting all internal remedies, unless such fee award is barred by law.

.3 The statute of limitations shall not advance during the time internal remedies are pursued.

.4 If CSEA has a tort or contract claim against a member, or a member has such a claim against CSEA or any of its agents, then suit on such claim must be brought within six months of when the claimant knew or should have known of the essential facts supporting the claim, except for tolling under Section 129.3 above.

200
BOARD OF DIRECTORS

201 GENERAL POLICY C-VI

Revised August 2023 B-I,7

.1 **Board of Directors Release Time**

.01 **Association President**

(a) The President of the Association is expected to work for the Association at least forty hours per week for 12 months per year. The Association will ensure that the President receives compensation for such service equal to forty hours per week for 12 months per year at the President's regular district position's hourly rate, including all benefit costs.

.02 **Other Association Officers and Area Directors**

On an annual basis, the Board will set the number of full-reimbursed release days (including benefit costs) to be provided to the other Association Officers and Area Directors.

.2 **Scheduled Meetings.** The Board of Directors shall meet in accordance with the Constitution and Bylaws. Meeting dates for Board Meetings will be set by the Board of Directors. **C-VI,3**

.3 **Closed Meetings.** Closed sessions of the Board of Directors may be held when necessary. **C-VI,5**

.4 **Establish Policy.** Only the Board of Directors meeting in legal session and/or delegates meeting in official conference shall establish policy. **C-VI,2** **B-I,7**

.01 Any new policy or proposed changes to current policy, except policy revisions voted on by the delegates at the Annual Conference, shall be placed on the Board of Directors agenda for two (2) readings prior to the Board of Directors taking action on new policy language. The exact text of proposed changes shall be included in the Board minutes from the first meeting/reading and available for review by members, upon request, prior to the second reading and Board action.

.5 **Official Minutes of Board of Directors Meetings.** Official Minutes shall be confined to a summary of the item and the action taken by the Board.

.6 **Distribution of Minutes.** Copies of the Minutes shall be sent to the Board of Directors, Standing Committee Chairpersons, Regional Representatives, Area Director Alternates, Chapter Presidents, and appropriate staff members.

The Secretary shall submit a copy of the Board Minutes to the Headquarters Office for duplication and distribution as required.

.7 **Reports**

Each member of the Board of Directors may submit a written report of activities as a Board Member to the President for distribution to the Board. (Member to furnish sufficient copies for all concerned.)

.8 **Board Agenda** **C-VI,4 P-202.2.03**

.01 Final responsibility for Agenda preparation shall be vested in the President as provided in Policy.

.02 The President shall establish a deadline for the submission of Agenda items which shall normally be at least two weeks in advance of the next meeting of the Board of Directors.

.03 Items for the Agenda may originate from any source, but normally should originate with Directors and other Board Members, Chairpersons of Standing Committees, or the Executive Director for staff recommendations. **P-108**

.9 **Polled Opinions**

All polled opinions of the Board of Directors, necessary by emergency, are to be conducted only by the President or designee. All such actions shall be subject to ratification at the next meeting.

.10 **Proclamations for CSEA Staff Retirees**

The Board may honor any CSEA staff member, who retires from CSEA with at least fifteen (15) years of staff service, with a proclamation from the Board of Directors.

.11 **Communications to the Board of Directors**

.01 **Purpose.** The purpose of this policy is to establish the procedures for handling communications to the Board of Directors.

.02 Communications under the general heading of announcements, thank you's, requests to hold meetings, and/or invitations to attend functions shall be read at meetings of the Board of Directors if they are timely and would be of general interest to the members in attendance.

Whenever possible, chapters should submit meeting requests and other invitations to the Association President or Secretary for handling in accordance with Board procedures in the most expeditious manner.

.03 Communications concerning the business of the Association shall be directed to the Association President.

.04 If the sender so requests, written communication may be read at the next meeting of the Board of Directors unless the Association President determines that the subject matter of the communication is not appropriate for public dissemination.

Communications containing complaints against staff personnel shall not be read under any circumstances. Complaints regarding staff performance or improper actions are personnel matters and shall be referred to the Executive Director.

.12 **Association President Housing**

.01 The Association will provide housing (including furnishings, utilities and maintenance) in close proximity to CSEA Headquarters for use by the Association President.

(a) The purpose of this policy is to set forth the circumstances under which the residential condominium owned by the Association will be made available to the Association President.

(b) The Association's condominium is provided to the Association President for the convenience of CSEA in order to facilitate the presence of the Association President at its Headquarters in San Jose California, where the offices of the Association President and Executive Director are located, and where the majority of Association Board meetings are held.

(c) The Association's condominium is also provided to the Association President to facilitate the transaction of Association business during and after normal business hours and such other activities as promote the business purposes of CSEA.

(d) The Association's condominium shall be equipped, at Association expense, with all necessary office, telephone, and computer equipment for the transaction of CSEA business by the Association President.

(e) The Board of Directors shall determine, on a case-by-case basis, whether it is in the best interests of CSEA to provide use of the Association condominium to an incoming Association President based on, among other things, whether the Association President lives or works within the immediate San Jose area.

(f) When the Board of Directors determines that use of the Association condominium is in the best interests of CSEA, the use of that facility by the Association President shall be a condition of service.

(g) In order to comply with federal law, the Board of Directors shall authorize the Executive Director to execute those documents necessary to comply with federal tax law.

(h) As a condition of receiving housing, the President must sign an agreement acceptable to the Executive Director and Chief Counsel protecting CSEA's property interest.

(i) The approval of a subcommittee of the Board of Directors with purview over CSEA buildings shall be required to authorize any modification of and/or expense to the Association's condominium and any approvals shall be reported to the full Board.

.13 **Association President Office.** The Association President will be provided a fully equipped office at CSEA Headquarters. The approval of a subcommittee of the Board of Directors with purview over CSEA buildings shall be required to authorize any modification of and/or expense to said office and any approvals shall be reported to the full Board.

.14 **Association President Vehicle.** The Association President will be provided a vehicle including gas, oil, and maintenance for Association business use. The vehicle shall be a union-made leased/owned vehicle from the United Auto Workers/Canadian Auto Workers (UAWCAW) "buy list". The President must comply with legal requirements to pay expenses and taxes on the portion of overall miles driven for personal use.

.01 The Association's vehicle must be securely stored inside the garage at the Association condominium when not in use.

.02 **CSEA License Plate.** The "1 CSEA" license plate shall be placed and maintained on the vehicle provided to the Association President.

.15 **CSEA Board of Directors Code of Conduct**

.01 The CSEA Board of Directors shall have a Code of Conduct.

.02 **General**. The CSEA Board of Directors has the authority and responsibility to make decisions for the benefit of members and staff. Board Members are therefore expected to follow the highest standard of ethical conduct in accordance with CSEA's mission statement. Moreover, as leaders of a member-governed organization, the CSEA Board of Directors sets the bar for ethical and transparent leadership, and CSEA's reputation depends upon how the Board and Board Members conduct business and act as the model for the entire organization.

.03 **Purpose**. The Board's Code of Conduct shall:

(a) Establish behavioral expectations and promote a culture of integrity and accountability and transparent leadership.

(b) Ensure that the Board and Board Members maintain a high standard of ethical conduct in the performance of CSEA's business.

(c) Ensure that CSEA members maintain confidence in and respect for the entire Board.

202 DUTIES OF OFFICERS

Revised August 2023

.1 **Board of Directors**

.01 **Duties Defined.** Shall meet at the call of the Chair or at such times and places designated by the Chair; shall be responsible to the membership for conduct of Association programs in accordance with the Constitution & Bylaws and Policy of the Association; shall develop the activities of the Association in a manner consistent with sound business practices.

The Board of Directors shall constitute the policy-making body of the Association at all times when the Annual or a special conference is not in session.

Members of the Board of Directors in their capacity as members of the Board shall not engage in the direct representation of members concerning representational matters. This provision shall not be interpreted to prohibit representation in the capacity as chapter level officers.

.2 **President**

.01 **Full-time Position.** The Association President is required to devote full-time attention to the work of CSEA except when on vacation, sick leave or other leave permitted by the Board of Directors. **B-I,1(b)**

.02 **Appointment Letters**. Upon request, a form letter regarding the election of Board Members and the appointment of Committee Members, Regional Representatives and others will be sent by the Association President to their respective employers, with copies to their respective Chapter Presidents.

.03 **Chapter Welcome Letter**. The Association President shall send a letter of welcome to all new chapters.

.04 **Agenda—Board Meetings.** The President shall be responsible for preparing an Agenda for each Board of Directors Meeting, which shall be distributed to Board Members at least one week prior to the meeting. **C-VI,4 P-201.8**

.05 **AFL-CIO and California Labor Federation.** The Association President and/or designee(s) shall be the Association's representative(s) to the executive council of the AFL-CIO and California Labor Federation.

.06 **Reporting of Activities.** The Association President shall submit the following reports, which shall be open to the inspection of any Board Member upon request:

(a) For CSEA expenses of the Association President, a monthly report shall be submitted to the Association 1st Vice President for processing. Disputes over expenses shall be resolved by the full Board.

(b) For CSEA activities of the Association President, a monthly report shall be submitted to the Association 1st Vice President. The report required by this section shall be in a format as approved by the Board of Directors. The Association President shall also present a summary of their activities at each regular monthly Executive Session of the Board.

(c) For use of the CSEA vehicle, a monthly report shall show for each day of the month the number of business miles and the number of personal miles driven. If the vehicle is used for any personal matters, the President must comply with legal requirements to pay expenses and taxes on the portion of overall miles driven for personal versus business use.

.3 1st Vice-President **B-I,2&4**

.01 **Duties Defined.** Shall, by direction of the President, assist in the promotion of all phases of the Association, and in the absence of the President shall assume the duties of the President. Shall process the monthly expense report and receive the monthly activity report of the Association President with disputes over expenses resolved by the full Board.

Shall be a member of the Budget Committee.

.4 2nd Vice-President **B-I,3&4**

.01 **Duties Defined.** Shall, by direction of the President, assist in the promotion of all phases of the Association, and in the absence of the President and the 1st Vice President shall assume the duties of the President.

Shall be a member of the Budget and Resolutions Committees.

.5 **Secretary** **B-I,5 SR-E**

.01 **Duties Defined.** Shall record and transcribe minutes of all meetings of the Board of Directors and cause them to be distributed in accordance with Policy Section 201.6; keep a record of proceedings of all Annual and Special Conferences of the Association; notify all concerned chapters of Area elections and receive and tabulate ballots; receive and record all resolutions submitted for Conference action and certify same for distribution in accordance with Article V, Section 6 of the Bylaws; be responsible for keeping the published statement of Association policy up-to-date; perform such other duties as may be required by the President or prescribed by the Constitution & Bylaws.

In the absence of the President, 1st and 2nd Vice Presidents and Past President, shall assume the duties of the President.

.6 **Past President** **B-I,6**

.01 **Duties Defined.** Shall attend all Board Meetings. Shall be counselor to Board Members. In the absence of the President, and 1st and 2nd Vice Presidents, shall assume the duties of the President.

.7 **Area Directors**

.01 **Duties Defined.** Area Directors shall assume representative responsibilities for the activities in their particular Area; shall organize Area Classified School Employee Week (CSEW) events annually; shall manage Area leadership institutes; shall serve on Board subcommittees regarding chapter election objections, as provided by Policy 618; may assist, as directed by the Association President, with governance trainings; may attend Regional Presidents Meetings (RPMs); and may attend other meetings/events as invited and/or assigned.

Area Directors may assign duties to the respective Alternate Area Director to assist in the work of the Area.

.02 **Commitments.** In dealing with a situation, an Area Director shall not commit the Board of Directors.

.8 **Alternate Area Director** **B-I,8 C-IV,7(d)**

.01 **Fills Vacancy.** If an Area Director is unable to perform the duties of office, the Association President shall notify the Alternate who shall then assume the office of Area Director and perform the duties thereof until the Area Director can again assume office or the expiration of the term of office, as the case may be.

.02 **Activity By:** The Alternate Area Director may assist the Area Director in such activities as are listed under Section 8, Article I of the Bylaws, and in addition thereto may represent the Area Director at RPMs, chapter meetings, and special functions within the Area as may be directed.

"Special function" shall be as defined in Policy 110.

All such activities shall be **only** at the request and direction of the Area Director, and all expenditures incurred must be submitted to the Area Director for approval and in accordance with the timelines required by Policy 111. The Area Director shall forward the approved expense claims to Association Headquarters for payment.

203 ELECTIONEERING ETHICS AND CAMPAIGN LIMITATIONS

C-IV
P-509.5

Revised August 2023

.1 The purpose of this policy is to facilitate the seeking of Association offices by the greatest possible number of qualified candidates without their having to go to great expense, and to provide fair and equitable practices for electioneering.

.2 "Association office" for purposes of this policy shall be defined to mean the offices of: Association President, Association 1st Vice President, Association 2nd Vice President, Association Secretary, Area Director, and Alternate Area Director.

.3 Official CSEA stationery or any facsimile thereof shall not be used for promoting any candidacy, nor shall any such promotional material be prepared or mailed at the expense of the Association.

.01 Candidate promotional materials shall not contain the CSEA logo or any other identification that would tend to denote Association sanction of the materials or endorsement of the candidacy.

.02 If CSEA equipment or materials (such as copy machines, paper supplies, mailing labels, etc.) are used to produce or mail promotional materials, the candidate or other person responsible for such promotional materials shall reimburse the Association for such items at cost. **P-117.3&.4**

.03 Association employees shall not assist in any way in the production of promotional materials, with the exception of the publication of advertisements or articles in the official publications. **P-307.4.03**

.4 Except as provided in .02 below, should any member promote the member's own candidacy or promote or endorse the candidacy of any other member while on official CSEA business, all claims for reimbursement of expenses or other payments which would otherwise be provided by the Association in connection with such official business shall be prohibited, to include: housing expense, air or other commercial travel expense and parking fees, mileage expense reimbursement, and per diem/meal expense.

.01 The intent of this section is not to deny any member the freedom and the right to conduct campaign activities, either on the member's own behalf or on the behalf of others; but rather to ensure that campaign activities are NOT conducted at the expense of the Association, with the exception of campaign activities conducted at the Annual Conference as noted in .02 below.

.02 The prohibitions against reimbursement or other payments for expenses for campaigning while on Association business shall not apply to attendance at the Annual Conference by members who are otherwise authorized under the Association's Bylaws as official delegates to the Conference, or are otherwise authorized to attend the Conference as an official Committee function.

.03 Regional Representatives and Area Directors may permit candidates to speak at Regional and Area meetings and may provide a space for candidates to distribute campaign materials at same, and such permission shall not be deemed as endorsing or promoting any candidate under the terms of these policies, provided the same privilege is allowed all candidates who so request.

.5 No non-member may campaign on behalf of any candidate for Association office.

.6 The maximum amount that may be spent in any one year by any candidate for Association office for all campaign expenditures shall not exceed one thousand dollars ($1,000).

.01 ‘‘Campaign expenditures’’ shall include all expenditures made by or on behalf of the candidate for the purpose and intent of winning election to Association office, whether or not the individual has officially declared intent to seek the office at the time the expenditure is made.

“Campaign expenditure” is further defined to mean:

(a) All expenditures made from a candidate’s personal funds, with the exception of personal travel expenses.

(b) “In-kind” goods or services contributed at no cost to the candidate (i.e., expenditures or contributions made by others on behalf of the candidate’s campaign which are not reimbursed from the candidate’s personal funds) including but not limited to: printed materials, badges, pins and other such campaign materials paid for or donated by others; the costs of room rental, hospitality functions which are paid for or donated by others; candidate travel expenses paid or provided by others; and etc.

(1) Where a direct monetary expenditure has been made by the person providing the “in-kind” goods or services, that amount shall be reported as the candidate’s expenditure.

(2) Where a direct monetary expenditure has NOT been made by the person providing the “in-kind” goods or services—for example, donated entertainment; use of a hotel suite for hospitality functions, etc.—a reasonable “fair market value” for such goods or services shall be reported as the candidate’s expenditure.

(c) Any obligation to make a payment for campaign-related goods or services (i.e., outstanding bills which have not yet been paid at the time the expenditure report required under .7 below is submitted).

(d) The amount of any direct monetary contribution to the candidate in excess of campaign expenditures made from the candidate’s personal funds shall be reported as a campaign expense.

.02 “Campaign expenditure” shall not include:

(a) Volunteer personal services provided to the candidate without compensation.

(b) Payments made from a candidate’s personal funds for their own travel expense.

(c) Expenses related to filing required statements of candidacy.

(d) Travel, housing, and meal/per diem expenses necessary for attendance at the Annual Conference by candidates for Association offices, whether paid directly by the candidate or by others.

.7 All candidates shall be required to submit an itemized accounting of all campaign expenditures to the Board of Directors, and appropriate receipts and/or invoices shall be required. **P-201.12**

.01 Candidates for Association offices (President, 1st Vice President, 2nd Vice President and Secretary) shall submit the required expenditure report no later than August 31st following Conference (held in odd-numbered years).

.02 Candidates for Area Director and Alternate Area Director shall submit the required expenditure report no later than thirty (30) days following action by the Board of Directors certifying final election results.

.03 The Board of Directors shall cause such forms as may be necessary and appropriate to be provided to all candidates to enable them to comply with this section.

.04 The Board of Directors shall audit all campaign expenditure reports at its next regularly scheduled meeting to ensure that all candidates have complied with this section, and all such reports shall be published in the next available issue of the official publication.

.05 Any candidate who does not submit an itemized accounting of all campaign expenditures to the Board of Directors (including receipts and/or invoices) by the required deadline shall be ineligible to be a candidate for Association office, Area Director and/or Alternate Area Director for a two-year period following the deadline of the campaign expenditure report, as noted in .01 and .02 above.

.06 Candidates may submit, within six (6) months of the original deadline, amended reports of itemized accounting of all campaign expenditures to the Board of Directors with additional appropriate receipts and/or invoices.

.8 Candidates exceeding the maximum campaign expenditure amount shall be subject to a fine of any amount exceeding the maximum allowable expenditure amount. All such fines shall be payable to the Association, and shall be credited to a special account for the exclusive use of CSEA's scholarship program.

.9 The Association President shall annually appoint a Sergeant-at-Arms and such number of deputies as may be necessary, whose duties it shall be to monitor and control the display and distribution of candidates' campaign materials at Conferences held in odd-numbered years. **SR-A**

.01 A specified space at Conference shall be provided by the Conference Committee for display of all candidates' posters, and each candidate shall be assigned a pro-rata share of such space. No surfaces other than those in the specified space shall be used to display candidates' posters.

.02 A table of suitable size shall be provided near the main entrance of the room in which Conference General and Business Sessions are held for the pickup and handout of campaign materials other than posters. No such materials may be distributed in any other manner by candidates or their representatives or any other person, or in the room in which Conference General and Business Sessions are held.

.03 No electioneering, including distribution and display of campaign materials, shall take place on the day of the elections, and all campaign materials shall be removed from display prior to 12:00 a.m. on the day of the elections. The Sergeant-at-Arms shall have the authority to enforce these provisions, and shall meet with all the candidates and their campaign chairpersons prior to the elections and lay down ground rules for the elections at any given Conference.

.10 A copy of this policy shall be given to all candidates to enable them to comply therewith.

.11 Changes in these policies on Electioneering Ethics and Campaign Limitations may be effected only by action of the delegates to an Annual or Special Conference of the Association.

204 ELECTION PROCEDURES, AREA DIRECTORS & ALTERNATE AREA DIRECTORS C-IV,2-6

Revised August 2023

.1 **Force and Intent:** This Policy is enacted to ensure democratic processes are followed by the local chapters in the election of Area Directors and Alternate Area Directors, to ensure that all members are provided adequate notice of the election of their representative seat on the Board of Directors and to protect the rights of individual members to a secret ballot vote in these elections.

.2 **Nomination & Eligibility:** **C-IV,2,3&5**

Procedures and deadlines for submitting Letters of Intent and eligibility requirements to run for an office of Area Director or Alternate Area Director are as set forth in Article IV, Sections 2 and 3, of the Association's Constitution.

The official Letter of Intent form required for filing candidacy shall be printed in the Association's official publication in the edition immediately preceding the filing deadline, together with an appropriate article citing the seats open for election, eligibility requirements and filing deadlines. In addition, the Association Secretary shall ensure that copies of the official Letter of Intent form and instructions for filing candidacy are sent to each Chapter within the appropriate Areas at least one month in advance of the filing deadline, for dissemination and discussion at Chapter meetings.

.3 **Election Procedures, General**

.01 Election shall be determined by a plurality of the votes cast by the chapters within the respective Area, with each chapter entitled to cast one (1) vote. The chapter vote shall be determined by a plurality of the ballots cast by members in good standing of the chapter at a meeting at which the election of Area Director/ Alternate Area Director has been agendized and properly noticed in accordance with provisions of this policy.

.02 The Association Secretary shall cause an official ballot to be mailed via first class mail to each chapter within the respective Area, together with instructions to the Chapter President for conducting the election within the chapter and for proper completion and return of the ballot, and a return-addressed envelope. Said documents shall be mailed by the deadline as stated in the Association's Constitution.

.03 Immediately upon receipt of the aforementioned official ballot and election instructions, the Chapter President shall set the date of the chapter meeting at which the election for Area Director/ Alternate Area Director shall take place. The meeting date shall be set for a date within the timelines required by the Association's Constitution, which will be specified in the instructions issued by the Association Secretary. An appropriate notice of the election meeting shall then be provided to each chapter member in good standing not less than five (5) working days prior to the date set for the election, and shall contain the following:

(a) The date, time and place of the meeting and the hours during which balloting will take place.

(b) The office to be filled and the name, address, district of employment, and CSEA Chapter affiliation of each eligible candidate for the office as listed on the official ballot.

.04 "Appropriate notice" shall consist of any of the following:

(a) An individual notice mailed to each member in good standing, either by U.S. mail to their last known home address, or through an employer mail distribution system that ensures each member will receive the notice.

(b) Distribution by site reps or others to individual members at the work sites, together with posting on a CSEA bulletin board or other prominent location at each site.

(c) Publication in a chapter newsletter, prominently displayed on page 1 of such newsletter, which is distributed to all members in good standing by any of the methods described in (a) or (b) above.

.4 **Chapter Voting Procedures**

.01 Voting within the chapters shall be conducted by secret ballot among the eligible chapter members present at the specified meeting. Absentee or proxy votes shall not be permitted.

.02 Only "Active" members in good standing of the chapter shall be eligible to vote.

.03 The Executive Board shall appoint a Committee of Tellers consisting of at least three (3) members, one of whom shall be designated Chairperson, to oversee the preparation, distribution, and counting of the ballots, and to certify the election results. (If the Chapter's Constitution provides for a standing committee on Elections, a separate committee need not be appointed.)

.04 The Committee of Tellers shall prepare preprinted ballots containing the names of all certified candidates as printed on the official ballot prepared by the Association Secretary. A preprinted, sample ballot shall be provided to the chapters for reproduction as necessary. **Ballots shall NOT be numbered.**

.05 The Chapter Secretary or Treasurer, as appropriate, shall furnish the Committee a list of names of all members entitled to vote, which shall be certified as correct as of the date on which ballots are to be cast.

.06 The official voter list (membership listing) shall be controlled and ballots distributed by the Election Tellers, who shall verify the eligibility of each member and require said member to sign for receipt of the ballot.

.07 An enclosed ballot box shall be provided for members to deposit their ballots, monitored by at least one Teller, to ensure that each member deposits only one ballot.

.08 Following close of the polls, the Election Tellers shall tally the ballots and certify the results in writing to the Chapter President, signed by the Chairperson of Tellers.

The election results shall be entered on the chapter's official ballot, and shall include the following: the date of the election meeting; the name of each candidate and the number of ballots cast for each candidate; number of abstentions (blank ballots returned); number of invalid ballots.

(a) If the Chapter President was not present at the meeting, the presiding officer must sign in the president's place with an explanation noting the reason the ballot was signed by an officer other than the Chapter President. If the Chapter Secretary was not present at the meeting, the member acting in this capacity for the purpose of recording the meeting minutes must sign in the secretary's place with an explanation noting the reason the ballot was signed by a member other than the Chapter Secretary.

.09 The Chapter President shall read the Tellers Report for recording in the meeting minutes, and shall announce that ''the chapter's vote is cast for (name),'' the candidate receiving a plurality of the ballots cast. The Chapter's Tellers Report shall include the following: total number of ballots distributed; the name of each candidate and the number of ballots cast for each candidate; number of abstentions (blank ballots returned); number of invalid ballots.

.10 Should any candidate not receive a plurality, a second ballot shall immediately be conducted among the tied candidates. If the tie is not broken on the second ballot, balloting shall be continued as necessary until one of the candidates receives a plurality, unless the members present, by majority vote, determine that no further balloting should be conducted and that the tie vote be recorded and submitted on the chapter's ballot, thereby forfeiting the chapter's vote in the election.

.11 All ballots cast by members, including blank and invalid ballots, tally sheets, sign-in sheets and related documents, and a copy of the election notice sent to chapter members, shall be secured and retained by the Chapter Secretary for a period of one year, or until objections to the election have been finally resolved, whichever is the longer period.

.5 **Submission of Chapter Ballot to Association Secretary**

.01 The Chapter President shall ensure that the official ballot is properly completed with all information requested thereon, and that it is properly certified by the signature of the Chapter Secretary. The completed ballot shall be mailed to the special post office box number designated on the official ballot, posted in sufficient time so as to ensure the ballot's receipt in the designated post office box not later than the deadline specified by the Association Secretary.

The date set by the Association Secretary for receipt of the ballot shall not be earlier than 7 work days following April 30.

.02 The official ballot as provided by the Association Secretary MUST BE USED. Chapter ballots which are not on the official ballot form, or which are not certified by the signature of the Chapter Secretary, or which are not received by the specified deadline, will be invalidated.

(**Note:** If the position of Chapter Secretary is vacant, any other chapter member designated as recording secretary for the election meeting may sign in the Secretary's stead, with an explanatory note affixed to the ballot.)

.6 **Receipt and Tally of Chapter Ballots by Association Secretary** **C-IV,4**

.01 The Association shall arrange for a special post office box near the Association's Headquarters for receipt of the official chapter ballots. Ballots will be collected only once on the specified date and time as determined by the Association Secretary in accordance with .5.01 above and with the concurrence of the Association President. At the scheduled time, the ballots will be picked up by the Association Secretary, accompanied by at least three (3) Tellers appointed by the Association President from the membership at large within the immediate area, and taken to Association Headquarters, where the tally will be promptly conducted.

.02 Each candidate shall be notified of the date, time, and place where the ballots will be collected and the tally conducted, so that each candidate may, if they so choose, either appoint an observer to be present, or be present in person to observe the collection and tally of the ballots.

Should a candidate choose to appoint an observer, the candidate shall notify the Association Secretary in writing of the name and CSEA chapter identification of said observer. Non-members of CSEA shall not be appointed in this capacity.

.03 Results of the Tally, signed by the Association Secretary and the three (3) Tellers, shall be provided in writing to each candidate. The certified Tally Report and ballots shall be submitted for audit at the next scheduled meeting of the Board of Directors.

(a) Consistent with Robert's Rules of Order, small technical errors will not make a ballot invalid if the meaning of the ballot is clear.

(b) If a tie exists, the election shall be determined by lot between the tied candidates, to be conducted during a closed (executive) session of the Board of Directors. The tied candidates or their observer(s) will be allowed to observe the procedure.

.04 Following audit of the ballots, the Board shall certify the final results and declare the candidate receiving a plurality of the valid ballots cast as the duly elected Area Director/Alternate Area Director.

.05 The Association Secretary shall cause the special post office box to be emptied within fifteen (15) days after the election is certified by the Board. Chapters whose ballots are removed from the post office box during this time will be notified that their ballot was not validated.

.7 **Campaign Rules** **P-203**
P-123.6
P-622.9

.01 Candidates for Area Director and Alternate Area Director shall be required to conform to all provisions of Policy 203, Electioneering Ethics and Campaign Limitations.

.02 All candidates shall, upon request to the Chapter President or Regional Representative as appropriate, be permitted access and time to speak to their candidacy at chapter meetings, Regional Presidents Meetings and other CSEA functions as appropriate, and distribution of campaign literature at same.

.03 Chapters shall not permit campaign endorsements for any candidate to be printed in a chapter newsletter or other chapter publication.

Chapters may publish the candidates campaign statements printed by the Association as outlined below, provided that ALL candidates statements are published at the same time and in the same manner, and the statements are reproduced exactly as provided by the Association; and provided further, that NO endorsements by either the chapter or the Association are either stated or implied.

In addition, chapters may print campaign advertisements prepared by the candidates or their campaign committee, provided that all candidates for the office are given equal space in the same issue and an equal opportunity to provide such advertisement.

.04 The Association shall offer all candidates the opportunity to provide a brief outline of their CSEA background and a brief campaign statement of 150 words or less relating why they are seeking the office, which shall be reproduced and provided to the Area's chapters at the same time the ballots and other election materials are sent. All candidates must meet the deadline for submission of materials as requested by the Association.

Chapters may reproduce said campaign materials for dissemination to chapter members as deemed appropriate: reproduction (or as an insert) in a chapter newsletter or other chapter publication; posting on chapter bulletin boards or dissemination to members in conjunction with the election notices; dissemination at chapter meetings.

.05 Chapters and the Association shall honor all reasonable requests of any candidate to distribute campaign literature (**which are in addition to the above**), by mail or otherwise, at the candidate's expense, to all members in good standing within the Chapter/Area as appropriate. Distribution privileges, if provided to one candidate, must be accorded all other candidates on an equal basis. **P-117.4&.5**

.8 **Objections to the Election**

.01 Any certified candidate for election as Area Director or Alternate Area Director may file a complaint relating to the conduct of the applicable election, which alleges violation of this policy by any chapter in the conduct of its election, or alleges other conduct or activities relating to the total election process, which may have affected the outcome of the election.

.02 Such complaints must be filed with the Association President within fifteen (15) calendar days following the certification of election results by the Board of Directors. The complaint shall be in written form, and shall specify which section(s) of the policy are alleged to have been violated or the conduct being objected to, and shall specify in what manner such violations and/or conduct may have affected the outcome of the election. The complainant shall include copies of pertinent documents or names of witnesses in support of the allegations as may be appropriate.

.03 Upon receipt of the written objection, the Association President shall appoint the Association Past President and two (2) Regional Representatives not within the Area to promptly investigate the matter. They shall have the authority to interview such witnesses and inspect such documents as may be necessary to carry out their assigned task. The Association President shall cause a list of the alleged violations of this policy to be sent to all candidates.

The investigation shall be completed within fifteen (15) calendar days of receipt of the complaint, and a written report and recommendation shall be submitted to the Board of Directors at the next following regularly scheduled meeting. If no meeting is scheduled prior to the Annual Conference, a special Board meeting shall be called. The objecting candidate(s) shall be provided a copy of the written report.

.04 The Board shall review the report and any other documentary evidence as may be presented, and shall determine whether the allegations shall be sustained.

(a) If the allegations are sustained and if in fact such violations could reasonably have affected the outcome of the election, the election shall be set aside and a new election shall be ordered.

(b) If the sustained allegations pertain to violations affecting (a) specific chapter(s) election process, the new election shall be limited to the vote within said chapter(s).

(c) If the allegations are sustained but it is determined that such violations could not have affected the outcome of the election, the Board shall order the institution of such procedures as may be necessary to prevent such violations in future elections.

.05 **Status of Officers During Process.** The challenged election shall be presumed valid pending a final decision and/or a new election conducted, as herein provided, and the officers elected shall take office and assume their duties as provided within the Constitution.

205 PROCEDURE FOR FILING FOR CANDIDACY FOR ASSOCIATION OFFICE C-IV

Adopted January 2000 – Revised October 2009

.1 The purpose of this policy is to provide uniform standards for filing candidacy for an Association office (President, 1st Vice President, 2nd Vice President and Secretary).

.2 A statement of intent to run for a statewide office must be filed with the Association Secretary, prior to the first business session of the CSEA Annual Conference. If mailed prior to the conference, the statement must be mailed directly to CSEA Headquarters, Attention: Association Secretary.

.01 Statements of intent received after the opening gavel of the first business meeting will be automatically disqualified.

.3 Candidates whose statement of intent and accompanying biographical information are received by the Association Secretary by **March 1** will have their biographical information printed and distributed to all chapters via a General Information Bulletin (GIB). Said GIB will be mailed no later than 90 days before the start of the CSEA Annual Conference. Candidates whose Letters of Intent are received after **March 1** will not be listed in said GIB.

.01 All intended candidates are also entitled to submit "copy ready" campaign advertisements for publication, free of charge, in CSEA's membership publication, subject to deadline requirements per Policy 307.4.

.02 Intended candidates who fail to meet the March 1 deadline will have waived their right to have their biographical information included in the General Information Bulletin (GIB).

300
COMMITTEES

301 GENERAL POLICY

C-VI,6
B-II,2

Revised August 2023

.1 **Assistant.**

Standing Committee Chairpersons should select an assistant Chairperson to assist with committee duties and to perform the duties of the Chairperson in the absence of the Chairperson.

.2 **Reports.**

Each Committee Chairperson must submit a written report of the Committee's activities to the President in time for distribution to the Board prior to each Board of Directors meeting. In addition, Committee Chairpersons shall submit annual reports for Conference and budget preparation.

Each Committee Chairperson may be required to submit articles or reports for magazine publication.

Each Standing Committee shall adopt committee goals consistent with the Committee's purpose and the Association's mission statement. No later than December of each year, Committee Chairpersons shall submit the goals, and any subsequent revisions, to the Board of Directors for review.

.3 **Conference Resolutions.**

B-V,6(a), 6(e)&6(f) SR-H

Any committee recommendation which would require Association membership approval shall be submitted to the Board of Directors in the form of a proposed resolution to the Annual (or a special) Conference. Said proposal shall be submitted in time for action by the Board prior to the deadline for submission of resolutions established in Article V of the Association's Bylaws. Should the Board approve the committee's proposal for submission to the conference, the published resolution shall include the name of the submitting committee, as follows:

"Submitted by:_____"

''Approved for submission to the _____ Annual Conference by the Board of Directors at its _____ meeting.''

.4 **Reason for Dismissal**

.01 Any Chairperson shall be subject to removal from office for making policy commitments beyond or conflicting with adopted policies of the Association or failing to carry out assigned duties.

.02 Any Committee member may be subject to removal from office for failure to attend scheduled committee meetings.

(a) After a member has two unexcused absences, the Committee Chair shall notify the Association President, whose decision on the member's removal from office shall be final.

(b) This policy statement shall be included in the appointment letter sent to each committee member. Additionally, the Committee Chair shall discuss this policy with committee members at the first committee meeting of the term.

.5 **Letters of Interest**

To assist the Association President in making the appointments, Standing Committee Chairpersons and Committee Members shall postmark or deliver a letter to the President by June 15th of each odd-numbered year, indicating their availability and interest in serving in the same or other positions

.6 **Meeting Notices.** Chairpersons of Standing Committees shall be responsible for providing the Association with a schedule of all Committee meetings, so that they can be included in the master calendar.

.7 **Committee Membership**

.01 The Communications and Education Committees shall consist of a Chairperson, one member from each of the designated Areas, one member appointed specifically from a community college chapter, and one member appointed specifically from a public sector employee chapter.

.02 The Pre-Retirement Resource and Research/Negotiations Committee*s* shall consist of a Chairperson, one member from each of the designated Areas, and one member appointed specifically from a community college chapter.

.03 The Community College Committee shall consist of a Chairperson plus one member from each of the designated Areas—all appointed specifically from community college chapters—plus one K–12 representative.

.04 The Awards, Budget, Credentials, Merit System, and Scholarship Committees shall consist of a Chairperson and sufficient membership to achieve their special objectives, keeping in mind the need for special expertise in the respective programs.

.05 The Conference, Member Benefits, Political Action (in accordance with Policy 311), and Resolutions Committees shall consist of a Chairperson plus one member from each of the designated Areas.

.06 The County Office of Education Committee shall consist of a chairperson plus four members—each appointed specifically from different county office of education chapters.

.07 The Legislative Committee shall consist of a Chairperson, one member from each of the designated areas, one member appointed specifically from a community college chapter, one member appointed specifically from a public sector employee chapter, and one member appointed specifically from a county office of education chapter.

.8 **Appointment of Standing Committees**

.01 The President shall appoint the Chairpersons and members of all Standing Committees listed in Section 6, Article VI of the Constitution.

In recognition of the fact that the duties of Standing Committees are such that require devotion of a substantial amount of time and effort, and in order to provide an expanded base for the development of leadership, it is the Board's intent that the following shall NOT be considered for appointment to Standing Committees: Regional Representatives, Political Action Coordinators, and Regional Communications Officers. In addition, no member shall serve on more than one Standing Committee at any time.

The Board shall, however, have the right to waive the provisions of this subsection, upon recommendation by the President, should circumstances exist which would prove to the benefit of the Association to do so.

.02 All Standing Committees shall be appointed as soon as possible following each Annual Conference held in an odd-numbered year to serve, at the pleasure of the President, through the close of the next Annual Conference held in an odd-numbered year.

.03 The President shall, as soon after election as possible, direct that each Area Director submit the name of one or more members within the Area as candidates for possible appointment to each of the Standing Committees. The recommended candidate(s) name(s) shall be submitted to the President. The recommendation shall outline the candidate's background qualification for appointment. Area Directors should consult with the Regional Representatives serving in their respective Areas in developing recommended candidates.

The President is not required to make appointments from among those members recommended by an Area Director and may approve or reject the nominees submitted.

.04 In making appointments to the Committees listed under Section 301.7.04, the President shall give due consideration to needed technical expertise and other special requirements and make every effort to appoint members who are clearly qualified. The President may solicit input and recommendations from the Chairpersons and Area Directors as appropriate.

.05 The President shall, following each Annual Conference, cause the CSEA online directory to be updated to list each Standing Committee, its Chairperson and members. The list shall include the Committee members' name, chapter name and number, Area designation, and such other pertinent data that may be desirable.

.06 **Release Time.** With the approval of the Association President, each standing committee chair and member shall be provided a maximum of forty (40) hours of paid release time per year for committee meetings and other required trainings as directed by the Association President and Association Constitution & Bylaws. (For the purposes of this policy, "year" shall be defined to mean from the conclusion of an Annual Conference to the conclusion of the next Annual Conference.)

.9 **Appointment of Conference Committees** **C-VI,7 B-II,4 P-315**

.01 The Credentials Committee shall be appointed by the President no later than July 1, and shall be selected from among authorized chapter delegates to the Conference.

.10 **Certificate of Appreciation**

.01 The Association recognizes that the members of all the Standing Committees perform a valuable service to the membership and that in the performance of their duties donate many evenings, weekends, and vacation hours to further the goals and aims of the Association. The Association therefore desires to extend recognition to Committee Members for their time and efforts and who are leaving the committee, by establishing for this purpose a Certificate of Appreciation.

.02 **Procedure for a Certificate of Appreciation**

The Association President shall have discretion to cause a Certificate of Appreciation to be prepared and shall arrange for suitable presentation. The Certificate can be issued at any time the President directs.

302 CONFERENCE

C-VII
B-I,7(b)
B-V
P-118

Revised August 2023

.1 **Chairperson.** It shall be the Chairperson's responsibility to coordinate the various areas of conference assignments into a single program.

.2 **Contracts.** The Executive Director, Association President, and Conference General Chairperson are given authority to approve all contracts as necessary for the Conference without presenting same to the Board. All contracts shall be executed by the Executive Director.

.3 **Program.** A comprehensive Conference program is to be published in the official publication immediately preceding the Conference in order to inform members.

.4 **Invitational Letters.** A letter of invitation shall suffice for those people who are invited guests, and the regular registration fee will be waived for these guests.

.5 **Seating of Board of Directors.** The Conference Chairperson shall make necessary arrangements to seat the members of the Board of Directors on the platform and arrange to have them introduced during the Opening Ceremonies.

.6 **Conference Dedication.** Each Conference will be dedicated to all Association members who have passed away since the preceding Conference. Any Conference, upon approval by the Board of Directors, may also be dedicated to any person that has given outstanding service to the Association on a statewide basis.

.7 **Conference Committee Members** are encouraged to attend Regional Presidents/Council Meetings and appropriate CSEA workshops in the Area they represent, with the concurrence or upon request of the appropriate leadership, to keep chapters informed and up-to-date on conference planning and encourage delegate attendance.

303 EDUCATION

Revised April 2011

.1 **Educational Needs**

.01 Shall study the educational needs of all classified employees and work to develop suitable programs to satisfy those needs.

.02 Shall encourage establishment of such programs as may be approved by the Board of Directors, and assist with implementation of these programs when called upon to do so and with the approval of the Board.

.2 **Safety**

.01 Shall cause the membership to be kept informed on new developments in the field of Occupational Safety & Health.

.3 Education Committee members are encouraged to attend Regional Presidents/Council Meetings and appropriate CSEA workshops in the Area they represent, with the concurrence or upon request of the appropriate leadership, to keep chapters informed and up-to-date on Association training offerings.

304 MEMBER BENEFITS

Revised August 2023

.1 **Member Benefits Committee**

.01 **Purpose**: The purpose of the Member Benefits Committee is to solicit bids for and annually review the group voluntary plans of insurance offered to CSEA members, to assist in the education of members on the overall Board of Directors goals on healthcare, and to offer input on other member benefit programs as requested by the Association President.

.02 The Member Benefits Committee shall consist of a Chairperson plus one member from each of the designated Areas.

.03 **Duties and Responsibilities**: The Member Benefits Committee will:

(a) Develop ideas for new products and/or plans of insurance to offer CSEA members;

(b) Solicit and review bids from applicable benefit providers;

(c) Present proposals to the Board of Directors;

(d) Educate members on all of the programs available at authorized Association events;

(e) Conduct regularly scheduled benefit provider reviews;

(f) Adopt procedures for resolving disputes between members and any company and/or benefit provider of plans which cannot be resolved by mutual agreement;

(g) Generate an annual Insurance Bulletin outlining those current plans of insurance sponsored by the Association; and

(h) Review periodically all applicable member benefit programs.

.04 Committee members are encouraged to attend Regional Presidents/Council meetings and appropriate CSEA workshops at Association, Area, Regional or chapter levels to keep members up-to-date on our approved insurance plans and other information regarding the health and welfare of our members. Attendance at such meetings shall be upon concurrence or request of the appropriate leadership. Requests for Committee member attendance at CSEA meetings or other designated conferences, meetings, and hearings related to the Committee's area of responsibility shall be directed to the Member Benefits Committee Chair for prior approval and/or assignment of the appropriate Committee member.

.05 The Committee shall continually monitor the operation of all plans of insurance which have the Association's approval to ensure that the benefit levels/rate structures remain competitive. The Committee shall submit appropriate reports to the Board of Directors on at least an annual basis, or as otherwise may be required.

.06 The Committee shall provide all carrier/provider reports, agreements, and certificates of information which are required or which have been requested by CSEA to the Chief Counsel, or designee, for review and response as expeditiously as possible and consultation with the Committee as appropriate.
Since the purpose of the Chief Counsel's involvement in the review process and investigation is to provide legal advice to the Committee on behalf of the Association, all information pertaining to the review and consultation is intended to be covered by the attorney-client privilege. Therefore, all such information must be protected from disclosure.

.07 The Committee shall adopt procedures for resolving disputes between members and the company and/or insurer of sponsored plans which cannot be resolved by mutual agreement. The Committee shall act as the hearing body for those complaints or disputes between members and carriers, brokers, insurers and/or companies which have not been resolved by mutual agreement. The hearing procedure shall provide for both parties to be represented by a representative of their own choosing. No party to the procedure, however, may be represented by an attorney in proceedings before the Committee. Disputes submitted to the hearing procedure shall be heard not later than the next regularly scheduled Committee meeting following notification to the Committee, in writing, of the complaint or dispute, unless the parties have agreed, in writing, to extend the time for the hearing beyond the next regularly scheduled Committee meeting. Members requesting a hearing before the Committee shall be provided with a copy of the rules governing said hearing at least twenty (20) calendar days prior to the scheduled hearing.

305 LEGISLATIVE

Revised January 2011

.1 **Purpose.** It shall be the duty of the Legislative Committee to study the legislative needs of the Association or local chapters.

The Committee shall initiate and promote legislative measures that are in the best interest of the members of the Association, labor, and/or educational systems, provided the Board of Directors shall approve such measures.

The Committee shall also study proposed legislation which affects the members of the Association, labor, and/or educational systems. Under the direction of the Association President, the Committee shall exert its influence toward the passage or defeat of such legislative proposals.

.2 **Duties and Responsibilities.** The Committee shall:

.01 Assure legislative information pertaining to classified employees, labor, and educational systems be disseminated (as approved) via Association publications, attendance at Regional Presidents/Council meetings, appropriate CSEA workshops, and other means as may be requested and approved.

.02 Monitor and lobby legislation approved by the Board of Directors.

.03 Research and make recommendations on legislative resolutions submitted for the Annual Conference. **B-V,6(e)**

(a) The committee members shall be responsible for contacting the sponsors of resolutions submitted from their Area to obtain any pertinent background information or other data that may be necessary to the Committee's deliberations in making a recommendation on the resolution.

(b) The Committee shall review the resolutions and provide recommendations for action by the Conference delegates.

.04 Work in collaboration with the Association President and the Governmental Relations Department in facilitating the CSEA Legislative Conference.

.05 In partnership with the Governmental Relations Department, the PACE Committee, Political Action Coordinators, and Field Operations, educate, inform, and mobilize members to further CSEA's legislative and political agenda.

.06 Assume other duties, assignments, and projects as directed by the Association President and/or the Board of Directors.

307 COMMUNICATIONS

Revised August 2023

.1 **Committee**

.01 Shall develop and recommend to the Board of Directors appropriate policy relating to the Association's official publications and such other communications and public relations publications and projects as may be authorized by the Board of Directors.

.02 The Committee shall meet as necessary to conduct business, at least four times per year.

(a) At its first meeting, the Committee shall set a definite meeting calendar for the ensuing year.

(b) The Committee Chairperson and the Committee Coordinator are to receive copies of all correspondence involving problems, complaints, etc., relating to editorial content.

(c) From time to time, as necessity requires, the Committee shall review this Policy and recommend necessary revisions, additions, and deletions.

.03 Each committee member shall act as a resource for the Regional Communications Officers in the Area and shall coordinate communications and public relations activities with them.

.04 Each committee member shall act as liaison and aide for Chapter Communications Officers in the Area—promoting a better understanding of the chapter's role in dissemination of news and public relations information at the local level, and in providing information of statewide interest to CSEA's membership publications.

.05 Individual committee members will actively encourage chapters to begin and continue publication and distribution of local chapter newsletters and provide advice and assistance toward establishment of such publications.

.06 The Committee will judge CSEA's annual state competition for newsletters and websites. **P-909**

.07 The Committee Chairperson shall study and finalize the Committee's annual budget proposal in accordance with Association deadlines.

.08 Any major changes in format of the official publications (i.e., changes in size, frequency, type of publication, etc.) shall first be presented to the committee prior to being submitted to the Board of Directors for action. **B-VII,6**

.2 **Publishing Guidelines for CSEA's Membership Publications**

.01 CSEA shall regularly publish official membership publications. **B-VII,6** **P-705**

.02 An editorial calendar and publishing schedule shall be prepared annually by the Communications Department staff and made available to all CSEA elected and appointed officials and staff.

.03 Prior to Board action requiring the publication of any items in CSEA's membership publications, the Director, Communications Department shall be consulted for professional advice, technical consideration and consistency with CSEA's communications objectives. The editorial integrity of the publications shall take precedence over the interests of any advertiser, any officer, staff or CSEA member. **C-IV,2(d),4(d)** **C-IV,5(a)&6** **B-V,6(g)(3)** **P-203.7.04** **P-310.3**

.3 **Editorial Policy of CSEA's Membership Publications**

.01 Editorial policy of CSEA's membership publications dictates the right to accept, edit or reject all material submitted for publication.

A major function of CSEA's membership publications will be to serve as communication links between members, chapters, and the Association. Matters of policy, legislation of concern to the Association, educational programs, special services, job improvement programs, and awards and accomplishments will be reported relative to their pertinence to the membership and the Association.

.02 CSEA's membership publications shall strive to accomplish the following:

(a) Raise the professional standards of classified school employees toward improvement of California's public school system.

(b) Upgrade working conditions, salaries, fringe benefits, and otherwise promote the Code of Ethics.

(c) Promote the cause of education in California.

(d) Champion the classified school employee as an important and respected member of the whole educational team and point up the school employee's broader responsibilities to the state educational system.

(e) Advance the cause of the classified school employee by affording recognition when due, and by promoting accomplishments and achievements.

(f) Keep the membership abreast of the Association's business program and policies, local and statewide, and stimulate support of and participation in such activities.

(g) Encourage the exchange and expression of opinions by members on important Association issues.

(h) Instill pride of membership in CSEA members, and in other ways promote Association growth.

(i) Encourage the members to fulfill their responsibilities as citizens.

(j) Serve as a communication link between member, chapter, and the Association.

.03 Articles shall not contain any reference to religion unless germane to the article.

.4 **Advertising Policy of CSEA's Membership Publications**

.01 Publication of an advertisement does not constitute an endorsement by the California School Employees Association, nor does it entitle any advertiser special favors by any member of the Association.

.02 Advertising inconsistent with the Advertising Guidelines established by the Communications Committee shall not be published.

.03 A member of the Association seeking election to an Association office (President, 1st Vice President, 2nd Vice President and Secretary) may promote candidacy through an advertisement in CSEA's membership publications free of charge in not more than three (3), of the issues immediately preceding the annual Conference, subject to deadline requirements, and provided a Letter of Intent has been submitted prior to advertisement submission deadline.

Qualified members campaigning for Area Director and Alternate Area Director shall be permitted one free advertisement in the issue of their choice, subject to deadline requirements, and provided a Letter of Intent has been submitted prior to advertisement submission deadline.

.04 Qualified members seeking election to the Retiree Unit Executive Board (RUEB) office may promote candidacy through an advertisement in CSEA's Retiree publication free of charge in the issue immediately preceding the election, subject to deadline requirements, and provided a Letter of Intent has been submitted prior to advertisement submission deadline.

.05 Advertising and advertising insert rates for CSEA's membership publications shall be established in the Association's Advertising Guidelines.

308 RESEARCH/NEGOTIATIONS

Revised June 1997

.1 **Statement of Need.** The purpose of the Research/Negotiations Committee is to provide assistance in negotiations of sound comprehensive contracts requiring initial and ongoing training, education, and support for chapter negotiating committees.

.2 **Goals.** To develop program(s) which will focus on initial training and education of negotiating committees; update procedures and techniques; provide continuing support and expertise in the areas of negotiations and research; promote, encourage, and advocate participation.

.3 **Duties/Activities**

.01 The Research/Negotiations Committee will propose to the Board of Directors, recommended policy and programs in the research and negotiating areas with guidance from the Director of Field Operations and/or designee.

.02 The Committee shall work with staff and members (region/chapter) to plan workshops which will, as much as possible, relate to the current status of contracts and their negotiations. The Committee shall provide guidelines for duties and responsibilities for staff and members (region/chapter) regarding the presentation and the arrangements for workshops. Guidelines will include a suggested timeline for implementation.

.03 Committee members shall assess individual chapter/region/area needs and shall attend and evaluate as many workshops in the Committee member's Area as is practicable.

.04 Committee members are encouraged to attend Regional Presidents/Council Meetings and other appropriate CSEA workshops in the Area they represent, with concurrence of the appropriate leadership, to keep chapters informed of the Committee's activities and dates and contents of the Research/Negotiations statewide seminars.

309 PRE-RETIREMENT RESOURCE

Revised August 2023

.1 **Purpose:** The purpose of the Pre-Retirement Resource Committee is to educate Active members regarding their retirement benefits under CalPERS, Social Security and any other systems involving members represented by CSEA.

.2 **Duties**

.01 The Committee shall be responsible for coordinating the presentation of Pre-Retirement Seminars designed to educate active members on the value of their retirement and necessity of planning for their future retirement needs.

Committee members shall confer with their Area Director and regional/chapter members to plan the locations and dates for the Pre-Retirement Seminars. Committee members shall communicate with the regions/chapters regarding their responsibilities for the seminar, such as required equipment, refreshments, and timelines for the speakers.

.02 Committee members shall attend Regional Presidents Meetings, as needed, and attend appropriate CSEA workshops in the Area they represent. Attendance at such meetings shall be with the concurrence of the appropriate leadership and prior approval of the Pre-Retirement Resource Committee Chairperson.

.3 **Chapter Pre-Retirement Resource Person (CPRP):** Each committee member shall act as liaison and resource for Chapter Pre-Retirement Resource Persons in the Area, providing them with the CPRP Level I Training and all pertinent information and assistance as necessary.

.4 **Conference Workshop:** At the direction of the Association President, the Committee shall provide at Annual Conferences additional opportunities for members to prepare for retirement.

310 SCHOLARSHIP P-907 P-908

Revised May 2014

.1 **Purpose:** The purpose of the Scholarship Committee is to manage the Scholarship, Member Career Grant, and Member Reimbursement Subsidies of CSEA and to promote these and other affiliated programs with the membership.

.2 **Chairperson.** Shall be responsible for coordinating the activities of the Scholarship, Member Career Grant, and Member Reimbursement Subsidies programs.

.3 **Announcement of Awards.** The Scholarship Committee Chairperson shall cause appropriate articles to be published in the official publication announcing the availability of the respective awards. The articles shall include pertinent facts about the awards, such as: number and amount, method of payment, eligibility and qualification requirements, process for obtaining application forms, deadline requirements, basis of awards, dates of award notification, and general publicity on the awards programs.

The announcement of Scholarship awards program shall be placed in the January publication; announcement of the Member Career Grant awards program shall be placed in the June publication.

Announcement of the winners of the Scholarship awards, to include the names of the scholarships awarded, shall be made in the July publication; announcement of the winners of Member Career Grant awards shall be made in the January publication.

.4 **Applications.** The Scholarship Committee Chairperson shall see that awards data and application forms are made available and distributed upon request.

All data submitted by the applicants shall be filed in the Headquarters Office and referred to the Committee for screening at the direction of the Chairperson.

.5 **Selection of Winners.** The Committee shall select Scholarship and Member Career Grant winners and members eligible for Member Reimbursement Subsidies from those applying following established procedures as set forth in Policy Sections 901 and 902, respectively.

.6 Committee members are encouraged to attend Regional Presidents/Council Meetings and appropriate Area workshops throughout the State to keep members up-to-date on available Scholarships, Member Career Grants, and Member Reimbursement Subsidies and how to apply. Attendance at such meetings shall be upon concurrence or request of the appropriate leadership and prior approval of the Scholarship Committee Chair.

Revised August 2023

.1 **Name.** The standing committee on political action authorized under Article VI, Section 6(b) of the Constitution shall be known as ‘‘Political Action for Classified Employees of California School Employees Association’’ — PACE of CSEA.

As authorized by Article VII, Section 7(a), of the Association’s Bylaws, PACE shall administer the Association’s separate, segregated political action fund.

.2 **Purpose.**

The purposes of PACE of CSEA shall be, but not limited to, the following:

.01 To educate members, their families, and the community on political issues affecting the welfare of active and retired members of the California School Employees Association, through study, communication, educational programs, and other appropriate means.

.02 To encourage voter registration of members and their families and to ensure maximum voter participation for elections at all levels.

.03 To serve as a voluntary funding organization through which members of CSEA may give direct and indirect financial support for candidates for public office, without regard to party registration, ballot measure campaigns, and other political activities which are important to the overall goals of CSEA and the welfare of its members.

.04 To advance the interests of labor and education in local, state, and national political party platforms.

.05 To administer the separate, segregated political action fund of the Association.

.3 **Composition and Appointment.**

.01 The PACE Committee shall consist of a Chairperson, plus one member representing each of the designated Areas.

.02 The President shall appoint the members of the PACE Committee. Recommendations from the Area Directors shall be considered in making appointments of the Area members.

.03 In addition to the above, the CSEA Executive Director shall serve ex-officio as the PACE Secretary-Treasurer, with full voice in all matters under discussion, but no vote.

(a) During any authorized period of absence of, inability to act by, or vacancy in the position of Executive Director, the CSEA Board of Directors shall designate a qualified staff member to serve in the position of PACE Secretary-Treasurer on a temporary basis.

(b) The Secretary-Treasurer shall be the chief staff officer for PACE, and shall maintain supervision and control over other paid staff as are necessary to carry out the activities of PACE.

(c) The Secretary-Treasurer shall have custody over the official minutes of all meetings of PACE and shall be responsible for carrying on the necessary and appropriate official correspondence on behalf of PACE. The Secretary-Treasurer shall be responsible for the maintenance of all funds, keeping records of receipts and expenditures, filing such reports as are required under the law, and shall render such reports as may be required.

.4 **Definitions.**

For the purposes of Policy 311, the following terms shall have the following meanings:

A **Local Candidate** is an individual who seeks nomination or election to a local office within the State of California.

A **State Candidate** is an individual who seeks nomination or election to a California State office.

A **Federal Candidate** is an individual who seeks nomination or election to a U.S. Federal office.

.5 **Administration of Political Action Funds.**

.01 **Revenue and Fund Designation**

(a) All political action contributions received by the Association under provisions of Article VII, Section 7 of the Bylaws shall be deposited in separate, segregated fund accounts under the name of PACE of CSEA.

At time of deposit, in accordance with federal tax law, funds for ballot measures, propositions and other related issues shall be segregated from funds for candidates.

Funds for local and state candidates shall be deposited in the name of PACE I.

Funds for local and state ballot measures, propositions and other related issues shall be deposited in the name of PACE II.

Funds collected in conformance with state and federal laws will be deposited in PACE III.

(b) PACE shall determine, at the time of deposit, appropriate division of all Political Action contributions between the PACE Accounts.

(c) Use of PACE funds shall be restricted to:

(1) Political contributions and activities relating to local, state, and federal candidates and ballot measures.

(2) Operations of the PACE Committee and other assigned CSEA staff in administering the political action funds and carrying out their functions as authorized by these policies.

(3) Political action training programs as may be approved by the Board of Directors.

(d) Contributions, gifts, and bequests may be accepted for the PACE Political Action Fund at any time when they are without restriction as to use, and in compliance with the California Political Reform Act and the Federal Election Campaign Act.

Funds so defined shall be deposited in the name of PACE of CSEA—VICTORY CLUB, as a separate, segregated sub-account. The VICTORY CLUB is subject to all provisions of CSEA Policy 311: Political Action Committee. All membership requirements and benefits shall be established by the PACE Committee.

.02 **Control of Funds.**

(a) All political action funds shall be received and entered upon the records of the Secretary-Treasurer, which records shall be kept under the direction of the Secretary-Treasurer and Chairperson. Regular books and full accounts showing all PACE receipts and disbursements shall be maintained and open at all times to the inspection of the CSEA Board.

(b) A report as to the financial condition of the PACE fund with a detailed statement of receipts and expenditures for the preceding PACE fiscal year shall be rendered at each annual CSEA Conference.

(c) All PACE funds shall be kept in the name of PACE of CSEA in such depository as may be approved by the CSEA Board of Directors and shall be disbursed by the designated representative of the PACE Committee, as approved by the Chairperson and Secretary-Treasurer.

(d) No expenditure may be made from the PACE fund when a vacancy exists in the office of Secretary-Treasurer.

(e) All expenditures from the political action fund shall be made by check only, signed by the designated representative of the PACE Committee, as approved by the Chairperson and Secretary-Treasurer.

.03 **Budget Preparation.** The Secretary-Treasurer shall prepare an annual PACE Budget for review and recommendation of the PACE Committee, and which shall be presented to the CSEA Board of Directors for acceptance and submission to Conference delegates.

Each budget shall contain itemized estimated receipts and expenditures and shall indicate the amount to be set aside for a reserve fund, if any.

.04 **Invested Funds.** Monies in the reserve funds shall be invested in the name of PACE of CSEA, upon approval of the CSEA Board of Directors, in insured banks, building and loan companies, government bonds, or such other instruments that the Board considers to be productive and secure.

.05 **Regulation of Expenditures.** The approved budget shall regulate the expenditures of the PACE fund. Any expenditure in excess of those approved in the budget must be approved by the CSEA Board of Directors, except that expenditures which will not cause the major account to exceed the amount budgeted for that account need not be approved.

.06 **Fiscal Year.** The fiscal year for PACE shall be June 1 through May 31.

.6 **Support Allocations.**

All PACE support allocations shall be made in full compliance with State and Federal campaign contribution and election laws. The PACE Committee shall have sole authority to determine the amount of financial support to be made on behalf of any endorsed candidate or ballot measure, subject to such budgetary controls and limitations as set forth in Section 311.5, and to such further limitations as set forth below.

.01 Maximum campaign contribution limitations to any single ballot measure (PACE II) or directly to any local, state, or federal candidate or elected official or PERS candidate (PACE I/PACE III) per election are in accordance with local, state, and federal law.

.02 Maximum campaign contribution limitations to the following local candidate or elected official (PACE I) and local bond/ballot measure (PACE II) per election are:

Per Local school/community college district board, county office, city or special district office candidate (not to exceed local limits)…….....$2,600

Per Local school, community college or local Bond/ballot measure (not to exceed local limits)…….…….…….....$5,000

.03 In accordance with State campaign contribution and election laws, independent expenditures do not apply to these limits.

.7 **Endorsement Policies.**

.01 No officer, member, chapter, committee or other group shall, by act or intent, take any action in an official or unofficial capacity as a representative of the Association which implies support or opposition by the Association of any political party.

(a) Participation by a CSEA member as a delegate to a political party convention shall not be deemed as implying Association support of a political party and is not in violation of this section.

(b) Financial assistance to CSEA members to participate as an official delegate to a political party convention, as authorized in this policy shall not be deemed as Association support of a political party and is not in violation of this section.

(c) Contributions to a political party for use on behalf of a CSEA-endorsed candidate or ballot measure campaign or other pro-labor or pro-education purposes, as authorized in this policy, shall not be deemed as official or unofficial Association support or endorsement of the recipient political party and is not in violation of this section.

.02 The name of the Association (CSEA) shall not be used in connection with any action taken by any member, officer, or any other person in support or opposition of a political candidate or ballot measure unless such action is in agreement with action taken by the Association's Board of Directors, the Annual Conference delegates, the PACE Committee, or endorsement action of a chapter as permitted within these policies.

.03 **Local.**

(a) **Chapter Endorsements of Local Governing Board Candidates.**

In the absence of any prohibition in the Association's or Chapter's Constitution and Bylaws or Policy, a Chapter may endorse specific candidates for its local governing body, subject to the following endorsement requirements and restrictions:

(1) A pre-screening process of all candidates for the office, either through an open forum (candidate's night) or by a Chapter screening committee, is required prior to endorsement action by the Chapter.

(2) Endorsement recommendations of the Chapter political action (screening) committee must be submitted to a meeting of Chapter members for a final vote. Approval of the recommendation by a majority vote is required.

(3) If more than one chapter is governed by the elective body, each chapter may endorse in accordance with this policy. Where more than one chapter endorses the same candidate, such candidate will be eligible for PACE financial assistance up to the maximum allowable under one Financial Assistance Request.

(4) The CSEA Chapter representing a County Office of Education (COE) may make endorsements for County Superintendent of Schools (if elected) and members of the Board. Other CSEA chapters within the jurisdiction of the County Office of Education shall defer to the endorsement of the chapter with local jurisdiction. The COE Chapter will take into consideration recommendations of local chapters within jurisdiction before making endorsement.

(5) If there is no CSEA Chapter within a County Office of Education, all school chapters within the county may undertake a joint review of candidates for the position of County Superintendent of Schools (if elected) and members of the Board. All chapters within the county must be given opportunity to participate. A majority of the participating chapters must concur before an endorsement may be made.

(6) Such candidate endorsements may qualify for PACE financial assistance, in accordance with Policy 311.8.

(7) Chapters may not endorse candidates for election to another chapter's governing body, except upon request to and in concurrence with the CSEA Chapter governed by the elective body.

(b) **Chapter Endorsements of Local Candidates without a CSEA Jurisdiction.**

In the absence of any prohibition in the Association's or Chapter's Constitution and Bylaws or Policy, a Chapter or Retiree Unit Council may endorse local candidates for City or County offices, even if the elections do not impact their governing body, if made in accordance with this policy.

(1) For local offices where CSEA does not represent the jurisdiction, only endorsed candidates who are CSEA members in good standing shall be eligible for PACE financial assistance, in accordance with this policy.

(c) **Chapter Positions on Local Bond/Ballot Measures/Parcel Taxes Directly Impacting Chapter Membership Working Conditions.**

(1) In the absence of any prohibition in the Association's Constitution and Bylaws or Association policy, a Chapter(s) may take a position on a local bond/ballot measure/parcel tax that directly impacts the working conditions of the Chapter's membership, subject to the following endorsement requirements and restrictions:

(i) A pre-screening process of all applicable bonds/ballot measures/parcel taxes, either through an open forum or by a Chapter screening committee, is required prior to endorsement action by the Chapter.

(ii) Endorsement recommendations of the Chapter political action (screening) committee must be submitted to a meeting of Chapter members for a final vote.

Approval of the recommendation by a majority vote is required.

(2) Such bond/ballot measures/parcel tax endorsements may qualify for PACE financial assistance, in accordance with this policy.

(3) Chapters seeking financial support for a local bond/ballot measure/parcel tax must also comply with the procedures described in this policy.

(d) **Chapter Positions on Local Bond/Ballot Measures/Parcel Taxes Without a Direct Impact on Chapter Membership Working Conditions.**

(1) In the absence of any prohibition in the Association's or Chapter's Constitution and Bylaws or Policy, a Chapter may endorse local bond/ballot measures/parcel tax, even if the elections do not impact chapter membership working conditions, if made in accordance with this policy.

(2) Such bond/ballot measure/parcel tax endorsements are not eligible for PACE financial assistance, in accordance with this policy.

(e) **Chapter Positions on Statewide Ballot Measures.**

Chapters shall not take a position on a statewide bond/ballot measure unless the Association has acted on the measure and the position of the Chapter is consistent with the action of the Board of Directors.

.04 **Presidential, U.S. Senate, U.S. Congress, State Constitutional Offices, and State Legislative Offices.**

In years when U.S. President, U.S. Senate, U.S. Congress, State Constitutional, and State Legislative offices are up for election, endorsements shall be determined, upon the recommendation of the PACE Committee, by the action of the CSEA Board of Directors in an open Board Meeting.

(a) Prior to such endorsement action by the Board of Directors, PACE shall:

(1) Conduct interviews of candidates, where appropriate, and/or request that such candidates provide written replies to questions of concern to CSEA members.

(2) Provide its recommendations for endorsement and reasons therefore to the CSEA Board of Directors.

(3) Provide proper notice to chapters regarding the date when the endorsement action shall be taken by the Board of Directors.

(4) Arrange for sufficient time for questions to the Board of Directors and/or the PACE Committee.

After endorsement by the Board of Directors, PACE may, at the direction of the Association President, invite the endorsed candidates for Presidential and State Constitutional offices to appear before the CSEA Annual Conference.

(b) The criteria for endorsements shall include, but not be limited to, the following:

(1) Voting record of candidate;

(2) Public statements of candidate;

(3) Knowledge and experience on issues related to classified employees, labor and retirement issues;

(4) Recommendations from politically active chapters;

(5) Where appropriate, recommendations from chapters who have worked with the candidate;

(6) Recommendations from staff;

(7) Results of questionnaires sent to candidates;

(8) Results of candidate interviews where appropriate;

(9) Other endorsements.

(c) Chapters may submit recommendations for endorsement of Congressional and State legislative candidates to the Committee for consideration at any time. When such a recommendation has been made by a chapter, the Committee shall determine whether local interviews of candidates are necessary. Any such interviews deemed necessary shall be conducted in conjunction with local chapter political action committees under the direction of the PACE member for the Area, and pursuant to guidelines developed by the Committee and approved by the Board of Directors.

.05 **Association Position on Statewide Ballot Measures.**

The CSEA Board of Directors, as the Association's policy-making body, shall determine the Association's position in regard to all statewide ballot measures, in accordance with the following guidelines:

(a) The following positions may be adopted by the Board:

Support – Implies active support of the Association in obtaining qualification or passage of the measure, including authorization for commitment of political action funds to the campaign.

Oppose – Implies active opposition of the Association to the measure, including authorization for commitment of political action funds to the campaign.

Neutral – Neutrality in attitude and position. Chapters are free to take any action they choose.

(b) Unless otherwise determined by a two-thirds vote of the Board, a "Neutral" position shall be taken on all matters not directly related to school employees or classified employee related activities.

.06 **Endorsement Process for CalPERS Board Election.**

Endorsements for candidates for the CalPERS Board shall be determined, upon the recommendation of the PACE Committee, by the action of the CSEA Board of Directors in an open Board Meeting.

(a) Prior to such endorsement action by the Board of Directors, PACE shall:

(1) Request that candidates provide written replies to questions of concern to CSEA members.

(2) Provide its recommendations for endorsement and reasons therefore to the CSEA Board of Directors.

(3) Provide proper notice to chapters regarding the date when the endorsement action shall be taken by the Board of Directors.

(b) The criteria for such endorsements shall include, but not be limited to, the following:

(1) Knowledge and experience on issues related to classified employees, PERS, and retirement issues;

(2) Public statements of candidate and results of questionnaire;

(3) Recommendations from politically active chapters and staff;

(4) Electability;

(5) Ability and willingness to put in the time needed to be an effective PERS Board member;

(6) Incumbency, including past voting record;

(7) Other endorsements.

(c) **Member Education.** Prior to PERS Board elections, the Executive Director, or designee, shall cause articles to be written for the Association's official publication that educate CSEA members about the PERS Board candidates, election process, the function of the PERS Board, and the effect of their decisions on CSEA members.

.8 **School/Community College Boards, County, City, Local District Offices Contribution Policies.**

.01 Chapters shall not create separate, segregated political action funds for political contributions for any purpose.

(a) Chapters shall not make political contributions or expenditures to or on behalf of a candidate or the candidate's campaign committee from the chapter's general fund account. All financial contributions or expenditures to or on behalf of candidate political campaigns—including local, state, federal and constitutional offices—shall be made only from the PACE of CSEA Candidate Account as governed by this policy.

.02 PACE may provide financial assistance to candidates on behalf of Chapters that are actively involved in elections of their governing bodies, provided the Chapter has submitted the request on a valid PACE Financial Assistance Request Form 9010-Candidate and has met the endorsement requirements of this policy.

PACE financial support may be provided to Chapters whose collective bargaining contracts are determined by the elective body, in accordance with this policy.

(a) Action to support a Chapter(s)' financial assistance request shall only be considered if:

(1) The Financial Assistance Request Form (FARF) is submitted to Governmental Relations by e-mail with the FARF attached to the e-mail or by certified mail not later than thirty (30) days prior to the election date.

(2) Proper endorsement action has been taken by the Chapter in accordance with this policy.

(3) All sections of the request form are completed properly and all required attachments are provided.

(4) Minutes on the Chapter(s) endorsement action are attached to the request form. Minutes must clearly state that a quorum was present and that a formal motion was made, seconded and carried. Minutes must be dated and signed by the Chapter President and Secretary, or in their absence, other officer(s) of the Chapter's Executive Board.

(5) A written statement is attached to the request form verifying that all affected Chapters were asked to participate in the endorsement process, and that a majority of Chapters selecting to participate, per this policy, have concurred on the endorsement action. All affected Chapters must be identified in this statement. All Chapters that participated in and concurred with the endorsement action must also be identified in this statement. The statement must be signed and dated by the Chapter President and Secretary, or in their absence, other officer(s) of the Chapter's Executive Board.

(b) All PACE contributions shall be made directly to the endorsed candidate or the candidate's campaign committee. No PACE funds shall be transferred to the control of the Chapter(s), nor shall any Chapter be reimbursed for expenditures from Chapter funds.

(1) As stipulated in this policy, all contributions to or on behalf of a candidate or the candidate's campaign committee shall be made directly from the PACE fund. Chapters shall not make any financial contribution or expenditure to or on behalf of a candidate or the candidate's campaign committee.

(c) PACE financial support will only be provided when deemed warranted as evidenced by the amount of volunteer membership support activity, by the commitment of the Chapter(s) involved, by the chapter Victory Club membership, and by the election information submitted on the Chapter(s)' Financial Assistance Request Form, taking into consideration PACE financial resources and budgetary priorities.

(d) Approval of financial assistance requests by PACE shall not constitute endorsement of the candidate(s) by the PACE Committee or Association. The cover letter forwarding the approved contribution shall clearly convey that the contribution is being made on behalf of the Chapter(s) endorsement.

(1) Chapter(s) submitting the financial assistance request shall receive written notification from PACE informing them about the action taken by PACE on behalf of the endorsed candidate(s).

(2) Chapters identified per Policy 311.7.03.(4) and 311.7.03.(6) as participating in and concurring with the endorsement action shall receive written notification from PACE informing them about the action taken by PACE on behalf of the endorsed candidate(s).

(e) The PACE Financial Assistance Request Form 9010-Candidate shall be made available to all Chapters through CSEA Field Offices and the CSEA website www.csea.com, together with instructions regarding timelines and other requirements for submission.

(f) PACE shall act on Chapter requests at least 2 weeks prior to the election PACE may act on Chapters' financial assistance requests up to 150 days prior to the election, provided the campaign has been identified as a CSEA target.

.9 **Local Bond/Ballot Measures/Parcel Tax Contribution Policies.**

PACE may provide financial assistance to a specific local bond/ballot measure/parcel tax that directly impacts the working conditions of a Chapter's membership, provided the Chapter has submitted the request on a valid PACE Financial Assistance Request Form 9011-Bond/Ballot and has met the endorsement requirements of this policy.

PACE financial support will only be provided if the local bond/ballot measure/parcel tax directly impacts the working conditions of chapter membership, in accordance with this policy.

.01 Action to support a Chapter(s) financial assistance request shall only be considered if:

(a) The Financial Assistance Request Form (FARF) is submitted to Governmental Relations by e-mail with the FARF attached to the e-mail or by certified mail not later than thirty (30) days prior to the election date.

(b) Proper endorsement action has been taken by the Chapter, in accordance with this policy.

(c) All sections of the request form are completed properly and all required attachments are provided.

(d) Minutes on the Chapter(s) endorsement action are attached to the request form. Minutes must clearly state that a quorum was present and that a formal motion was made, seconded and carried. Minutes must be dated and signed by the Chapter President and Secretary, or in their absence, other officer(s) of the Chapter's Executive Board.

.02 All PACE contributions shall be made directly to the local bond/ballot measure/parcel tax campaign. No PACE funds shall be transferred to the control of the Chapter(s), nor shall any Chapter be reimbursed for expenditures from Chapter funds.

(a) As stipulated in this policy, all contributions to or on behalf of a local bond/ballot measure/parcel tax shall be made directly from the PACE fund.

(b) Chapters shall not make political contributions from the chapter's general fund account payable direct to any ballot measure campaign, including local bond measure/parcel tax campaigns.

(c) Chapter general fund accounts may be utilized for contributions to ballot measure campaigns, including local bond measure/parcel tax campaigns, if the contribution is made through the PACE of CSEA Issues Account using PACE Chapter Contribution Form 9012.

(1) Any such contributions must have prior majority vote approval of the chapter membership, and shall only be made in accordance with endorsement requirements as stipulated in this policy.

(2) Any such contribution must be submitted with a PACE of CSEA II Issues Account Chapter Contribution/Request Form to ensure that all appropriate procedures relating to chapter endorsement of local bond measures/parcel tax have been followed, and that all pertinent information regarding the chapter's contribution is submitted to PACE along with the chapter's contribution check.

.03 PACE financial support will only be provided when deemed warranted as evidenced by the amount of volunteer membership support activity, by the commitment of the Chapter(s) involved, by the chapter Victory Club membership, and by the election information submitted on the Chapter(s)' Financial Assistance Request Form, taking into consideration PACE financial resources and budgetary priorities.

.04 Approval of financial assistance requests by PACE shall not constitute endorsement of the local bond/ballot measure/parcel tax by the PACE Committee or Association. The cover letter forwarding the approved contribution shall clearly convey that the contribution is being made on behalf of the Chapter's endorsement.

.05 The PACE Financial Assistance Request Form 9011 shall be made available to all Chapters through CSEA Field Offices and the CSEA website *www.csea.com*, together with instructions regarding timelines and other requirements for submission.

.06 PACE shall act on Chapter requests at least 2 weeks prior to the election. PACE may act on Chapters' financial assistance requests up to 150 days prior to the election, provided the campaign has been identified as a CSEA target.

.10 **State Constitutional Office and State Legislative Office Contribution Policies.**

.01 At the beginning of each calendar year, the PACE Committee shall conduct an analysis of the campaigns and other political activities within the State of California in which CSEA participation would be beneficial, and shall, within the approved budget for campaign expenditures, determine its funding priorities.

.02 The Committee shall determine the maximum amount of assistance to be provided endorsed candidates for use in election campaigns, taking into consideration financial need of the candidate, campaign organization, and expected opposition.

(a) The cost of in-kind contributions (e.g. printing) shall be included as part of the total contribution amount, with the exception of in-kind contributions which are used for the sole purpose of communicating with CSEA members.

(b) The Committee shall determine, on an individual basis, whether any approved financial support will be provided as a direct contribution to the candidate's campaign committee, or whether payment will be deferred to allow CSEA member attendance at local events.

(c) If all or any portion of the approved contribution is to be utilized for local events, participation in any individual function and the maximum expenditure for the event may be authorized by the concurrence of the Area Committee member involved, the Secretary-Treasurer, and Chairperson.

.03 Contributions to incumbents may be considered on an individual basis, taking into consideration voting history, and the best interests of the Association. Such contributions shall be subject to limitations as set forth in Section 311.6, and shall be in full compliance with State and Federal campaign contribution and election laws.

.04 Nothing herein shall be construed to prohibit contributions to a political party for pro-labor or pro-education purposes, if deemed in the best interests of the Association. Contributions for such purposes shall not be deemed as official or unofficial Association support or endorsement of the recipient political party and are not in violation of this policy.

.11 **Political/Campaign Events.**

.01 **Political Leadership Events.** When tickets for a political Leadership Event (such as, Speaker of the House, Senate Majority Leader, State Constitutional Offices, Speaker of the Assembly, or Senate Pro Tempore) become available, the Secretary-Treasurer shall arrange for appropriate distribution of tickets among the following categories:

(a) Association President or designee;

(b) Executive Director or designee;

(c) CSEA Board members, as assigned by the Association President;

(d) PACE Committee Chairperson;

(e) Legislative Committee Chairperson;

(f) PACE Committee Member and/or Legislative Committee Member, where appropriate;

(g) Director of Governmental Relations, Governmental Relations Assistant Director and/or Governmental Relations Legislative Advocate(s), where appropriate.

Invitations shall be issued within each of the above categories in the respective order of priority listed, but in such a manner that every effort is given to rotate attendance among individuals expressing an interest.

If tickets are remaining following the initial distribution, the remainder shall be released for further distribution at the discretion of the Secretary-Treasurer within the categories listed in 311.11.03, below.

.02 **Election Year—Targeted Campaign District Events.**

During an election year or special election, PACs assigned to (a) targeted campaign(s) are to receive a higher priority in the distribution of tickets to their targeted candidate's events. This priority shall apply to events occurring the eight weeks preceding and following the election. This priority does not apply to Leadership Events.

When tickets to targeted political events, as defined, become available, the Secretary-Treasurer shall arrange for appropriate distribution of the tickets among the following categories:

(a) CSEA Board Member(s) in the immediate area of the event;

(b) Executive Director or designee, if a constituent of the candidate;

(c) PACE Committee Chairperson if in the immediate area of the event or assigned by the Association President to attend;

(d) Political Action Coordinator, if assigned to the targeted campaign;

(e) The Area's PACE Committee member(s);

(f) The Area's Legislative Committee member(s);

(g) Senior Labor Relations Representative, if assigned to the targeted campaign;

(h) Other appropriate, politically active CSEA members (including retirees) and staff assigned to the targeted campaign.

.03 **Other Political Events.** When tickets for a regular political event (such as, Assemblyperson, Senator) become available, the Secretary-Treasurer shall arrange for appropriate distribution of the tickets among the following categories:

(a) CSEA Board members in the immediate area of the event;

(b) Executive Director or designee;

(c) PACE Committee Chairperson if in the immediate area of the event or assigned by the Association President to attend;

(d) PACE Committee members or Legislative Committee members within the immediate area of the event;

(e) Political Action Coordinators, as appropriate;

(f) Senior Labor Relations Representatives, as appropriate;

(g) Other appropriate, politically active CSEA members (including retirees) and staff within the vicinity, as appropriate.

Invitations shall be issued within each of the above categories in the respective order of priority listed, and in such manner that attendance is rotated among individuals expressing an interest.

If tickets are remaining following the initial distribution, the remainder shall be released for further distribution at the discretion of the PACE Committee member involved.

.04 Tickets for Capitol lobbyist events shall be distributed to the Governmental Relations Department staff, as determined by the Director, Governmental Relations.

.12 **Democratic/Republican State Convention Financial Assistance Policies.**

PACE will provide financial assistance to CSEA members to participate as delegates to annual State Democratic or Republican Convention. PACE shall maintain a line item account within the PACE Budget for this purpose.

Financial assistance policies are as follows:

.01 Maximum financial assistance, per delegate, per fiscal year, shall not exceed $400, or 75% of total expense, whichever is less.

.02 Requirements for qualifying for delegate financial assistance are:

(a) Victory Club membership;

(b) Delegate expense claims, with documentation, submitted within 30 days following the conclusion of the convention.

.13 **Political Action Training Program.**

The PACE committee shall work with the Field Operations Department and the Governmental Relations Department to develop and deliver political action training for CSEA members.

.01 The purpose of the program will be to educate members in the political processes applicable to all parties and not to advocate any partisan philosophy or viewpoint.

.02 The content of the training program shall include, but not limited to, the theory and practical application of the principles, methods and skills of actually conducting effective political campaigns.

.03 The instruction in the training program shall be provided by staff, PACE Committee members or other competent instructors, and may include persons who have been elected to public office.

.14 **Political Organizing for State Targeted Campaigns.**

A targeted district is a legislative district where the pro-labor/pro-education and anti-labor/anti-education candidates in the race have an equally good chance of winning the election. These campaigns are targeted for the purpose of organizing CSEA field offices and members into these campaigns to ensure CSEA resources are maximized to secure the election of CSEA's endorsed labor candidate(s). The number of targets assigned to each field office varies with each election cycle.

PACE financial resources can be made available to assist field offices assigned CSEA targeted campaigns in an amount up to $1,000 per target. Factors determining total financial assistance will include the difficulty of the election, the geographical area of the district, and other circumstances unique to the target. Such financial assistance may be used for external campaign work for volunteer incentives, volunteer meals, etc. Field offices accepting such financial assistance must provide PACE of CSEA a full accounting of the funds, including receipts, within thirty (30) days after the election. Unused funds must be refunded to PACE of CSEA. These resources cannot be used as a contribution to any candidate.

.01 External campaign work is work done by CSEA volunteers that involves contacts with the public instead of contacts with CSEA members only. This includes precinct walking, phone-banking, office work in candidates' campaign offices, posting lawn signs, etc. Field Office general fund monies cannot be used for external campaign incentives.

.02 Internal campaign work is done by CSEA to contact CSEA members, retirees, staff and their immediate family members and is defined as member-to-member communications. These activities include working with approved AFL-CIO and California Labor Federation (CLF) member-to-member communication programs.

.15 **PACE Hosted Events.**

The PACE Committee shall determine, in consultation with the Governmental Relations Department, which legislators shall be invited to local events and meetings with chapter leaders and members.

312 BUDGET

Revised July 2008

.1 The Budget Committee shall be responsible for overseeing the preparation of the Association's annual budget, attesting to thoroughness and accuracy of content.

.2 The Committee shall meet with the Executive Director at least four times a year to review the financial status of the Association, and shall provide input and recommendations relating to long-range financial needs and goals.

.3 Prior to CSEA's Annual Conference, the Committee shall meet independently with the Auditor each year.

.4 The Committee shall recommend selection of the Auditor for action by the Board of Directors.

.5 Committee members are encouraged to attend Regional Presidents/Council Meetings and appropriate Area workshops throughout the State, to educate chapters about the budgeting process and answer questions members may have regarding the Association's budget.

.01 Requests for meeting attendance shall be directed to the Budget Committee Chairperson, for prior approval and assignment of the appropriate Committee Member.

313 COMMUNITY COLLEGE

Adopted November 1991 – Revised July 2009

.1 The purpose of the Community College Committee is to research, educate, and communicate the issues and concerns of community college employees; provide a liaison between the membership, committees and the Board of Directors; advocate for CSEA and community college classified employees; and to foster and reaffirm the partnership and commonality of K–12, community college, and county office of education members.

.2 **Duties/Activities**

.01 Function as a networking system that will identify opportunities, concerns and problems within the community college system and recommend appropriate action.

.02 Consult with community college representatives on the other standing committees as necessary regarding community college issues that may be impacted by Association programs.

.03 Develop methods of effectively implementing governance changes mandated upon community colleges for Board approval.

.04 Advocate for CSEA and community college classified employees with other organizations involved with community colleges.

.05 Research, monitor and relay relevant information impacting community colleges to appropriate community college Chapter Leaders.

.06 Submit reports and recommendations to the Board of Directors on the activities of other organizations involved with community colleges.

.07 Develop and conduct Community College training activities to educate the membership and communicate the issues and concerns of community college classified employees.

.08 Committee members are encouraged to attend Regional Presidents/Council Meetings and appropriate workshops in the Area they represent, with the concurrence of the appropriate leadership, to educate our chapters and keep them informed about the unique problems that community colleges deal with throughout the State.

314 RESOLUTIONS B-II,3 B-V,6

Revised August 2023

.1 **Purpose.** The purpose of the Resolutions Committee shall be to function as directed in the Association's Bylaws, as follows:

.01 Be a resource and guide to the membership to ensure that Conference resolutions are in proper form for delegate action.

.02 Review Conference resolutions requiring a change in the Association's Constitution & Bylaws and general policy matters.

.03 Review all other certified Conference resolutions for assignment to appropriate committees.

.04 Evaluate resolutions assigned to the Resolutions Committee and recommend action to Conference delegates.

.2 **Goals.** The Goals of the Resolutions Committee are:

.01 Each committee member shall endeavor to become knowledgeable on contents and proper interpretation of the Association's Constitution & Bylaws and Policy.

.02 Continue to develop materials that educate chapters on the "how to" of writing resolutions.

.03 Communicate to resolution sponsors on receipt and disposition of resolutions, and to keep an open line of communication at all times.

.04 Provide a clear and concise analysis and recommendation on all resolutions assigned for review.

.3 **Duties.** The Duties of the Resolutions Committee are:

.01 Committee members shall attend Regional Presidents Meetings and other appropriate meetings as invited and approved by the committee chairperson.

.02 Committee member shall submit, on a monthly basis, a report on committee activities to the committee chairperson.

.03 Upon receipt of resolutions certified by the Association Secretary, the committee chairperson shall notify the resolution's sponsor, in writing, of the Committee meeting date at which the resolution will be reviewed. The name, address and phone number of the Area committee member will be provided so that the sponsor may contact the committee member to provide any further information regarding the purpose and intent of the resolution.

.04 The Area committee members shall be responsible for contacting the sponsors of resolutions submitted from their Area to obtain any pertinent background information or other data that might be necessary to the committee's deliberations in making a recommendation on the resolution.

.05 Resolutions received not in proper form shall be handled as follows:

(a) Resolutions which would affect the Constitution or Bylaws but which do not contain the appropriate amending language:

The Committee shall develop appropriate amending language and amend the RESOLVED clause(s) of the resolution as appropriate. Any amending language developed by the committee shall be consistent with the original intent of the resolution as stated in the WHEREAS sections or as may be ascertained from the resolution's sponsor.

The resolution's sponsor shall be consulted regarding the committee's proposed changes and notified, in writing, of the committee's final revisions.

(b) Resolutions proposing actions which would conflict with existing provisions of the Constitution or Bylaws or the requirements of law:

The Committee shall, in consultation with the resolution's sponsor, attempt to develop appropriate language for the RESOLVED clause(s) to remove the conflict without changing or expanding upon the original intent of the resolution as expressed in the WHEREAS sections. If the Committee is unable to do so, it shall notify the resolution's sponsor and the Board of Directors, in writing, outlining the specific areas of conflict and the reasons the resolution cannot be put in proper form. Said notice will indicate that the resolution will not be presented to the Conference for action, unless the sponsor disagrees with the findings of the Committee and so notifies the Association President, in writing, no later than 30 days prior to the Annual Conference requesting that the resolution be heard.

(c) In consultation with the resolution's sponsor, the Committee may perfect the wording of any resolution's RESOLVED clause(s) if necessary to clearly state the intent of the proposed action.

.06 If the Committee receives two or more resolutions on the same subject matter, it may, in consultation with the resolutions' sponsors, combine the resolutions into a single resolution for purposes of Conference action. In combining the resolutions the Committee may revise or expand upon the language to clarify the issues presented and to clearly place the intent of the proposed action before the delegates. The Committee shall send a copy of the combined resolution to the resolutions' sponsors and the Board of Directors, indicating that the original resolutions will not be presented to the Conference for action unless the sponsor notifies the Association President, in writing, no later than 30 days prior to the Annual Conference requesting that the original resolution be heard.

.07 All resolutions revised by the Committee shall be forwarded to the Executive Director or designee for dissemination to the membership in their revised form.

.08 When assigned resolutions have been placed in proper form for Conference action, the Committee shall evaluate the merits of the proposal and provide its recommendation to be submitted to the Conference delegates. Said recommendations shall be forwarded to the Executive Director or designee for dissemination to the membership in accordance with Article V, Section 6 of the Bylaws.

.09 The Committee shall ensure that the Constitution & Bylaws are updated with all revisions adopted at the Annual Conference, to include any necessary technical adjustments.

.10 The Committee may submit recommendations to the Board of Directors regarding the need for revision of the Constitution & Bylaws or Policy where the Committee finds that conflicts or inconsistencies between the two documents may exist.

315 CREDENTIALS COMMITTEE

C-VI,7
B-II,4
B-V,2(d)
P-301.9

Adopted January 1980

The Credentials Committee shall be charged with the responsibility of verifying eligibility of all members seeking delegate status to an Annual or Special Conference in accordance with Article V, Section 2 of the Bylaws, and shall be responsible for the compilation and rendering of such reports as may be required to determine actual delegate voting strength during the course of the Conference.

317 COUNTY OFFICE OF EDUCATION

Adopted June 2002

.1 **Purpose.** The purpose of the County Office of Education Committee is to research, educate, communicate and network regarding the issues and concerns of the County Office of Education Chapters providing a liaison between members, Board of Directors, committees, Governmental Relations and the legislature, while acknowledging the differences and similarities of County Offices of Education, Community Colleges, and K–12's.

.2 **Duties/Activities**

.01 Research and make recommendations on legislative resolutions that impact County Offices of Education and to make sure that the interests of County Office of Education classified employees are included, where applicable.

.02 Assess the needs of County Office of Education Chapters and employees and produce County Office of Education specific reports.

.03 Provide educational programs to inform the CSEA Board of Directors, membership, and the general public about the function of County Offices of Education and services they provide.

.04 Promote a positive image and increase awareness of the County Offices of Education and their purpose in public education through a web site and other publications.

318 MERIT SYSTEM

Adopted March 2005 – Revised September 2016

.1 **Purpose.** The purpose of the Merit System Committee is to assist merit system and non-merit chapters by sharing information pertinent to merit system chapters including development of commission rules and regulations, budget and commissioner appointments. The Committee shall also provide necessary and relevant specialized training for merit system chapters and propose legislation specific to merit system chapters that will protect employee rights under merit system laws.

.2 **Duties/Activities**

.01 Recommend policy for merit system chapters to the Board of Directors.

.02 Work with staff and members to inform the chapter membership of merit system trainings available through the field offices.

.03 Promote a positive image and increase awareness of the Merit System and its purpose through a website, publications, and events as applicable.

.04 Annually review and update, as necessary, Merit System publications.

.05 At the direction of the Association President, provide training at Annual Conferences.

.3 **Chapter Appointment of Personnel Commissioner of the Merit System**

.01 This section provides a procedure for chapter appointment of personnel commissioner of the Merit System (as referenced in the Education Code).

.02 **Appointment.** In the absence of any prohibition in the Constitution & Bylaws or written policies of the Association or chapter, a chapter shall appoint one member to its personnel commission upon initial formation or upon a vacancy created because of term expiration or resignation of its appointed commissioner. The appointment shall be subject to the following requirements and restrictions:

(a) A pre-screening process of all applicants for the vacancy shall occur either through an open forum or by a chapter screening committee.

(1) If pre-screening process is by open forum at a chapter meeting, it shall take a majority of those chapter members voting by secret ballot to approve the candidate. The chapter membership shall receive at least five (5) working days notice of a chapter forum.

(2) The recommendation of the screening committee shall be submitted at a chapter meeting for a final vote. Approval of the chapter's appointee shall be by a majority of the members voting by secret ballot. The chapter membership shall receive at least five (5) working days notice of the chapter meeting.

(b) Appointees shall meet the requirements of Education Code §45244/§88064 (a, b, c inclusive) and shall be a "known adherent to the principles of the merit system."

(c) The name of the chapter's nominee shall be forwarded to the Governing Board who shall then confirm the appointment, pursuant to Education Code §45245/§88065.

Merit Systems formed prior to September 18, 1965, shall have the members of the personnel commission appointed by the Superintendent of Public Instruction unless the governing board has conducted an election, upon petition of the chapter, to determine that the chapter membership shall select the commissioner (Education Code §45249/§88069).

(d) In a school district where more than one employee organization exists, the organization representing the majority of classified employees has the right to make the appointment (Education Code §45245/§88065).

(e) The procedure for the appointment of the third or "neutral" member of the commission shall follow this policy. The chapter's recommendation shall be submitted to the chapter's appointee for consideration of nomination (Education Code §45245/§88065).

.4 **Campaign Rules**

.01 Chapter funds shall not be used to promote the candidacy of any person. Use of chapter funds in connection with Personnel Commissioner Elections shall be restricted to:

(a) Issuance of nomination and election notices;

(b) Issuance of ballots and other expenses necessary for conducting the election;

(c) Printing of candidate statements in a regular or special issue of the chapter newsletter, provided that all candidates shall be provided equal opportunity and equal space in the same issue.

.02 Candidates for Personnel Commissioner shall not have access to a chapter membership list or mailing labels.

.03 Members shall not:

(a) Distribute Personnel Commissioner Candidate campaign materials containing the CSEA shield or any other identification that would tend to denote Association sanction of the materials or endorsement of the candidacy.

(b) Campaign, wear campaign buttons or shirts, or pass out campaign materials within 25 feet of any polling site.

.5 **Removal of Personnel Commissioner**

.01 Commission Rules shall be followed.

.02 In the absence of Commission Rules on the removal of a Personnel Commissioner, the removal shall be in accordance with Government Code (Government Code § 3060-3075).

.03 The removal of Personnel Commissioners shall not be for arbitrary or capricious reasons. A showing of misconduct or bad acts constituting willful or corrupt misconduct is required for removal under the Government Code (Government Code § 3060-3075).

319 AWARDS

Adopted April 2011 – Revised July 2017

.1 **Purpose.** The purpose of the Awards Committee is to ensure our members receive recognition by promoting and encouraging the awards programs that acknowledge our members and other classified employee advocates who provide outstanding service to CSEA, our students, and the community.

.2 **Duties.** The Awards Committee shall:

.01 Direct the Outstanding Service Award Program. **P-906**

P-902

.02 Direct the CSEA Member of the Year Program.

.03 Direct the William P. Schwartz Humanitarian of the Year Award Program. **P-904**

.04 Direct the Activist of the Year Award Program. **P-903**

.05 Promote a positive image of CSEA and its awards and increase the awareness of the Awards programs and their purpose through the use of publications, the website, and other communications avenues.

.3 The Awards Committee members are encouraged to attend RPMs, retiree council meetings, and appropriate CSEA area workshops throughout the state to keep members current on the availability of awards and nomination submission.

Attendance at such meetings shall be by request of the appropriate leadership and with approval of the Awards Committee Chairperson.

400
REGIONAL REPRESENTATIVES

401 APPOINTMENT **B-III**

Revised April 2023

.1 Regional Representatives shall be appointed by, and serve at the pleasure of, the Association President. Term of office shall be from time of appointment to the conclusion of the next Annual Conference held in an odd-numbered year.

.2 Regional Representative appointments shall be submitted to the Board for information purposes. **C-VI,2** **B-I,9**

.3 When appointing Regional Representatives, the Association President should seek the recommendations of Area Directors, Regional chapter leaderships, or other members.

.4 **Letters of Interest.** To assist the Association President in making the appointments, each Regional Representative shall postmark or deliver a letter to the President by June 15th of each odd-numbered year indicating their availability and interest in serving in the same or other positions.

402 PRIMARY RESPONSIBILITIES AND DUTIES

Revised April 2023

.1 Communication between the Association and the Chapters is of vital importance to the functioning of CSEA. Supporting the general governance structure of the Association and supporting the policies and procedures of the Association is of equally vital importance. It is essential that the Association's Policy Handbook and the written communication of CSEA be discussed, understood, and implemented.

It is the primary responsibility of the Regional Representative to ensure that this goal is effectively carried out. To this end, the Regional Representative is charged with disseminating such information through Regional Presidents' Meetings, chapter visitation, and by such other follow-up as may be necessary to ensure implementation of programs and policies.

.2 As part of the larger member leadership team, Regional Representatives shall collaborate with Area Directors and other Regional leaders and attend Association functions as assigned unless otherwise excused by the Association President.

.3 Regional Representatives shall attend at least one Chapter membership and/or Executive Board meeting per year for each Chapter in their Region. Regional Representatives shall otherwise maintain at least monthly communication with Chapter Executive Boards to ensure implementation of CSEA programs and policies.

.4 The Regional Representative is not intended to be, nor to perform the functions of, the Labor Relations Representative or others; but it is expected that staff and Regional Representatives will cooperate and complement one another in the performance of their respective or joint duties.

.5 **Release Time.** With the approval of the Association President, each Regional Representative shall be provided paid release time for attending CSEA meetings, Annual Conference and other required training.

.6 **Travel.** Regional Representatives shall be provided a travel budget for the purpose of carrying out their primary duties and responsibilities to attend meetings of chapters in their Region and conduct Regional Presidents Meetings.

.01 With the approval of the Association President, Regional Representatives may be authorized additional travel to attend other meetings and events (e.g. Association Board of Directors meetings). The Association President, however, shall exercise discretion when providing approval to minimize cost to the Association based on the location of the meeting or event.

403 REGIONAL MEETINGS

Revised August 2023

.1 **Regional Presidents Meetings.** Every Regional Representative shall conduct meetings for the presidents of the chapters within the Region. These Regional Presidents Meetings (RPMs) shall be conducted as a workshop and will be held for the purpose of member training; discussing chapter problems and proposals for solution; determining receipt of an action by chapters on communications from the Association; and generally ensuring that lines of communication between the Association and its chapters are open and functioning. **SR-B B-III,3**

.01 Every Regional Representative shall conduct not less than five (5) RPMs per year during the period September through June.

(a) The Regional Representative shall provide a schedule of their RPMs for the entire year to each Chapter President in their Region, the appropriate Field Office, the Association President, Area Director, and Standing Committee representatives for the Area.

(b) These RPMs are intended to be separate from the responsibility of the Regional Representative to attend meetings of the chapters in their regions and hold installation events.

.02 Attendance by chapter presidents at RPMs shall be mandatory. If the president cannot attend, the president shall have an authorized chapter representative in attendance. Other chapter officers or committee members may be invited and may attend if, in the discretion of the Regional Representative, such attendance will be beneficial.

.03 Regional Representatives may conduct joint RPMs with another nearby region(s).

.04 At the discretion of the Regional Representative, Regional Council Meetings may be called to include the general membership of the chapters within the region for the purpose of presenting information of general concern such as, but not limited to, legislation, internal and external elections, and Conference resolutions and activities.

.2 **Refreshments at Regional Presidents Meetings.** The Regional Representative may expend an amount not to exceed a total cumulative amount of $500.00 during a fiscal year for refreshments at such meetings as are required to be held or are called by the Regional Representative in the interest of the Association. **B-III,3**

.01 All requests for reimbursement under this Policy shall be on the approved claim forms and with appropriate and necessary receipts attached, submitted in accordance with Policy 111.

404 JOINT INSTALLATION PROGRAM **C-III,3**

Revised April 2023

.1 Regional Representatives shall encourage a joint installation program for Chapter officers within their respective Regions. Such installation programs should be planned to afford maximum attendance by Chapter personnel and shall be held annually no later than January 31. Additional ceremonies may be held as required during the year in the event of vacancies.

.2 It is the responsibility of the Regional Representative to conduct the installation ceremony unless there is a special request for a particular Installing Officer (see Policy 112).

405 REPORTS **B-IV,2**

Revised April 2023 **P-107**

.1 Regional Representatives shall submit annual reports for Conference and budget preparation. Regional Representatives shall follow such directions as may be issued and render such additional reports as may be required.

406 REGIONAL REPRESENTATIVES' ASSISTANTS

Revised August 2023

.1 **Assistant Regional Representative.** An Assistant Regional Representative (ARR) shall be selected by, and serve at the pleasure of, the Regional Representative. The Regional Representative may assign the ARR to assist in the work of the Region. The ARR may represent the Regional Representative at RPMs, chapter meetings, and special functions within the Region as may be directed. All such activities shall be only at the request and direction of the Regional Representative.

.2 **Regional Secretary.** A Regional Secretary shall be selected by, and serve at the pleasure of, the Regional Representative. The duties of Regional Secretary shall be to take and transcribe minutes of Regional Presidents Meetings; send notices of meetings, meeting agendas and minutes, and announcements of other Regional activities to the Region's chapters; and maintain an up-to-date roster of officers and meeting information pertaining to all the Region's chapters for use by the Regional Representative.

.3 **Regional Communications Assistant.** A Regional Communications Assistant, shall be selected by, and serve at the pleasure of, the Regional Representative. The duties of the Regional Communications Assistant shall be to edit and distribute a regional newsletter or similar publication as may be authorized by the Regional Representative, write articles of interest for the official publications of the Association, and perform such other duties as normally pertain to Regional Communications Assistants or as may be assigned by the Regional Representative.

.4 **Expenses.** All expenses first approved by the Regional Representative and incurred by the ARR, the Regional Secretary, and the Regional Communications Assistant shall be charged against the Regional Representative's general budget.

.01 All claims for expenses for the ARR, Regional Secretary and Regional Communications Assistant shall be submitted monthly as soon as possible after the expense is made to the Regional Representative, who shall forward them to the Association President for approval and payment.

407 POLITICAL ACTION COORDINATORS

Revised August 2023

.1 Political Action Coordinators shall be assigned as follows:

.01 Political Action Coordinators shall be assigned to work within each Regional jurisdiction. The Association President may appoint more than one Political Action Coordinator within a Regional jurisdiction.

.02 Up to fifteen additional Political Action Coordinators shall be assigned from the Retiree Unit.

.2 Political Action Coordinators assigned a specific Regional jurisdiction shall have primary coordinating responsibility in their assigned Region for all local and initiative election activities as well as campaign and legislative activities related to the Assembly and Senate Districts within their assigned Region.

.3 Basic duties for all Political Action Coordinators shall be:

.01 Encourage and assist chapters in establishing political action committees.

.02 Assure that every chapter has a fully operational "Alert" system, and to serve as the Legislative Committee contact for the statewide "Alert System" chain when a Legislative Alert is called.

.03 Encourage and recruit membership in the Victory Club.

.04 Report on CSEA legislative/political activities at RPMs, and at chapter and other meetings within the Region as appropriate.

.05 Coordinate communication of CSEA political and legislative messages to CSEA members.

.06 Participate in lobbying legislators, school board members and other political office holders at the federal, state and local level.

.07 Submit monthly reports to the Association President with a copy to the Field Office. The Political Action Coordinators assigned from the Retiree Unit will also submit a copy of their monthly report to the Retiree Unit Chair.

.08 Attend training sessions as directed.

.09 The Political Action Coordinators assigned from the Retiree Unit will also report on CSEA legislative/political activities at retiree district/council meetings as appropriate.

.4 In addition to the basic duties listed above, and only in conformance with Association Political Action Program directives and operating within their assigned jurisdictions, Political Action Coordinators shall:

.01 Advise chapters regarding CSEA-endorsed federal, state and local candidate and initiative election activities, and assisting with voter registration programs.

.02 Assist in developing and recruiting members for volunteer political activity.

.03 Work with PACE and Legislative Committee members, Regional Representatives, and other appropriate staff, assist in providing member legislative, political action, and Victory Club training/educational programs.

.04 Assist the PACE/Legislative Committees in arranging Regional events involving elected officials, both state and local.

.5 **Appointment.** The Association President shall appoint the Political Action Coordinators and shall direct the activities of the Political Action Coordinator(s) in accordance with Political Action Program directives established by the Board of Directors.

.01 Appointment shall be at the discretion of the Association President. However, the Association President shall seek recommendations from the Regional Representatives, member leaders and other appropriate persons, and may consider for appointment both "Active" and "Retired" members.

.02 The Association President shall additionally seek recommendations from the Retiree District Directors, through the Retiree Unit Chair, for those Political Action Coordinators assigned from the Retiree Unit.

.6 **Term of Office.** Term of office shall be from time of appointment to the conclusion of the next Annual Conference held in an odd-numbered year. In making the appointment, the Association President shall give due consideration to the need for continuity and expertise in the position.

.7 **Letter of Interest.** To assist the Association President in making the appointments, each Political Action Coordinator shall postmark or deliver a letter to the President by June 15th of each odd-numbered year, indicating availability and interest in serving in the same or other positions.

.8 **Expenses.** A separate, specified amount shall be incorporated within the budget designated for the office of PAC, with expenses for respective activities charged against the respective budgeted amounts.

.01 The Political Action Coordinators shall submit claims for expenses to the Association President for approval and payment. The Political Action Coordinators assigned from the Retiree Unit shall submit claims for expenses to the Retiree Unit Chair, who shall forward them to the Association President for approval and payment.

408 CERTIFICATE OF APPRECIATION

Revised August 2023

.1 The Association recognizes that Regional Representatives perform a valuable service to the membership and to the welfare of their chapters. To accomplish these duties assigned, Regional Representatives donate many evenings, weekends, and vacation hours to further the goals and aims of the Association. The Association therefore establishes a Certificate of Appreciation to recognize Regional Representatives who are leaving their position for their time and efforts.

.2 **Procedure for a Certificate of Appreciation.** The Association President shall have discretion to cause the Certificate of Appreciation to be prepared and shall arrange for suitable presentation. The Certificate can be issued at any time the President directs.

500
RETIREE UNIT

Adopted December 1991

501 IMPLEMENTATION **B-XIII**

These policies shall constitute the operating guidelines for the Retiree Unit of CSEA as established under Article XIII of the Association's Bylaws, adopted August 1991 at the 65th Annual Conference; revised August 2000 at the 74th Annual Conference, August 2002 at the 76th Annual Conference, August 2007 at the 81st Annual Conference, July 2011 at the 85th Annual Conference, August 2014 at the 88th Annual Conference, August 2016 at the 90th Annual Conference, July 2021 at the 95th Annual Conference.

502 PURPOSE OF THE RETIREE UNIT (Statement of Goals)
Revised June 2013

.1 To work with the Pre-Retirement Resource Committee to assist active employees who are preparing for retirement.

.2 To work with local CSEA chapters and the Association to provide volunteers for preparing mailouts, participating in voter registration drives, school board and other political campaigns; telephoning and other assistance in representational elections and support in labor disputes, as called upon to do so.

.3 To enable retirees to become more aware of CalPERS activities and legislative measures affecting CalPERS.

.4 To provide a strong support group for the passage of any legislation that will assist classified employees, both active and retired, and to provide strong opposition to proposed legislation that will have an adverse affect.

.5 To become recognized among other retired public employee groups and to work with other groups on issues of common concern.

.6 To provide CSEA with a pool of talent and expertise to help in supporting CSEA's total program.

503 DEFINITION OF ''RETIREE'' ELIGIBLE FOR MEMBERSHIP **C-II,1(e)**
Revised August 2023

.1 As provided in Article II, Section 1(e), of the Association's Constitution, membership in the Retiree Unit shall be open to the following:

.01 Any retiree who was employed at any time in the classified service of any California school district, to include County Offices of Education and Regional Occupation and other programs provided through the County Schools offices;

.02 Any retiree who was employed at any time in any other public agency unit for which CSEA holds exclusive representative status, to include city and county governments, special districts, and the State of California.

.2 Retirees need not have been members of CSEA while employed by the qualifying agency/ employer or at the time of their retirement.

.3 ‘‘Retiree’’ shall be defined to mean: (1) a person who has qualified for and is receiving a monthly pension allotment from the Public Employees Retirement System or other qualified pension plan; or (2) a person who has withdrawn from all full-time employment and, even though not a member of the Public Employees Retirement System or any other qualified pension plan, is of such age and/or disability to be eligible for retirement under the Public Employees Retirement System.

504 REPORT OF ACTIVITIES **B-IV,2**

Revised February 1995

.1 The Retiree Unit Executive Board shall provide a written report of the activities and accomplishments of the Retiree Unit during the preceding fiscal year, to be included with the annual reports of CSEA officers and staff for submission to the Annual Conference. **P-107**

.2 The District Directors shall report on their activities and activities of their District Councils at each meeting of the Executive Board.

.3 The Executive Board Chairperson or designee shall report quarterly to the CSEA Board of Directors (September, December, March, June) to keep the Board fully informed regarding the activities and plans of the Retiree Unit.

Proposed activities to be undertaken by the Retiree Unit Executive Board or any of its Councils which are not authorized within these policies or the Association’s Bylaws, or proposals for expenditures not included in the approved budget, shall be submitted to the Board of Directors for action.

.4 Minutes of Retiree Unit Executive Board meetings shall be submitted for distribution with the CSEA Board Agenda for the next following meeting.

505 CHANNELS FOR ACTION

.1 All courses of proposed action shall be presented through the following channels:

Members to Council Meetings to District Director to Executive Board;

Executive Board to CSEA Board of Directors if warranted or as otherwise required; or

Executive Board to CSEA Annual Conference through submission of appropriate resolution in accordance with procedures and timelines specified in Article V, Section 6 of the Association’s Bylaws. **B-XIII,3(a)**

506 BUDGET

Revised June 2013

.1 A line-item expenditure account detailing expenditures for the Retiree Unit shall be established within the Association’s General Fund Budget as outlined in Section 9, Article XIII of the Bylaws.

.2 Proposed expenditures which have not been incorporated in the approved budget shall be submitted to the Board of Directors for prior approval.

.3 **Expense Claims**

.01 Claims for actual and necessary expenses incurred on behalf of the Retiree Unit in conducting the duties as approved and required by these policies and Article XIII of the Association's Bylaws shall be reimbursable only to the following: **B-XIII**

The Retiree Unit Executive Board Chairperson
The Retiree Unit Executive Board Secretary
The Retiree Unit District Directors and Assistant District Directors

A separate, specified amount shall be incorporated within the District Director's budget designated for the office of Assistant Director, with expenses for the Assistant's approved activities charged against the amounts so budgeted. All expenses incurred by the Assistant Director shall only be with the prior approval of the District Director, and shall be charged against the District Director's general budget.

All claims for expenses by an Assistant Director shall be submitted to the District Director for approval, who shall then forward them through the appropriate channels for approval and payment.

.02 All requests for reimbursement shall be submitted on at least a monthly basis on the approved claim forms and accompanied by appropriate and necessary receipts. Reimbursement for travel, housing and per diem/meal allowances shall be in accordance with Policy Sections 113, 114, and 115.

All claims shall be submitted to the Retiree Unit Executive Board Chairperson for approval, who shall in turn submit the approved claim to the Association President for review and approval prior to forwarding to the Association's Accounting Department for payment. The final expense claims for the fiscal year shall be submitted so as to be received by the Association President at Association Headquarters in accordance with Policy Section 111.01.

.4 Retiree Unit Council officers shall not be entitled to per diem or other personal expense reimbursement, except when pre-approved by the Retiree Unit Executive Board Chairperson for Retiree Unit business in accordance with Association Policy or at the option of the local Council organization from Council funds.

.5 All proposals for fundraising activity which are initiated by the Retiree Unit Executive Board shall be submitted to the CSEA Board of Directors for prior approval, so that appropriate fiduciary controls can be maintained.

507 RETIREE UNIT MEETINGS **B-XIII,7(a)**

Revised October 2021

.1 **Meetings of the Retiree Unit Executive Board:**

.01 **Scheduled Meetings:** The Retiree Unit Executive Board shall meet in accordance with Article XIII, Section 7 of the Association's Bylaws. Meeting dates and locations will be set by the Executive Board. Such meetings shall be open to attendance by members of the Retiree Unit or any member of CSEA.

.02 **Distribution of Minutes:** Copies of the Minutes shall be sent to all members of the Retiree Unit Executive Board and Assistant District Directors, the CSEA Board of Directors, Council Presidents, and appropriate staff members. The Secretary shall submit a copy of the Minutes to the Association Headquarters Office for duplication and distribution as required.

.03 **Agenda:** The Executive Board Chairperson shall have final responsibility for preparing an Agenda for each meeting of the Executive Board, which shall be distributed to all Executive Board members at least one week prior to the meeting.

Items for the Agenda may originate from any source, but normally should originate with the Executive Board members, the staff coordinators to the Retiree Unit, or from the Council Presidents/membership through the District Directors.

The Chairperson may establish a deadline for submission of Agenda items.

.2 **Retiree District Meetings** **B-XIII,7(c)**

.01 Each District Director shall conduct district-wide meetings open to attendance by all retired members of the District, whether or not members of District Councils, to disseminate information relative to matters of importance to the retired membership and to receive the members' input on matters as may be necessary.

.02 At least one such meeting shall be scheduled during each fiscal year. The date, time and place for this one mandatory District-wide meeting shall be set by the District Director; however, each District Director shall present a common agenda and topics for discussion as shall be determined by the Executive Board.

.03 Such additional District-wide meetings as deemed necessary and prudent may be scheduled by the District Director with the approval of the Retiree Unit Chairperson, or as may otherwise be directed by the Executive Board.

.3 **Retiree Council Meetings** **B-XIII,7(b)**

.01 Each Council shall schedule a meeting to be held during the month of March or April of each year. The meeting agenda shall include: (1) Election of the Council's officers; (2) voting for the office of District Director or other Retiree Unit Executive Board office as required and directed under provisions of Policy Section 509; (3) annual reports of the Council's officers; and (4) such other business as may be required.

.02 Additional Council meetings may be called as determined by the Council President or its executive committee as prescribed in the Council's Constitution, and shall be called as directed by the Retiree Unit Executive Board in accordance with Article XIII, Section 7(b) of the Association's Bylaws.

.4 **Meetings Held Electronically**

.01 Meetings of the Retiree Unit Executive Board may be held electronically when ordered by a vote of the body at a previous meeting or when the chair receives approval of two-thirds (2/3) of the members thereof. Retiree District meetings may be held electronically at the call of the District Director. Retiree Council meetings may be held electronically as approved within a council constitution. All such electronic meetings shall be conducted through use of Internet meeting services that support voting and support visible displays identifying those participating, identifying those seeking recognition to speak, showing (or permitting the retrieval of) the text of pending motions, and showing the results of votes. The body may adopt special rules of order to govern the conduct of its own electronic meetings, however, such electronic meetings shall be conducted in accordance with the following minimum rules:

(a) **Meeting notices.** Appropriate login information necessary to connect to the meeting shall be included in the meeting notice including phone login information to participate aurally by telephone. Members joining by phone should announce themselves at the direction of the chair at the first opportunity.

(b) **Voting.** Votes shall be taken by the voting feature of the Internet meeting service, unless a different method such as a roll call or raised hand vote is directed by the members. Members participating by phone only shall vote by roll call at the direction of the chair.

Votes conducted through the designated Internet meeting service shall not be used for secret ballot votes such as elections.

(c) **Obtaining the floor or interrupting a member.** The electronic meeting shall provide a method for members to indicate to the chair they seek recognition to speak. A member has the floor and may unmute once recognized by the chair. A member may only interrupt a speaker for a specific motion or request which under the rules permits a member to do so. A member who intends to make such a motion or request shall so indicate to the chair and then shall wait a reasonable time for the chair's instructions before attempting to interrupt the speaker by voice.

(d) **Member participation and forced disconnections.** All members in attendance have the right to participate in the meeting including making motions and speaking in debate. However, the chair may cause or direct the muting or disconnection of a member's connection if it is causing interference with the meeting (such as interrupting other members when not permitted by the rules or when not recognized by the chair or if there is repeated, disruptive background noise). The chair's decision to do so must be announced to all participants prior to any action taken and is subject only to an undebatable appeal that can be made by any member present. To be in order, the appeal must be made immediately, before business moves onto the next subject. If appealed, a majority vote of members present is required to overturn the decision of the chair.

(e) **Technical requirements.** Each member is responsible for their own audio and Internet connections. No action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.

508 DUTIES OF THE EXECUTIVE BOARD

Revised August 2023

.1 **General:** Upon separation from office, an officer shall immediately turn over to the successor or other properly designated official all books, money and other effects of the Retiree Unit in the possession of the separating officer.

.2 **Executive Board Chairperson:** The Executive Board Chairperson shall:

.01 Preside at all meetings of the Executive Board; if unable to be present, shall designate another member of the Executive Board to serve as temporary Chairperson.

.02 Appoint an Assistant Chairperson from among the current Executive Board members to assist the Executive Board Chairperson with the duties of the Chairperson; and, in the absence or disability of the Executive Board Chairperson, possess all of the powers and perform all of the duties of the Chairperson;

.03 Serve as Chief Executive Officer for the Retiree Unit, and ensure that all activities are undertaken in compliance with the Association Constitution & Bylaws and policies;

.04 Represent the Retiree Unit at meetings of the Association's Board of Directors and other meetings as may be necessary, or delegate another member of the executive board to attend;

.05 Serve as delegate to the Association's Annual Conference;

.06 Perform such other duties as normally pertain to the office.

.3 **Executive Board Assistant Chairperson:** The Executive Board Assistant Chairperson shall:

.01 In the absence or disability of the Executive Board Chairperson, possess all of the powers and perform all of the duties of the Executive Board Chairperson.

.4 **Executive Board Secretary:** The Executive Board Secretary shall:

.01 Accurately record the minutes of all Executive Board meetings and forward them to Association Headquarters for proper duplication and distribution;

.02 Assist the Executive Board Chairperson in preparation and distribution of meeting agendas and other informational materials to the membership;

.03 Respond to all communications and inquiries as directed by the Retiree Unit Executive Board or the Chairperson, and prepare such other communications as may be required;

.04 Maintain up-to-date copies of the Constitution & Bylaws and Policy of the Association and see that copies of same are available at all Executive Board meetings for reference;

.05 Ensure that all records of the Executive Board and Retiree Unit are kept in safekeeping as a permanent history;

.06 In the event of absence of the Executive Board Chairperson, and if the Chairperson has failed to designate a temporary chairperson, shall call Executive Board meetings to order promptly as scheduled and conduct an election of temporary chairperson for the meeting;

.07 Serve as delegate to the Association's Annual Conference.

.5 **District Directors**: District Directors shall:

.01 Serve as liaison between the membership of the respective Districts and the Executive Board, representing the District's Councils on the Executive Board in setting policies and programs for the Retiree Unit;

.02 Actively participate in planning and directing the work of the District's Councils;

.03 Ensure coordination of Council activities with Association Chapters and Regions as may be appropriate;

.04 Serve as delegate to the Association's Annual Conference.

.6 **Assistant District Directors:** The Assistant District Director shall:

.01 Assist the District Director in coordinating activities within the District as directed;

.02 Preside at District meetings in the Director's absence;

.03 Represent the District Director at such other meetings as may be directed or as may be required due to the Director's absence.

.7 The Executive Board shall meet in accordance with Section 507 of these policies and tend to such matters as may be referred to it. It shall be the duty of the Executive Board to initiate such actions as may be necessary to carry out the work of the Retiree Unit, but such actions shall not be inconsistent with the objectives of the Retiree Unit or the Association's Constitution & Bylaws and policies, and shall be submitted for information/action by the CSEA Board of Directors as appropriate.

509 ELECTION PROCEDURES, RETIREE UNIT EXECUTIVE BOARD B-XIII,5

Revised August 2023

.1 **Eligibility** for election to each of the respective offices on the Executive Board shall be restricted to members in good standing of a Retiree Council who were "Active" members of CSEA at any time prior to retirement, and who have filed a Letter of Intent with the Executive Board Secretary no later than January 1st of the designated election year.

.01 Candidates for District Director must be a member of a Council organization within the particular District.

.02 Candidates for Executive Board Chairperson and Secretary may be a member of any Council organization within the Association.

.03 Candidates for elected office can only file a Letter of Intent for one Executive Board office at a time.

.2 **Letters of Intent:** The Executive Board Secretary shall ensure that the required Letter of Intent form is mailed to all Presidents of the Councils eligible to vote in the particular election at least one month in advance of the filing deadline, together with appropriate explanation of the seats open for election, eligibility requirements and filing deadline.

The Letter of Intent form will be published in an official publication of the Retiree Unit.

.3 **Election Procedures, General:**

.01 The Executive Board Secretary shall send notice of election for contested offices to all Presidents of the Councils eligible to vote in the particular election, which shall include the names and appropriate identification of candidates certified for each contested office, together with an explanation that voting will take place at the Council's March or April meeting for District Director; or that voting will take place at the May or June meeting for Executive Board Chairperson and Secretary; or by mail ballot for Councils within District O.

The notice of election will be published in an official publication of the Retiree Unit.

.02 The Executive Board Secretary shall cause an official ballot to be mailed via first class mail to each Council eligible to vote in the particular election, together with instructions to the Council President for conducting the election within the Council and for proper completion and return of the ballot, and a return-addressed envelope for return to the Association's special post office box for elections.

.4 **Council Voting Procedures:**

.01 Voting within the Councils shall be conducted by secret ballot among the Council members in good standing present at the specified meeting. Absentee or proxy votes shall not be permitted.

(a) Voting for Councils within District O shall be conducted by secret ballot by mail. Each Council Executive Committee shall cause an official mail ballot to be sent via first class mail to each individual member in good standing who is eligible to vote, at their last known home address, together with a return-addressed envelope for return of the marked ballot to the special post office box for elections so designated by each Council. The Council Executive Committee shall cause each mail ballot to include:

(1) Instructions for completion of the ballot and deadline date and time for receipt of the marked ballot.

(2) The official ballot, which shall be pre-folded in such a manner so that when returned marked and refolded in the same manner there will be no chance of accidental observance of the member's vote when removed from the return envelope.

(3) A pre-addressed, return envelope for return of the marked ballot, with a space designated for the voter's signature and other identifying data.

.02 The Council President shall appoint at least two Tellers to oversee the preparation, distribution, and counting of the ballots and to certify the election results.

.03 The Council Treasurer shall furnish the Tellers with a list of all members of the Council in good standing as of the date on which ballots are to be cast. The Tellers shall require each member to sign the official voter list for receipt of the ballot, and shall require members to deposit their ballots in an enclosed ballot box.

.04 Following close of the polls, the Tellers shall tally the ballots and certify the results in writing to the Council President, which shall include the total number of ballots distributed, the number of votes cast for each candidate, invalid ballots and blanks (abstentions).

.05 It shall require a plurality of the ballots cast to elect. If a tie exists, the election shall be determined by lot (such as drawing a name out of a hat, flipping a coin, etc.) between the tied candidates.

.06 The Council President shall announce the results of each vote, which shall be recorded in totality in the Meeting Minutes, and shall ensure that the Council's vote is accurately and completely recorded on the official ballot as required and that the official ballot is mailed to the Executive Board Secretary by the postmark deadline and to the special post office box address as specified.

.07 All ballots cast by members, including blank and invalid ballots, tally sheets, voter sign-in sheets and related documents, shall be secured and retained by the Council Secretary for a period of one year, or until objections to the election have been finally resolved, whichever is the longer period.

.08 The Executive Board Secretary shall designate a specific date and time at which the ballots will be collected from the special post office box and tallied. All candidates for the election shall be notified of said date, time and place for collection and tally of the ballots, and informed that they themselves may be present to observe the ballot collection and tally or they may designate another member to observe in their stead.

.5 **Campaign Rules** **P-203**

.01 Candidates for Executive Board positions shall be required to conform to all provisions of Policy 203, Electioneering Ethics and Campaign Limitations.

.02 All candidates shall, upon request to the Council President, District Director, or Executive Board Chairperson, as appropriate, be permitted access and time to speak to their candidacy at Council meetings, District meetings and other Retiree Unit functions as appropriate, and distribution of campaign literature at same.

.03 Councils shall not solicit nor permit campaign advertisements or endorsements for any candidate to be printed in a Council newsletter or other Council publication unless ALL candidates for the office are provided equal space in the same issue.

.04 Councils and the Executive Board shall honor all reasonable requests of any candidate to distribute campaign literature, by mail or otherwise, at the expense of the candidate, to all members in good standing of the Council(s)/District(s) as appropriate. Distribution privileges, if provided to one candidate, must be accorded all other candidates who so request on an equal basis.

.6 **Objections to the Election**

.01 Any certified candidate for election to the Executive Board may file a complaint relating to the conduct of the applicable election, which alleges violation of this policy by any Council in the conduct of its election, or alleges other conduct or activities relating to the total election process, which may have affected the outcome of the election.

.02 Such complaints must be filed with the Association President within one (1) calendar month following the certification of election results by the Executive Board. The complaint shall be in writing, and shall specify which section(s) of the policy are alleged to have been violated or the conduct being objected to, and shall clearly state in what manner such violations and/or conduct may have affected the outcome of the election. The complainant shall include copies of pertinent documents or names of witnesses in support of the allegations as may be appropriate.

.03 Upon receipt of the written objection, the Association President shall appoint the Association Secretary and two Council officers who are not involved in the complaint to promptly investigate the matter. They shall have the authority to interview such witnesses and inspect such documents as may be necessary to carry out their assigned task.

The assigned Council officers shall be reimbursed for travel, lodging and meal expenses as may be necessary in completing their assigned duties, payable from the Retiree Unit Account, and in accordance with Policies 113, 114, and 115.

.04 The investigation shall be completed within thirty (30) calendar days of receipt of the complaint by the Association President, and a written report and recommendation shall be submitted to the Association Board of Directors at its next following regularly scheduled meeting. The objecting candidate(s) shall be provided a copy of the written report and shall be permitted to address the Board on the issue if desired.

.05 The Board shall review the report and other testimony as may be presented, and shall determine whether the allegations shall be sustained.

(a) If the allegations are sustained and if in fact such violations could reasonably have affected the outcome of the election, the election shall be set aside and a new election shall be ordered.

(b) If the sustained allegations pertain to violations affecting (a) specific Council(s) election process, the new election shall be limited to the vote within said Council(s).

(c) If the allegations are sustained but it is determined that such violations could not have affected the outcome of the election, the Board shall order the institution of such procedures as may be necessary to prevent such violations in future elections.

510 OPERATIONS AND ACTIVITIES OF COUNCILS B-XIII,4

Revised October 2022

.1 **Council Constitutions**. Each Council shall, upon acceptance of a CSEA Retiree Unit council charter, be governed by the ‘‘Standard Council Constitution’’ as set forth in Policy 511.

.01 For newly chartered Councils, the Council President shall, within thirty (30) days of the Council's charter meeting, advise the Retiree Unit Chairperson, in writing, of the exact designation of its officers as required in Article IV of the "Standard Council Constitution". A copy of the minutes of the charter meeting reflecting the number and designation of officers elected shall be included.

.02 Councils may, in accordance with Article VII of the "Standard Council Constitution", adopt additional or different provisions to meet specific needs of the Council, provided they do not conflict with requirements of the Association's Constitution & Bylaws or policies. Such provisions shall not be effective or become operative, however, unless and until they have been approved by the Retiree Unit Executive Board or by action of the CSEA Board of Directors.

.03 Upon Council membership approval, the Council Executive Committee shall submit amendments to the Retiree Unit Chairperson. When submitting Council constitution amendments for approval, the Council must include a copy of the approved minutes (signed by both the Council President and Secretary) of the Council meeting where the amendments were approved. The minutes must clearly show the amendments as read and voted on, that a quorum was present at the meeting, and indicate two-thirds (2/3) approval of the members present. If the Council President was not present at the meeting, then the presiding officer should sign in the President's place, with explanation provided. If the Council Secretary was not present at the meeting, the member acting in this capacity for the purpose of recording the meeting minutes should sign in the Secretary's place, with explanation provided.

.04 The Retiree Unit Chairperson shall cause the amendments to be reviewed for conformance with Association requirements and the requirements of law, and shall refer the proposals with a recommendation for approval/disapproval by the Retiree Unit Executive Board at its next scheduled meeting.

.05 If the amendments are not approved by the Retiree Unit Executive Board, the Council President shall be informed of the reasons for rejection. If the Council believes the rejection is improper, the matter shall be referred to the Association Board of Directors for final decision.

Any appeal to the Association Board of Directors shall be in writing addressed to the Association's President, and shall outline the reasons why the Council believes the decision of the Retiree Unit Executive Board is improper. The decision of the Association's Board of Directors shall be final.

.2 **Council Election Procedures**

.01 Council Executive Committee elections are to be conducted in such manner as specified in the Council's Constitution as approved in accordance with the procedures in 510.1 above, which MUST be ONE of the methods in Association Policy 618.

511 STANDARD COUNCIL CONSTITUTION

Revised August 2023

ARTICLE I
Name and Objectives

Section 1. This Council shall be known as the _____ Retiree Council No._____, District _____, of the California School Employees Association Retiree Unit, as set forth in its charter.

Section 2. The objectives of this Council shall be as set forth in Policy 502.

ARTICLE II
Membership and Dues

Section 1. Membership in this Council shall be open to any person designated as eligible for membership in the Retiree Unit as specified in Policy 503 and who resides within Retiree District _____.

Section 2. Each member of the Council shall pay the annual dues amount established by the Association in accordance with the Association Constitution & Bylaws, which shall be payable direct to the Association, unless such dues payment has been waived by provision of the Association's Constitution & Bylaws.

Section 3. Membership in the Council shall be effective upon submission of an application for Council Membership and shall be and remain in good standing upon payment of dues as may be required under Section 2 above.

ARTICLE III
Financial Records and Reporting/Revenues

Section 1. Revenues of this Council shall be obtained through donations, investments, sales and fundraising activities.

Section 2. All receipts, checks, and cash disbursements shall be properly recorded and accounted for in the financial records.

Section 3. The Council Treasurer shall sign, and the Council President shall countersign, checks covering proper expenditures for the Council. In the absence of either the Treasurer or the President, the Vice President may sign in place of the absent officer.

Section 4. All books, records and financial accounts shall at all times be open to the inspection of the Association President or designee, Retiree Unit Chairperson or designee, as well as the Council President or any member duly authorized by the Council Executive Committee.

Section 5. All expenditures authorized by the Council Executive Committee will be reported in writing at the next meeting of the Council. Upon request, a copy of such report will be made available to any member in good standing of the Council.

ARTICLE IV
Council Elected Officers & Council Executive Committee

Section 1. The following officers shall be elected by the Council membership and shall constitute the Council Executive Committee: President, Vice President, Secretary, Treasurer. **B-XIII,4(b)**

Section 2. All members in good standing of the Council shall be eligible for election to the above offices.

Section 3. No candidate shall run for more than one elective office.

Section 4. Nomination and election of officers shall be held annually at the Council's March or April meeting. If there is only one nomination for any office the single nominee shall be declared elected and no ballot shall be required. Voting for contested offices shall be conducted by secret ballot and shall be restricted to members in good standing present at the meeting.

Section 5. An election committee shall be appointed at the beginning of the meeting, who shall oversee the distribution, collection, and tally of the ballots, which shall be in accordance with provisions of Association Policy 509.4 as applicable.

Section 6. A plurality vote shall elect. If a tie exists, the election shall be determined by lot (draw) between the tied candidates.

Section 7. The term of office for all officers shall commence on June 1 and continue for one year or until their successors are elected or appointed.

Section 8. A vacancy in the office of President shall be filled by the Vice President. A vacancy in any other office shall be filled by nomination and election by secret ballot at a designated meeting with proper notice to the Council membership at least fifteen (15) calendar days in advance. The Council Executive Committee may appoint a qualified member to fill the vacancy on an interim basis until an election can be held.

Section 9. Candidates for Council offices shall be permitted to conduct campaign activities as outlined in Association Policy 509.5.02 through 509.5.04, and the Council Executive Committee shall adhere to the same.

ARTICLE V
Duties of Officers & Council Executive Committee

Section 1. Upon separation from office, an officer shall immediately turn over to the successor or other properly designated official all books, money and other effects of the Council in the possession of the separating officer.

Section 2. The President shall be the chief executive officer of the Council and shall see that other officers comply with the responsibilities of their office and constitutional duties; shall ensure that all activities of the Council comply with the Association Constitution & Bylaws and policies and the directives of the Council membership and this Constitution; keep the membership apprised of the goals and activities of the Council; appoint committees as may be necessary to advance the work of the Council subject to the advice and consent of the Council Executive Committee; serve as an ex-officio member of all appointed committees; represent the Council at meetings of the Retiree Unit Executive Board and at the District level as may be necessary; preside at all Council meetings; sign all official Council documents and perform such other duties properly pertaining to the office.

Section 3. The Vice President shall assist the President in performing the duties of that office and shall attend to such matters as may be delegated by the President, and shall preside at meetings of the Council in the absence of the President.

Section 4. The Secretary shall accurately record the minutes of all Council meetings and meetings of the Council Executive Committee; respond to all communications and inquiries directed to the President/Council as directed by the President/Council Executive Committee; assist the President in the preparation and distribution of meeting agendas and other informational materials to the membership; maintain up-to-date copies of the Constitution & Bylaws and Policy of the Association and the Council's Constitution, and see that copies of same are available at all Council meetings and for reference by the membership. In the event of absence of the President and Vice President, the Secretary shall call Council meetings to order promptly as scheduled and conduct an election of temporary chairperson for the meeting.

Section 5. The Treasurer shall be responsible for all monies received by the Council and all disbursements of Council funds; shall maintain a bookkeeping system as prescribed by the CSEA Chief Financial Officer; deposit all funds of the Council in such bank or other repository as may be designated by the Council Executive Committee or the Council; make a financial report at each meeting of the Council and to the President when so requested; disburse funds for payment of bills as approved by the Council or the Council Executive Committee and in accordance with Article III of this Constitution; maintain an accurate record of members in good standing of the Council, forwarding copies of all applications received by the Council Executive Committee to Association Headquarters; sign all official documents pertaining to the office; and when relinquishing office, sign such bank signature cards or other documents necessary for the transfer of all Council accounts, and arrange for an audit of the Council's financial records.

Section 6. It shall be the duty of the Council Executive Committee to initiate such actions as may be necessary to carry out the work of the Council in the interim between Council meetings, but such actions shall not be inconsistent with the objectives of the Council and shall be subject to Council approval.

The Council Executive Committee shall ensure that every officer who is authorized to handle funds of the Council be covered by a blanket bond secured by the Association in accordance with Association policies. **P-611**

The Council Executive Committee shall meet at the call of the President and a majority of the members shall constitute a quorum for the transaction of business. Accurate minutes of each meeting shall be kept. A report on all actions taken by the Council Execuitve Committee shall be made to the membership at the next regular or special council meeting, with such actions subject to membership ratification if appropriate.

ARTICLE VI
Meetings

Section 1. The Council shall hold at least four (4) meetings during each fiscal year. The meetings shall be held at such time and place as designated by the Council Executive Committee. **B-XIII,7(b)**

(a) One (1) of the Council's required meetings shall be held in March or April for the purpose of electing Council officers; voting for the office of District Director in applicable years; annual reports of Council's officers and committees; and such other business that may arise.

(b) One (1) of the Council's required meetings shall be held in May or June for the purpose of voting for the office of Retiree Unit Executive Board Chairperson or Secretary in applicable years, and such other business that may arise.

Section 2. Other meetings may be scheduled by the Council Executive Committee, at the call of the President, or as requested by the Retiree Unit Executive Board in accordance with Article XIII, Section 7(b) of the Association's Bylaws. The time and place of such meetings shall be as determined by the Council Executive Committee.

Section 3. Council members shall receive written notice of each meeting and the topics for discussion and action to be taken at least fifteen (15) days prior to the scheduled meeting.

Section 4. A quorum for any meeting of the Council shall consist of at least five (5) members of the Council in good standing. Only members of the Council in good standing shall be allowed to vote.

Section 5. Unless otherwise ordered by two-thirds (2/3) vote of the members present, the order of business at regular Council meetings shall be:

(a) Pledge of Allegiance to the Flag
(b) Approval of the minutes of previous meeting
(c) Report of previous Council Executive Committee meeting(s)
(d) Treasurer's Report
(e) Committee Reports
(f) Unfinished business
(g) New business
(h) Good of the Order
(i) Adjournment

Section 6. The current edition of Robert's Rules of Order shall govern the proceedings of all meetings of the Council, when not inconsistent with the provisions of this Constitution, the Constitution & Bylaws and Policy of the Association, and any special rules the Council may adopt.

ARTICLE VII
Recall or Removal from Office

Section 1. Recall of Elected Offices

(a) Any member of the Council Executive Committee may be recalled from office upon a two-thirds (2/3) secret ballot vote of Council members in good standing present and voting at a meeting called for the purpose of a recall action.

(b) Recall may be initiated by a petition of two-thirds (2/3) of the Council Executive Committee or thirty percent (30%) of the members in good standing of the Council. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Council Executive Committee and to the individual being charged.

(c) Upon receipt of the petition, the Council Executive Committee shall arrange for a special meeting to be held not less than fifteen (15) calendar days nor more than thirty (30) calendar days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, including presentation and cross-examination of witnesses as may be appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members in good standing of the Council, authorized representatives of the Association, and such witnesses as may be pertinent to the action. Notice specifying time, date, and place and the specific nature/purpose of the meeting shall be issued to those eligible for attendance at least ten (10) calendar days in advance.

Section 2. Resignation from Office

(a) A resignation by an elected officer is not effective until accepted by the members in good standing present at a Council meeting.

ARTICLE VIII
Amendments to Constitution

Section 1. This Constitution shall at all times conform to all provisions of the Association Constitution & Bylaws and Policy, and where any conflict should occur, the Association Constitution & Bylaws and/or Policy shall prevail. **P-510**

Section *2*. This Constitution may be amended at any meeting of the Council by a two-thirds (2/3) vote of Council members present and voting, provided that at least fifteen (15) days advance written notice of the proposed amendments and the time, date and place of the designated meeting has been provided to all Council members in good standing. Council members wishing to propose amendments shall submit same in writing to the Council President, who shall ensure that all appropriate actions are taken in accordance with Association Policy 510, and that the required notice is sent for action by the Council.

ARTICLE IX
Fiscal Year

The fiscal year of this Council shall extend from June 1 through May 31, inclusive.

512 THE WILLIAM TURNER MEMORIAL SCHOLARSHIP (RETIREE UNIT GRANNY GRANT)

Adopted April 2021

.1 **Purpose.** To provide financial assistance to grandchildren or great grandchildren of eligible CSEA retirees.

.2 **Funding.** The amount of the grant will be determined by the CSEA Retiree Unit Executive Board on an annual basis at their January meeting. Information shall be published in the CSEA Retiree publication on an annual basis. Funding for the grants shall be generated by donations and fundraising events, which shall be deposited to the appropriate Retiree Unit account for this purpose. Disbursements shall be made at the request of the Retiree Unit Executive Board Chairperson or designee through the Member Benefits Department.

.3 **Eligibility.** An applicant must be a grandchild or great grandchild of a CSEA Retiree Council member in good standing. Applicant must be entering or continuing their education at a Community College, a four-year College or University, Vocational School or Trade School.

.4 **Basis of Awards.** Each Retiree Council shall develop a method of selection for scholarship recipients on an objective and nondiscriminatory basis which does not provide preference to grandchildren of members of the selection committee and does not provide preference to grandchildren of officers of CSEA or its chapters, units, or councils.

.5 **Application.** Application forms are available upon request from the Retiree Unit Executive Board. Completed applications and proof of enrollment forms shall be submitted to the council president of the CSEA Retiree Council to which the requestor is affiliated.

.01 Applications shall be accepted during the period March – June, postmarked no later than June 30 each year, if mailed.

.02 Each CSEA Retiree Council is eligible to offer one grant to one of their members each CSEA fiscal year for their grandchild or great grandchild, dependent on there being sufficient funds under Policy 512.2. Each Council shall determine their process for selecting a grant recipient, which shall be contained in the council constitution and/or a written procedure.

.6 **Payment.** Payment shall be made to the recipient upon submission of proof of enrollment. A verification of enrollment form shall be sent by each recipient for this purpose. If the recipient fails to provide proof of enrollment, the monies will be forfeited and awarded to a designated alternate.

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CHAPTERS

601 CHAPTER CONSTITUTION AND BYLAWS C-III,8

Revised August 2023

.1 **Chapter Constitutions.** Each chapter shall adopt a constitution or constitution & bylaws, which shall conform to the Constitution & Bylaws and written policies of the Association and to the requirements of law.

Each chapter shall, upon issuance of the chapter charter, be governed by the "Standard Chapter Constitution" as set forth in Policy 601.2.

.01 Chapters may adopt additional or different provisions to meet specific needs of the chapter, provided they do not conflict with requirements of the Association's Constitution & Bylaws or policies. Such provisions shall not be effective or become operative, however, unless and until they have been approved by the Executive Director, or designee, or by action of the Board of Directors.

When submitting constitutional amendments for approval by the Executive Director, or designee, the chapter must include copies of the approved minutes (signed by both the chapter president and secretary) of the chapter meetings where the first and second readings occurred. The minutes from the second reading must clearly show the amendment(s) as read and voted on, that a quorum was present at the meeting, and indicate 2/3 approval of the members present. The amendment(s) along with the approved minutes, must be submitted for approval by the Executive Director, or designee, within six (6) months of the 1st reading.

(a) If the chapter president was not present at the meeting, then the presiding officer should sign in the president's place, with explanation provided. If the chapter secretary was not present at the meeting, the member acting in this capacity for the purpose of recording the meeting minutes should sign in the secretary's place, with explanation provided.

A constitution format guide will be furnished to chapters upon organization and/or request, with the understanding that it is intended only as a guide.

If the constitution, or amendments, is not approved by the Executive Director, or designee, the chapter shall be informed of the reasons for the rejection. The chapter may make the proper changes and resubmit it for approval. In the event the chapter believes the rejection by the Executive Director or designee is improper, the matter shall be referred to the Board of Directors for final decision. Any appeal to the Board of Directors shall be in writing addressed to the Association President and Executive Director, and shall outline the reasons why the chapter believes the decision of the Executive Director is improper. The decision of the Board of Directors shall be final.

.02 Chapters with constitutions that conflict with the Standard Chapter Constitution shall be governed by the provisions of this Policy.

.2 **Standard Chapter Constitution** **P-601.1**

ARTICLE I
Name and Objects

Section 1. Name: The name of this organization shall be Chapter No._____of the California School Employees Association.

Section 2. Objects: The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system, and to secure for them reasonable hours, fair wages and improved working conditions; to establish a spirit of cooperation, good faith and fair dealings with the employer; to safeguard, advance and promote the principle of free collective bargaining in a democratic society; to promote such legislation as may be in the best interests of the members of this organization; to promote the efficiency and raise the standards of service of its members and other public service workers; to instill confidence, good will and understanding among the members and their employers; to promote the economic and social welfare of the members of the Association through unity of action and mutual cooperation.

ARTICLE II
Membership

Section 1. Membership in this Chapter shall be as follows:

(a) **Active:** "Active" membership, which carries with it the privilege of full participation in Chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in a bargaining unit represented by this Chapter, without regard to race, creed, color, national origin, sex, age, sexual orientation or political belief. Active membership status shall cease at such time as the member becomes eligible for any other category of membership defined herein, except as follows:

(1) Active members who are laid off may continue in Active status until expiration of their 39-month reemployment period or until reemployed, whichever comes first, upon continued payment of the established dues in effect at the time of layoff.

(2) Active members who are appealing an involuntary termination action by the employer may continue in Active status until the appeal(s) process has been terminated and the status of their employment has been finally decided, upon continued payment of the established dues in effect at the time of the involuntary termination.

(3) Nothing herein shall be construed to require continued Active status of members under paragraphs (1) and (2) above for the purpose of continued CSEA representation regarding their employment/reemployment rights. However, retention of Active status shall be required for such employees to continue to be eligible to hold appointed or elective offices within the Association and Chapter and to have voice and vote and otherwise participate in Chapter and Association affairs.

(4) Active members of this Chapter must also be Active members of the Association as defined in the Association's Constitution.

(b) **Inactive:** Any Active member of this Chapter who (1) is granted an unpaid leave of absence by the employer, or (2) is placed on a reemployment list for reasons other than layoff and is not otherwise in a paid status with the employer, or (3) is laid off and elects not to continue as an Active member under provisions of paragraph (a)(1) above, may continue membership in an "Inactive" status. Such status may be maintained until expiration of the approved leave of absence or reemployment list, or until returned to paid employment status in an eligible position [as defined by paragraph (a) above], whichever occurs first. Such status requires continued payment of dues at half (1/2) the rate required of them as an Active member at the time the leave or placement on the reemployment list occurred. Such dues shall be paid annually in advance, or for the number of months of the approved leave if less than one (1) year. Such members shall be eligible to continue to receive such membership benefits as are generally made available to the Active membership, unless specifically excluded by contract. They shall not, however, be accorded voice or vote in Chapter or Association affairs.

Section 2. Active membership shall be effective upon the completion, dating, and signing of an official CSEA application form as provided by the Association, and execution of a valid authorization for payroll deduction of dues or payment of at least one (1) year's dues in advance. The application shall be immediately forwarded, together with advance dues received if any, to the Association. The Association shall send payroll deduction authorizations to the appropriate district office.

Section 3. Membership "In Good Standing"

(a) Membership "in good standing" shall be effective and shall continue upon receipt of the required dues for the current month. For purposes of establishing voting rights and eligibility to hold an elected or appointed office, Active members whose dues are paid via payroll deduction shall not be deemed to be in good standing until the first of the month following the month in which the first dues are deducted, unless the member pays dues in cash for the interim period.

(b) Membership shall terminate with:

(1) The effective date of layoff for members who are laid off and who choose not to continue in either an Active or Inactive status under provisions of Sections 1(a)(1) or 1(b) above.

(2) The effective date of an unpaid leave of absence or placement on a reemployment list for reasons other than layoff, for such members who choose not to continue in an Inactive status under provisions of Section 1(b) above.

(3) The date of termination of their 39-month reemployment rights or approved leave of absence for members who have continued in an Active or Inactive status, if such members have not been returned to active employment.

(4) The date of execution of a document terminating payroll deduction of dues, unless arrangements have been made with the Chapter Treasurer for advance cash payment. However, the dues authorization signed by a member is a contract which by law is not terminable without reasonable advance written notice being provided to the Chapter and the appropriate CSEA Field Office. CSEA views the minimum notice that is reasonable as being ten (10) working days.

(5) The effective date of removal from the bargaining unit, or voluntary termination of employment.

(6) The effective date of involuntary termination of employment, unless the member is eligible to continue and elects to retain Active status as permitted under provisions of Section 1(a)(2) above.

(7) Actions pursuant to Sections 4 or 5 below.

Section 4. Delinquency & Resignation:

(a) Members who no longer wish to retain that status may resign CSEA membership by providing a ten (10) working day advance written notification to the Area's assigned CSEA Field Office. Such notification must include the member's name, address, employer's name or chapter name, the last four (4) digits of the member's social security number, and the member's CSEA ID number or Employee ID number.

(b) Any member failing to pay all dues owed for 60 days shall be deemed delinquent and shall not be considered to be in good standing until such delinquency has been remitted.

(c) Members who have resigned shall, upon reapplication, be admitted as new members.

Section 5. Expulsion, Suspension, Discipline:

(a) No member may be involuntarily removed from the membership rolls except as provided for in Sections 3 and 4 above, or in accordance with the procedures for expulsion, suspension and discipline of members as specified in the Association Constitution.

(b) All matters for proposed disciplinary action against members shall be referred to the Association for action, except that members may be recalled from office in accordance with provisions of Article XI of this Constitution.

ARTICLE III
Dues and Assessments

Section 1. Association Per Capita Dues

(a) Per capita dues to the Association for Active members shall be assessed at the rate of 1.5% of the first $3,150 of monthly gross salary (excluding overtime, but including longevity, professional growth and anniversary increments), but not to exceed a maximum of $472.50 for the 12-month period commencing each September 1st and continuing through the following August 31st. Said dues shall be payable by payroll deduction or annually in advance direct to the Association.

(1) Payroll deduction shall commence in September of each year and continue through the following August for each month the member is in a paid status, or until the maximum of $472.50 has been deducted, whichever comes first.

(2) Annual in advance payments must be remitted direct to the Association's accounting office no later than September 30, or within thirty (30) days following membership application for new members after September. Such annual payments shall be as calculated by the Association's Accounting Office in accordance with the Association's Bylaws.

Section 2. Fund Solicitation: No funds shall be solicited in the name of the Chapter without authorization of the Executive Board. All funds collected (together with an accounting of source) shall be delivered to the Chapter Treasurer within five (5) working days of receipt, for deposit in the Chapter's account.

Section 3. Assessments: No assessments shall be levied in this Chapter other than those approved by three-fourths (3/4) of the Chapter membership present and voting on the question by secret ballot, provided that each member has been notified in writing at least ten (10) days in advance of the nature of the proposal and the time, date and place where the matter will be voted on.

ARTICLE IV
Officers & Executive Board/Election Procedures

Section 1. Officers: The following officers shall be elected by and from among the total Active membership of the Chapter, regardless of the location of their employment: President, Vice President, Secretary, Treasurer.

Section 2. Executive Board: The elected officers designated in Section 1 shall constitute the Executive Board of this Chapter.

Section 3. Eligibility to Hold Office: Officers shall be elected from among the Active members of the Chapter who are in good standing.

(a) Nominees for elected office shall be Active members of the Chapter in good standing at the time of nomination and can only accept nomination for one (1) Executive Board office.

Section 4. Nominating and Election Procedures:

(a) Nominations to fill the elective offices listed in Section 1 shall be accepted annually.

(b) Nominations for these offices shall be accepted from the floor at the October and November Chapter meetings.

(c) If, after nominations are closed at the November Chapter meeting there is only one (1) nomination for an office, the single nominee shall be declared elected to the office, and no balloting or other action shall be required. The Chapter President shall so notify the membership in writing as soon thereafter as possible.

(d) When there is more than one (1) nominee for an office, an election shall be conducted at the December Chapter meeting by secret ballot vote of Active members in good standing present at said meeting. It shall require a plurality vote to elect any officer. Write-in votes shall not be accepted. If a tie exists, the election shall be determined by lot (draw) between the tied candidates.

(e) Notices of the time, date, and place for nominations and balloting, and all other procedural matters relating to conducting these elections, shall be in accordance with provisions of Association Policy 618.

(f) All candidates or their designated representative shall be accorded the right to observe the ballot tally process.

(g) All ballots, including used, unused, invalid and challenged ballots, tally sheets and related election documents, including notices of nomination and election procedures, shall be retained by the Chapter Secretary for one (1) year, or until any and all challenges to the election or charges of misconduct in the running of the election have been resolved, whichever is the longer period.

Section 5. Terms of Office: Elected officers shall take office and assume their duties on the January 1 following their election and shall continue to serve for one year or until their successors are elected, provided that any officer shall automatically forfeit such office if they cease to be an Active member in good standing.

Section 6. Vacancies:

(a) A vacancy in the office of President shall be filled by the Vice President.

(b) For vacancies in any other elected office, the Executive Board shall submit its recommendation to fill the office in writing to the Chapter membership at least five (5) working days in advance of a designated Chapter meeting. Nominations from the floor shall also be accepted at said meeting. If there are no nominations from the floor, the Executive Board's candidate shall be declared elected. If nominations from the floor are made, a secret ballot election shall be conducted among the Active members in good standing present.

ARTICLE V
Authority of Executive Board/Duties of Officers

Section 1. Executive Board: The Executive Board shall have general supervision of the affairs of the Chapter between the general membership meetings. It shall transact the routine business of the Chapter as authorized and required herein, prioritize and determine recommendations on matters requiring discussion and action by the general membership, and perform such other duties as are specified in this constitution. The Board shall be subject to the orders of the Chapter membership, and none of its actions shall conflict with actions taken by the Chapter membership.

A report on all actions taken by the Executive Board shall be made to the membership at the next regular or special Chapter meeting, with such actions subject to membership ratification if appropriate.

Minutes of Chapter and Executive Board meetings shall be kept on file for at least five (5) years. Chapter financial records shall be kept on file for at least five (5) years.

The Executive Board shall meet at the call of the President or at such times and places designated by it; the President shall call a special meeting upon the written request of a majority of the Board.

A majority of the members of the Executive Board shall constitute a quorum.

Section 2. Duties of Officers, General: Upon separation from office, an officer shall immediately turn over to the successor or other properly designated CSEA official all books, records, money and other effects of the Chapter in the possession of the separating officer.

Section 3. President: The President shall:

(a) Be chairperson of the Executive Board, call and preside over all meetings of the Chapter and Executive Board at which the President is in attendance.

(b) Fix the time and place of meetings except as otherwise directed by the membership.

(c) Set the agenda for Chapter meetings, as noted in Article VI.

(d) Appoint and direct the activities of the various committees, standing or special, required by this constitution or established by the Executive Board, or as may be ordered by vote of the membership, except as otherwise provided herein.

(e) Attend all regional presidents' meetings (RPMs) and such other meetings as required by the Association or direction of the Chapter, and report back to the Executive Board and Chapter membership at the next Chapter meeting, with recommendations for Chapter action or as otherwise required.

(f) Serve as a member of the Membership Committee, and promote and participate in membership recruitment activity to build the union.

(g) Perform such other duties as normally pertain to the office of President or ordered by this constitution.

Section 4. Vice President: The Vice President shall:

(a) In the absence or disability of the President, possess all of the powers and perform all of the duties of the President.

(b) At all times assist the President in the performance of their duties.

(c) Assume the office of President if a vacancy occurs.

(d) Serve as Chairperson of the Membership Committee, and promote and participate in membership recruitment activity to build the union.

(e) In coordination with the Chief Union Steward and Site Representative Coordinator, call and conduct periodic meetings between the Union Stewards and Site Representatives to ensure an appropriate level of communication and coordination between those programs.

(f) Coordinate the activities of the standing committees to ensure harmony of effort and efficiency of resources.

(g) Perform such other duties as may be assigned by the President/Executive Board or ordered by this constitution.

Section 5. Secretary: The Secretary shall:

(a) Keep an accurate record of all proceedings of Chapter and Executive Board meetings, including an accurate roll of members and officers in attendance at each.

(b) Keep an accurate roster of the officers of the Chapter and see that such information is forwarded to the Association as required.

(c) Issue notices of all meetings of the Executive Board and Chapter meetings, which shall include notice of matters for discussion at same.

(d) Notify members of all committees of their appointment/election.

(e) Have custody of all correspondence, official documents and historical records of the Chapter, which shall be open at all times for the inspection of the President or agent and members of the Executive Board.

(f) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the Association and the constitution of this Chapter and see that copies of same are available for reference at all Executive Board and Chapter meetings, and available for inspection by the general membership upon request.

(g) Serve as a member of the Membership Committee, and promote and participate in membership recruitment activity to build the union.

(h) Perform such other duties as normally pertain to the office of Secretary or as may be assigned by the President/Executive Board or ordered by this constitution.

Section 6. Treasurer: The Treasurer shall:

(a) Receive all funds of the Chapter and keep and disburse same under the direction of the President and as required by the Constitution & Bylaws of the Association and this Chapter.

(b) Keep or cause to be kept regular books and full accounts which shall be open at all times to inspection of the President or agent and the Auditing Committee.

(c) Provide access to all records, vouchers and statements to the Auditing Committee for annual inspection at the close of each fiscal year.

(d) Report at each meeting of the Executive Board and Chapter as to the financial condition of the treasury with a detailed statement of receipts and expenditures and accounts payable, to include per capita dues/fees paid and owed to the Association if any. The report to the Executive Board should also include copies of the bank statement(s)/reconciliation(s).

(e) Prepare the annual financial report to include the last day of the fiscal year, and immediately submit same to the President for review and forwarding to the Association, and the membership.

(f) Promptly forward membership applications and dues payments, to the Association. The Association shall send payroll deduction authorizations to the appropriate district office for processing.

(g) Maintain an accurate record of members in good standing, and prepare such monthly reports and remittances as may be required by the Association and promptly forward to CSEA Headquarters within thirty (30) days of request.

(h) Assist in preparation of the Chapter budget.

(i) Upon leaving office, sign such bank signature cards or other documents necessary for the transfer of all Chapter accounts to the new Treasurer.

(j) Serve as a member of the Membership Committee, and promote and participate in membership recruitment activity to build the union.

(k) Perform such other duties as normally pertain to the office of Treasurer or as may be assigned by the President/Executive Board or ordered by this constitution.

ARTICLE VI
Meetings

Section 1. Regular business meetings of this Chapter shall be held during the months of September through June, inclusive. The schedule of such meetings shall be established in January of each year for the succeeding twelve (12) month period and shall be provided to the membership.

Section 2. Special meetings of the Chapter may be called by the Chapter President as deemed necessary, or shall be called by a vote of two-thirds (2/3) of the Executive Board or upon petition to the President of twenty percent (20%) of the Chapter membership.

Section 3. Meeting Notices:

(a) Regular Meetings. Unless otherwise specified herein, a meeting notice shall precede all Chapter meetings at least five (5) days in advance to allow members a reasonable opportunity to attend. Said notice shall include a summary of the business to be acted upon, and the time, date and place of the meeting.

(b) Special Meetings. Notice for special meetings shall include the specific topic(s) for discussion/action at said meeting, and unless otherwise required herein, a notice of less than five (5) days, but not less than twenty-four (24) hours in advance, may be given in an emergency situation.

Section 4. Unless otherwise ordered by two-thirds (2/3) vote of the members present, the order of business at regular Chapter meetings shall be:

(1) Pledge of Allegiance to the Flag
(2) Approval of Minutes of the Previous Meeting
(3) Communications
(4) Report of Executive Board Actions
(5) Treasurer's Report
(6) Committee/Chief Union Steward Reports
(7) Unfinished Business
(8) New Business
(9) Good of the Order
(10) Adjournment

Section 5. Quorum for Meetings: It shall require at least five (5) members in good standing in attendance at any Chapter meeting for business to be conducted.

ARTICLE VII
Control of Funds/Budget

Section 1. All funds received shall be deposited in the name of _____ Chapter No. _____, CSEA, in such bank or other financial institution as approved by the Executive Board. The use of chapter debit cards is strictly prohibited. No funds shall be disbursed except by check, duly authorized and signed by the Treasurer and the President. In the event of absence of, inability to act by, or vacancy in the office of Treasurer, funds shall only be disbursed upon signature of the President and one (1) of the following: Vice President, Secretary.

Section 2. The Executive Board shall prepare an annual budget for approval of the Chapter membership no later than January of each year, which shall contain itemized estimated receipts and expenditures, and amounts to be set aside as a reserve fund, if any. The approved budget shall then regulate the expenditures of the Chapter. Expenditures in excess of those approved in the budget must have prior approval of the Chapter membership, except that expenditures under $100 may be approved by the Executive Board and reported to the Chapter membership at the next Chapter Meeting.

ARTICLE VIII
Committees

Section 1. Standing Committees: The following shall be the standing committees of the Chapter: Auditing, Elections, Membership, and Negotiating. Unless otherwise specified herein, the President shall, as soon as possible after January 1 of each year, appoint the chairpersons and members of the standing committees, which appointment shall be subject to the ratification of the Executive Board. The President shall determine the number of members to be appointed to each, except as otherwise provided herein.

Section 2. Ad Hoc Committees: Such other committees as the President or the Chapter membership may deem necessary to perform a specified task for the welfare of the Chapter may be appointed. The President shall determine the composition of such committees and the timelines for completion of their assigned duties. Such ad hoc committees shall cease to function upon completion of their specified task.

Section 3. The President shall be an ex-officio member of all committees, except the Auditing and Elections Committees.

Section 4. The Vice President shall act as coordinator of all appointed committees, and shall be Chairperson of the Membership Committee.

Section 5. Quorum: A majority of the members of any committee must be present at any meeting to constitute a quorum.

Section 6. Terms: Unless otherwise provided herein, the term of office for all committees shall be from January 1 until the end of the Chapter and fiscal year or until their successors are appointed, provided that any committee member shall automatically forfeit the office if they cease to be an Active member in good standing.

Section 7. Auditing Committee: It shall be the duty of this committee to receive and audit the books and records of the Treasurer immediately after the close of each fiscal year, and at such other times as may be directed by the President, and report its findings to the Chapter membership.

Section 8. Elections Committee: It shall be the duty of this committee to supervise and assist in the preparation, distribution, and counting of the ballots in all elections (including contract ratifications) within the Chapter, and certify the results to the Chapter President. In addition, the committee shall ensure that election procedures are in accordance with applicable provisions of the Association's Constitution & Bylaws and Policy and this constitution.

Section 9. Membership Committee: It shall be the duty of this committee to strive for 100% CSEA membership within the chapter, to develop and execute a program designed to secure new members especially at new employee orientations, and stimulate membership attendance at Chapter meetings on an ongoing basis. All members of the Executive Board shall serve as members of this committee in addition to any other members appointed.

Section 10. Negotiating Committee (Team):

(a) The Negotiating Committee shall consist of a chairperson as designated by the Chapter President, plus two (2) representatives.

(b) The committee members shall be appointed by the President from among the members in good standing.

(c) Term of office for the appointed members shall commence upon their appointment and continue for one (1) year or until their successors are appointed.

(d) Vacancies shall be filled by appointment by the President for the remainder of the original term only.

(e) Duties: It shall be the duty of the Negotiating Committee to:

(1) Research issues and prepare and submit initial bargaining proposals (including proposals on re-openers) for review and approval of members in good standing of the bargaining unit(s) prior to commencement of negotiations.

(2) Negotiate the contract (including re-openers and modifications) for and on behalf of the Chapter with assistance from CSEA field staff.

(3) Keep the Executive Board and the membership informed on the progress of negotiations and solicit membership input where advisable.

(4) Ensure that all bargained agreements are submitted for ratification of the bargaining unit(s) in accordance with Article XII of this constitution.

ARTICLE IX
Union Stewards

Section 1. Appointment: The Chapter President shall appoint a Chief Union Steward, subject to the ratification of the Chapter membership. The Chapter President shall appoint Union Stewards, subject to the ratification of the Executive Board.

Section 2. Term of Office: Term of office for the Chief Union Steward and Union Steward(s) shall be from the date of appointment to the end of the Chapter fiscal year, or until the successor is appointed, provided that any Chief Union Steward and Union Steward(s) shall automatically forfeit such office if they cease to be an Active member in good standing. A vacancy in either office shall be filled for the remainder of the original term only by the requirements in Section 1 above.

Section 3. Duties: The Chief Union Steward shall:

(a) Attend training sessions for Chief Union Stewards provided by the Association and/or other appropriate training as directed by the President.

(b) Ensure that the Union Steward program of the Chapter functions according to the requirements set forth in this constitution; ensure that all grievances are handled properly in their investigation and filing, and consistent in their resolution.

(c) Maintain the necessary records on matters of contract enforcement to permit the Chapter to effectively represent bargaining unit employees.

(d) Process all grievances, unless CSEA staff assistance is required. If staff assistance is required, the President shall be notified.

(e) Keep the Executive Board informed on all grievance activity.

(f) Review all grievances being considered for arbitration and recommend to the Executive Board whether each particular case should be arbitrated.

Section 4. Duties: Union Steward(s) shall:

(a) Attend training sessions for Union Stewards provided by the Association and/or other appropriate training as directed by the President.

(b) Educate members about their rights under the contract and determine how to handle problems arising under the contract in coordination with the Chief Union Steward.

(c) Investigate and prepare contract enforcement issues assigned. Immediately inform the Chief Union Steward of all contract enforcement issues received. Be present as required during other steps of the relevant enforcement procedure.

(d) Preserve the confidentiality of all contract enforcement issues of a personal nature to individually affected members; maintain a confidential file of such matters which shall be turned over to the Chief Union Steward upon completion.

ARTICLE X
Site Representatives

Section 1. Appointment: A Site Representative Coordinator and Site Representative(s) shall be appointed by the President and ratified by the Executive Board.

Section 2. Term of Office: Term of office for the Site Representative Coordinator and Site Representative(s) shall be from the date of appointment to the end of the Chapter fiscal year, or until the successor is appointed, provided that any Site Representative Coordinator and Site Representative(s) shall automatically forfeit such office if they cease to be an Active member in good standing. A vacancy in either office shall be filled for the remainder of the original term only by the requirements in Section 1 above.

Section 3. Duties: The Site Representative Coordinator shall:

(a) Guide, train, and direct the Chapter's Site Representative(s) in the performance of their duties. Ensure that the communications network flows from Association to Chapter to site, and from site to Chapter to Association.

(b) Work cooperatively with chapter leadership on all matters of communication, to enable involvement of all bargaining unit members.

(c) Keep the Executive Board informed of all bargaining unit employees' issues and concerns as reported by each site representative.

(d) Conduct monthly check-ins with the Site Representative(s). Attend Membership Committee meetings.

Section 4. Duties: Site Representative(s) shall:

(a) Recruit employees into CSEA membership and educate employees about CSEA.

(b) Distribute the Chapter newsletter, bulletins, and other CSEA information at the worksite. Keep CSEA bulletin boards up-to-date and clear of non-CSEA material.

(c) Conduct periodic site-level meetings to keep the members informed of actions taken at Chapter meetings, and keep members informed of Association and/or Chapter activity regarding contract negotiations, contract enforcement, legislative and political activity, and other such matters.

(d) Relay specific member concerns to the Site Representative Coordinator or the appropriate Chapter officer.

ARTICLE XI
Recall or Removal from Office

Section 1. Recall of Elected Offices

(a) Any member of the Executive Board, and conference delegates and alternates, may be recalled from office upon a two-thirds (2/3) secret ballot vote of Active members of the Chapter in good standing present and voting at a meeting called for the purpose of a recall action.

(b) Recall may be initiated by a petition of two-thirds (2/3) of the Executive Board or thirty percent (30%) of the members in good standing eligible to vote on the individual being recalled. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Executive Board and to the individual.

(c) Upon receipt of the petition, the Executive Board shall arrange for a special meeting to be held not less than fifteen (15) days nor more than thirty (30) days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, including presentation and cross-examination of witnesses as may be appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members of the Executive Board and members of the Chapter in good standing who are eligible to vote on the particular recall action, authorized representatives of the Association, and such witnesses as may be pertinent to the action. Notice specifying time, date, and place and the specific nature/purpose of the meeting shall be issued to those eligible for attendance at least ten (10) days in advance.

Section 2. Removal of Appointed Offices

(a) Any appointee of the President/Executive Board may be removed from office by a two-thirds (2/3) vote of the Executive Board, a quorum being present, provided such person shall be provided at least five (5) days advance notice of the reasons for removal and the time, date and place where the Board will meet to vote on the matter. At said meeting the member shall be afforded an opportunity to provide rebuttal argument prior to the vote being taken.

(b) Any appointed committee chairperson or member failing to attend three (3) consecutive committee meetings, unless excused for cause, shall be automatically removed from the committee.

Section 3. Resignation from Office

(a) A resignation by an elected officer is not effective until acknowledged by the Active members in good standing present at a Chapter meeting.

(b) A resignation by any appointee of the President/Executive Board is not effective until acknowledged by the President/Executive Board.

ARTICLE XII
Delegates to Conference

Section 1. Delegates: Voting delegates to an Annual Conference of the Association (and their alternates) shall be designated from among the Active members in good standing as follows:

(a) The Chapter President.

(b) Additional delegates in such number as may be authorized by the Chapter for attendance, but not to exceed the total number authorized by the Bylaws of the Association, shall be elected as provided in Section 2 below.

Section 2. Election:

(a) Nominations for the authorized delegate positions, other than the President, shall be taken at the regular Chapter meeting in March, and election shall be by secret ballot at the regular Chapter meeting in April. Alternates in sufficient numbers for each of the authorized delegates, to include an alternate for the President, shall also be elected.

(b) Notification of nominations and election and all other procedural matters relating to delegate and alternate election shall conform to Association Policy 618 and shall be conducted under the supervision of the Elections Committee.

(c) In the event a delegate cannot attend, the Executive Board shall determine which alternate shall replace the authorized delegate.

Section 3. Responsibilities: Delegates shall attend all conference business and other sessions of importance to the Chapter.

ARTICLE XIII
Contract Ratification

Section 1. Contract ratification procedures will comply with the provisions of Association Policy 610.

Section 2. Initial Proposals:

(a) The initial bargaining proposal will be determined by a vote of the membership.

(b) Copies of the Chapter's initial proposal and the employer's initial proposal shall be submitted to the Field Director and Labor Relations Representative for review.

Section 3. Negotiated Agreement:

(a) When the Negotiating Committee has negotiated a contract, tentative agreement, or modifications to an existing contract, it shall immediately submit one (1) copy to the CSEA Labor Relations Representative assigned to service the Chapter, for review by the Association prior to membership ratification.

(1) All contract modifications shall be submitted to the Labor Relations Representative for review by the Association. However, membership ratification shall not be required for those items listed as exceptions to the definition of "modifications" within the provisions of Association Policy 610, unless they are included as part of contract re-opener negotiations.

Section 4. Ratification Procedures:

(a) A copy of the tentative agreement or a summary of the tentative agreement shall be provided to each CSEA member of the bargaining unit(s) prior to the ratification meeting. The Negotiating Committee shall include a statement recommending ratification of the agreement. If a summary only is provided, copies of the tentative agreement containing the exact language of the proposal shall be provided at the meeting.

(b) The Chapter President shall set the date, time and place for the ratification meeting, which shall be open to attendance by all employees within the bargaining unit(s), whether or not they are CSEA members.

(c) Notice of the ratification meeting shall be issued to all bargaining unit employees no later than five (5) working days in advance of the scheduled date. Distribution of said meeting notice shall be at the discretion of the Chapter President, utilizing any of the following methods which the President determines to be most efficient:

(1) To individual bargaining unit employees utilizing the U.S. mail or the employer's mail system;

(2) Distribution by Site Representatives or others;

(3) Posting in prominent locations at each worksite.

Exception to the above: The Association's Executive Director, or designee, may approve a notice period of less than five (5) working days upon request of the Chapter President, if it is determined that an immediate ratification meeting would be advisable.

(d) **Conduct of Meeting and Vote:**

(1) The Negotiating Committee shall review the provisions of the tentative agreement and indicate its recommendations for ratification.

(2) If the Association recommends rejection of the tentative agreement, an Association representative shall be in attendance at the ratification meeting and shall be provided ample opportunity to outline the recommendation for rejection and the reasons therefore.

(3) Polls for voting shall not be opened until the period for discussion, debate, and answering of questions has begun. Non-CSEA members of the bargaining unit(s) in attendance shall be granted the right to participate in the discussion and debate. **They shall not, however, have the right to make motions or vote.**

(4) The ratification vote shall be by secret ballot conducted at the ratification meeting under the supervision of the Elections Committee and in accordance with procedures required by Association Policy 610. Only Active CSEA members of the bargaining unit(s) who are in good standing and present at the ratification meeting shall be entitled to vote on the ratification or rejection of the agreement. Absentee or proxy votes shall not be permitted.

(5) Ballots shall be tallied and results announced prior to close of the meeting. A majority vote shall ratify.

Section 5. Executed Agreement: Every collective bargaining agreement shall be executed by both the Association and appropriate representatives of this Chapter. No contract shall be valid which has not been ratified by the Chapter membership.

ARTICLE XIV
Concerted Activities

Section 1. No concerted withholding of service shall be instituted by this Chapter unless such concerted action has been approved at a regular or special membership meeting, advance notice having been given, by secret ballot vote of not less than sixty-five percent (65%) of the Active members in good standing present and voting; and approval for such concerted activity has been granted by the Association's Board of Directors.

Section 2. If the dispute relates to contract negotiations, no concerted withholding of service shall be instituted unless the last offer of the employer has been submitted to the Chapter membership in accordance with Article XIII of this constitution and has been rejected, and the requirements of Section 1 above shall have been met.

ARTICLE XV
Amendments to Constitution

Section 1. This Constitution shall at all times conform to all provisions of the Association Constitution & Bylaws and Policy, and where any conflict should occur, the Association Constitution & Bylaws and/or Policy shall prevail.

Section 2. Any member in good standing of the Chapter (or the Executive Board) may submit a written proposal to amend this constitution (containing the exact text of the proposed change) at any Chapter meeting, which shall constitute a first reading. The Chapter President shall then cause the proposed amendment(s) to be placed on the agenda of the next regular or a special Chapter meeting where the matter will be read a second time and acted upon, and shall cause written notification of the proposed amendment(s) and the date, time, and place of the designated Chapter meeting to be issued to all members in good standing at least ten (10) days in advance of said meeting. Said notification shall include at least a written summary of the proposed changes. The exact text of the proposed changes shall be made available for review by members upon request prior to the second reading if not provided with said notification, and shall be distributed to all members in attendance at the second reading.

Section 3. Approval by two-thirds (2/3) of the Active members in good standing present and voting at the second reading shall be required to adopt the amendment(s). If the amendment relates to a revision of Chapter dues, the vote shall be conducted by secret ballot.

Section 4. All amendments shall be submitted to the Association's Executive Director immediately following their adoption by the Chapter. **No amendment shall become operative until approved by the Executive Director, or designee, or action of the Association's Board of Directors in accordance with Article III, Section 8 of the Association's Constitution.**

ARTICLE XVI
Disbandment of Chapter

Section 1. Should the Chapter disband for any reason, all financial accounts shall be transferred to the control of the Association, and a final audit of the financial books and records of the Chapter shall be made in conjunction with the Association's Financial Analyst/Auditor. Upon conclusion and certification of such audit, final distribution of funds shall be as follows:

(a) All outstanding obligations of the Chapter shall be promptly paid.

(b) All funds due and owing the Association shall be promptly remitted to the Association's general fund.

(c) Funds then remaining shall then be distributed for purposes as appropriate and authorized in accordance with provisions contained in Association Policy 612.

ARTICLE XVII
Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Chapter in all cases in which they are not inconsistent with this constitution, the Constitution & Bylaws or Policy of the Association, and any special rules the Chapter may adopt.

ARTICLE XVIII
Fiscal Year

The fiscal year of this Chapter shall extend from January 1 through December 31, inclusive.

602 MEETINGS HELD ELECTRONICALLY

Adopted October 2021

.1 **Purpose.** As approved within a chapter constitution, electronic meetings shall be conducted through use of Internet meeting services that support voting and support visible displays identifying those participating, identifying those seeking recognition to speak, showing (or permitting the retrieval of) the text of pending motions, and showing the results of votes. The body may adopt special rules of order to govern the conduct of its own electronic meetings, however, such electronic meetings shall be conducted in accordance with the following minimum rules:

.01 **Meeting notices**. Appropriate login information necessary to connect to the meeting shall be included in the meeting notice including phone login information to participate aurally by telephone. Members joining by phone should announce themselves at the direction of the chair at the first opportunity.

.02 **Voting**. Votes shall be taken by the voting feature of the Internet meeting service, unless a different method such as a roll call or raised hand vote is directed by the members. Members participating by phone only shall vote by roll call at the direction of the chair.

Votes conducted through the designated Internet meeting service shall not be used for secret ballot votes wherever a secret ballot vote is required by a chapter constitution including:

(a) Contract ratification subject to Association Policy 610, and

(b) Election or recall from office subject to Association Policy 618, and

(c) Constitution amendments involving chapter dues.

.03 **Obtaining the floor or interrupting a member**. The electronic meeting shall provide a method for members to indicate to the chair they seek recognition to speak. A member has the floor and may unmute once recognized by the chair. A member may only interrupt a speaker for a specific motion or request which under the rules permits a member to do so. A member who intends to make such a motion or request shall so indicate to the chair and then shall wait a reasonable time for the chair's instructions before attempting to interrupt the speaker by voice.

.04 **Member participation and forced disconnections.** All chapter members in attendance have the right to participate in the meeting including making motions and speaking in debate. However, the chair may cause or direct the muting or disconnection of a member's connection if it is causing interference with the meeting (such as interrupting other members when not permitted by the rules or when not recognized by the chair or if there is repeated, disruptive background noise). The chair's decision to do so must be announced to all participants prior to any action taken and is subject only to an undebatable appeal that can be made by any member present. To be in order, the appeal must be made immediately, before business moves onto the next subject. If appealed, a majority vote of members present is required to overturn the decision of the chair.

.05 **Technical requirements.** Each member is responsible for their own audio and Internet connections. No action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.

604 NEWLY CHARTERED CHAPTERS C-III,4

Revised March 2010

.1 **Chapter Startup Funds.** The Association will provide newly chartered chapters with $150 in startup funds to assist with administrative expenses. A letter explaining the purpose of the startup funds will be sent to the chapter, with a copy to the appropriate Area Director, Regional Representative, and Labor Relations Representative.

Definition of "newly chartered" shall not include two (2) or more existing chapters that merge into one.

.2 **Charter Issuance**

.01 Each newly chartered chapter shall be issued a charter signed by the Association President and Secretary. The charter document shall include the chapter's name and number and charter date.

.02 The charter shall be presented at a chapter function by the appropriate Area Director, Regional Representative, or designee.

.3 **Gavel.** The President's Gavel shall be presented at the time of installation of officers.

605 DIRECT ASSISTANCE TO CHAPTERS

Revised August 1979

.1 **General.** It is the basic policy of the Association to provide sufficient technical and other assistance to its Chapter units to the end that Chapter units may represent themselves locally to the maximum extent possible.

Nevertheless, Chapters are, at times, confronted with problems of such a nature that they are unable to provide adequate representation without direct assistance from the Association. This policy has been adopted to outline the procedures and channels that should be followed in requesting direct representation.

.2 **Channels of Communication.** The normal channels of communication that should be followed are:

.01 **On matters dealing with Association Policy, Constitution & Bylaws, or other internal policies of the Association:**

(a) Action by a Chapter (or its Executive Board)

(b) To the Regional Representative

(c) To the Association President

.02 **On technical matters where staff assistance or representation is required:**

(a) Action by a Chapter (or its Executive Board)

(b) To the Labor Relations Representative (Labor Relations Representative to keep Regional Representative informed)

(c) To the respective Field Director

(d) To the Executive Director/Association President (either), with a copy of the communication to the Chapter's Area Director for information and guidance purposes.

It is recognized that matters requiring assistance often are of an emergency nature. In such cases, the normal channels need not be adhered to. The matter may be referred to either the Executive Director or President direct, but copies of communications should be immediately referred to the Labor Relations Representative and the Area Director.

.3 **Normal Requests for Assistance.** When a Chapter needs assistance to "help it to help itself" in a local problem which requires the advice and assistance of certain state personnel, the Chapter may phone or forward the request direct to the concerned Association officer. However, Chapters should recognize that their first source of information is either the Regional Representative or the Labor Relations Representative and Field Office.

.4 **Requests for Direct Representation.** When a Chapter unit believes that it is confronted with a problem that will require representation by an Association Officer or representative, it must:

.01 Obtain approval for a request for Association assistance from its membership at a Chapter meeting or by action of its Executive Board.

.02 Direct a request, in writing, preferably through the normal channels (if the request is made by telephone it must be followed by a written request).

The written request must contain the following:

(a) Whether the request was approved by the Chapter or its Executive Board

(b) The facts relating to the problem.

(c) The steps that have been taken by the Chapter to resolve the matter and results thereof.

(d) The reason that Association intercession is required.

(e) Acknowledgment that if intercession is approved, the Chapter will be guided solely by the decisions of the Association in the matter.

.5 **Action by President and Executive Director.** If jointly deemed warranted, a Labor Relations Representative or other person will be directed to fully investigate and report the findings, including recommendations for further action, if required.

Upon receipt of the investigation report, the President and Executive Director shall:

.01 If time permits, prepare a report and recommendation to the Board of Directors for its consideration at its next meeting.

.02 If time will not permit Board action, determine the course of action to be followed, the personnel to be assigned, and render a report of same to the Board of Directors at its next meeting or, if a period of thirty (30) days or more exists between the time of the course of action and the next Board meeting, a written report or summary should be submitted to the Board of Directors by mail.

.03 If it is a matter that requires immediate action and legal guidance, confer with Staff Attorney and arrive at a conclusion on a course of action. (Note: Normally the President and Executive Director shall not authorize court action in a matter until such action has been approved by the Board of Directors.)

Once a matter has been accepted for representation and subsequently approved by the Board of Directors, the President and Executive Director shall make any interim decisions required to implement the action deemed necessary.

.6 **Action by Board of Directors.** The Board reserves the right to determine, in each instance, whether direct Association representation shall be provided (except as otherwise indicated in Section 605.5).

When a matter has been approved for representation, the Board shall, at each subsequent meeting, review the progress of same. All matters shall be confidential unless authorized to be released by the Board of Directors.

A final report must be submitted to, and approved by, the Board.

606 INDIVIDUAL APPEAL FROM CHAPTER ACTION

Revised February 2023

.1 **General.** Notwithstanding the provisions of Policy 605, if a Chapter refuses to provide assistance and/or request Association assistance for a member confronted by a disciplinary action from the district of employment or any adverse employment condition, the member may appeal the Chapter's refusal and request assistance from the Association. If required by law, the term "member" in this section of policy shall be construed to include non-members working in the CSEA bargaining unit.

.2 **Chapter Action.** Requests for assistance from a member to the Chapter must be handled expeditiously to preserve the rights of the member. If the Chapter concludes that it does not desire to extend assistance to the member or request Association assistance, the member will be notified in writing within five (5) working days of the Chapter's decision with the following information:

.01 That an appeal for assistance can be made direct to the Association. The notice shall outline the appeal procedure set forth below and specify the deadline for filing such appeal.

.02 A summary of the Chapter's reasons for believing the grievance to lack merit. The Chapter shall consult with field staff in preparing such summary.

Failure on the part of the Chapter to handle a member request for assistance in an expeditious manner may be grounds for intercession by the Association without a request from the Chapter or an appeal by the member.

"Working days," as used in Policy 606.2, means days that the chapter's employer is open for business.

.3 **Appeal Procedures by Member.** The member's appeal for assistance shall be directed to the California School Employees Association, 2045 Lundy Avenue, San Jose, California 95131, Attn: Director of Field Operations. The appeal shall be postmarked or received (e-mailed, faxed, or hand-delivered) within ten (10) calendar days after notification of the chapter's refusal to provide assistance, and must contain the following data:

.01 A detailed statement of the problem at hand.

.02 Date of request by member to Chapter for assistance and subsequent Chapter action and dates thereof.

.03 A statement of reasons as to why the member submitting the appeal believes the Association should extend assistance over Chapter objection.

.4 **Action Upon Receipt of Appeal.** The Director of Field Operations shall cause the matter to be thoroughly and immediately investigated by a Field Director. The investigation by the concerned Field Director shall be conducted within twenty (20) working days of receipt of the appeal. The Director of Field Operations shall cause a report to be prepared that will include a recommendation on the disposition of the matter.

"Working days," as used in Policy 606.4, means days that CSEA Headquarters is open for business.

.5 **Determination After Investigation.** The appeal and report will be submitted to the President and Executive Director for determination of a course of action.

.01 If time permits, the matter will be submitted to the Board of Directors for action.

The appellant and Chapter President/Executive Board will be notified of the recommendation to the Board, their right to submit a written response to the Board, and the timeline for submitting the response. The matter shall be considered in Executive Session with the confidentiality of the proceedings to be strictly maintained. Neither the appellant nor Chapter President/Executive Board representative may appear to present oral testimony.

.02 If time does not permit Board consideration, the Association President, the concerned Area Director, and Executive Director will determine the course of action and cause it to be fully implemented. A report will then be rendered to the Board of Directors at its next meeting and a final report, if required, will ultimately be presented to the Board. The matter shall be reviewed in Executive Session with the confidentiality of the proceedings to be strictly maintained.

The appellant and concerned Chapter President/Executive Board will be advised of the determined course of action.

607 FAILURE TO ACT BY CHAPTER OR CHAPTER LEADERSHIP C-III,10

Revised August 2023

.1 If any condition exists within a Chapter which seriously jeopardizes the effectiveness of the Association, and/or will cause a negative effect on members of the chapter, the appropriate Regional Representative (or a member designee as assigned by the Association President) and a field staff member assigned by the Field Director shall, with the approval of the appropriate Field Director and Association President, jointly meet with the Chapter President and/or the Chapter's Executive Board to outline and explore the problem and propose methods for its resolution.

.01 The appropriate Area Director and the Director of Field Operations, shall be kept informed of the problem and all actions taken.

.02 If the Regional Representative is also the Chapter President involved, the Area Director (or a member designee as assigned by the Association President) shall assume the Regional Representative's responsibilities as assigned herein.

.2 **Intervention.** The Association President, in consultation with the appropriate Area Director and Field Director, may assign an intervention team to assist the chapter in resolving the problems identified, pursuant to Policy 607.1, by the Regional Representative (or assigned member designee) and assigned field staff member. The intervention team shall consist of the appropriate Area Director (or designee), Regional Representative (or member designee as assigned by the Association President), Labor Relations Representative (or another field staff member as assigned by the Field Director). As needed, the Association President may appoint additional members and the Field Director may assign additional staff members to the intervention team.

The Association President, in consultation with the appropriate Area Director and Field Director, shall determine the tenure of the intervention team. However, in no case shall the team's tenure exceed ninety (90) days without the approval of the Board of Directors.

.3 **Approval for Intercession.** If the Chapter President/Executive Board refuses or fails to take the action necessary to resolve the problem, the Field Director shall contact the Director of Field Operations, for approval for Association intercession in the matter. The Director of Field Operations, shall recommend a course of action to be followed, which may be implemented with the concurrence of the Executive Director and the Association President, except as provided in .02 below.

.01 The Executive Director shall cause a complete report of the problem and all actions taken to be submitted to the Board of Directors at its next meeting, together with recommendations for further action if deemed necessary. A final report to the Board will be prepared and submitted when all action has been concluded.

.02 If the recommendations contain a request for charter revocation or suspension and/or the imposition of an administratorship, or other sanctions against the chapter, the matter must be submitted to the Board of Directors for action. A hearing before the Board shall be held, and the date set for hearing shall be at least five (5) days prior to the effective date of the proposed penalties.

.4 **Temporary (Emergency) Administratorship.** If an emergency exists necessitating the immediate imposition of adminstratorship without first following the procedures set forth in 607.1-607.3 the Board of Directors may place a chapter under a temporary administratorship pending hearing on the matter. The date set for the hearing shall be no later than thirty (30) days following the imposition of administratorship.

.5 **Notice of Hearing.** Written notice shall set forth the charges against the concerned chapter, the Board's proposed action and the effective date of such proposed action. If the penalty includes imposition of administratorship, the notice shall include the name of the administrator. The notice shall include the time, date, and place at which representatives of the concerned chapter may appear for the purpose of showing cause as to why the proposed action should not be taken. Chapter representatives shall be members in good standing of the concerned chapter. Such notice shall be sent to the chapter executive board at least fifteen (15) days in advance of the hearing date. If no chapter executive board exists, the notice will be sent to all members of record of the Chapter.

.6 **Final Determination by the Board**

.01 The Board shall have the right to call any and all witnesses it deems necessary to be present at the hearing, and the concerned chapter shall have the right to call any and all persons deemed necessary as witnesses for a proper defense.

As such hearings involve internal operations of the Association, the hearing shall take place in executive session and the chapter shall not have the right to representation by private counsel. The Association's Chief Counsel shall be present in an advisory capacity only, to ensure that due process rights are honored.

.02 At the conclusion of the hearing, the Board shall consider the evidence and arguments and may dismiss the charge(s), amend or reduce the proposed penalty, or order the proposed action be implemented. A two-thirds vote shall be required for imposition of any penalty or sanction.

(a) The Board shall, by separate action, determine whether any temporary administratorship imposed under 607.4 above shall be continued. It shall require a two-thirds vote for continuation.

(b) In the event penalties other than suspension or revocation of charter are imposed, such findings shall state that if the chapter fails to comply with the findings its charter will be automatically suspended and an administrator will be appointed.

.03 If the Chapter fails to appear at the scheduled time, the proposed action shall be ordered and written notice thereof sent to the Chapter.

.04 The decision of the Board shall be final.

.7 **Administrator.** When a Chapter has been placed under administratorship, the Association President shall assume charge of the affairs and business of such Chapter and shall appoint an Administrator for such purpose. The Association President may limit the Administrator's authority to a particular field (e.g., administering solely the financial affairs of the chapter). All actions of the Administrator shall be subject to the direction and instructions of the Association President.

.01 The Administrator shall have the right to take possession of all the Chapter's funds, books, and other assets for the period the administratorship is in place. The Administrator shall expend, or cause to be expended, Chapter funds only to the extent necessary for the proper conduct of the affairs of the Chapter.

(a) The Administrator shall cause an audit of the Chapter's books to be made as soon as practicable after the start of the administratorship.

(b) The Administrator shall be authorized to obtain and sign the necessary bank/credit union documents to affect any necessary transfers of funds or accounts.

(c) The Administrator shall not be required to comply with the chapter's budget (if one exists) or acquire membership approval for funds disbursement if the Administrator determines, in consultation with the Association President, that the expenditure(s) is appropriate for the chapter and its members.

(d) The Administrator shall institute all necessary action to recover money or other property of the chapter.

(e) The Administrator shall be adequately bonded to safeguard the chapter's assets and for the performance of the Administrator's duties.

.02 The Administrator may, with the approval of the Association President, suspend from office any or all of the elected or appointed chapter officers and appoint temporary officers from among the members of the chapter in good standing, for the duration of the administratorship. This includes, but is not limited to, Executive Board officers, negotiating committee/team members, members or representatives on other chapter/employer committees, Union stewards, conference delegates/alternates, and site representatives.

(a) The Administrator shall be empowered to conduct and manage the affairs of the Chapter until the administratorship is terminated, with the assistance of the officers and/or temporary officers appointed.

(b) The Administrator shall not be required to comply with the Chapter's constitution and any standing rules if the Administrator determines, in consultation with the Association President, that the course of action is appropriate for the welfare of the chapter and its members. However, no action taken shall be in conflict with the Association's Constitution & Bylaws and/or Policy.

.03 The Administrator shall review this and other relevant policies and procedures regarding administratorship with the chapter members.

.04 The Administratorship shall submit monthly reports to the Board of Directors and to the chapter's membership.

.05 Expenses of the Administrator shall be borne by the Association.

.8 **Termination of Administratorship**

.01 In addition to the monthly reports required under Article III, Section 10(b)(4) of the Constitution, the Administrator shall, on at least a quarterly basis, provide a recommendation to the Board of Directors as to whether the administratorship should be continued, modified, or that local self-government should be restored.

.02 The Board of Directors may terminate an administratorship upon recommendation of the Administrator or upon petition of the chapter, showing convincing evidence that the reasons causing implementation of the administratorship have been rectified.

.03 The Chapter may appeal to an Annual Conference for termination of the administratorship only on the ground that the problems causing its implementation have been rectified and the administratorship is no longer necessary. There shall be no right to appeal the **reasons** for implementing the administratorship.

(a) Such an appeal shall not be valid unless the Chapter has first petitioned the Board of Directors for termination and has been denied.

(b) Such appeal shall be in writing, setting forth the facts constituting the basis for the appeal, and must be in the hands of the Association President no later than sixty (60) days prior to the Annual Conference.

.04 When an administratorship is to be terminated, either by action of the Board of Directors or the Conference delegates, the Administrator shall cause elections of Chapter officers to be conducted, except for those elected officers whose terms have not expired and who have not been suspended or otherwise barred from office during the period of the administratorship. Chapter officers temporarily suspended from office under 607.7.02 and not appointed to an office by the administrator shall not be eligible to continue serving and shall not be eligible to run for office in the election described in this section.

The Administrator shall cause an audit of the Chapter's books. Immediately following the audit, the Administrator shall cause the return of the Chapter's funds, books, and other assets to the appropriate officers who shall give receipt for same.

The Administrator shall make a final accounting of the administratorship and submit it to the Board of Directors and to the Chapter.

608 CHARTERING OF DUAL CHAPTERS C-III,4

Adopted August 1974 – Revised Conference 1996

.1 Decertification of or the chartering of new chapters is a ministerial function performed by staff and requires no action by the Board of Directors to effectuate same. However, it is recognized that when a decertification effort or a new chapter is being contemplated in a district where one or more chapters already exist, that unique problems may arise which places the decertification effort or chartering of a new chapter in a situation which makes the decertification effort or chartering more than a ministerial procedure.

This Policy has been adopted to ensure that:

.01 Existing chapters are fully apprised of the possible decertification effort or chartering of a new chapter and the probable impact, if any, upon the existing chapter(s).

.02 Existing chapters have an opportunity to object to the decertification effort or chartering if they believe it will be detrimental to them.

.03 When existing chapters' objections have been raised, the matter can be referred to the Board of Directors for a speedy decision.

.2 When it becomes reasonable to believe that a group of employees, for whatever reason, wish to form a chapter within a district which already has one or more chapters, the concerned Labor Relations Representative and Regional Representative will immediately contact the president(s) and chapter executive board(s) in the district and will:

.01 Fully outline the circumstances relating to the probable or proposed chartering of a new chapter.

.02 Indicate the class or classes of employees to be represented by the new chapter.

.03 Indicate the number of members in the existing chapter(s) who would be transferred to the new chapter.

.04 Indicate whether or not any existing funds of (an) existing chapter(s) should be transferred to the new chapter.

.05 Indicate the impact, positive or negative, on the existing chapter(s).

.3 **In the Chartering of a New Chapter**

.01 No funds of (an) existing chapter(s) may be transferred to the new chapter unless the existing, concerned chapter(s) agree.

.02 Employees who are members of (an) existing chapter(s) will be required to transfer to the new chapter having prime jurisdiction over the bargaining unit to which their class is assigned.

.03 If at all possible, a council will be established consisting of equal numbers of representatives from the existing chapter(s) and the new chapter. The number of representatives and composition of the council will be jointly agreed upon by the concerned chapters. The purpose of the council will be to assist in the coordination of activities by the several chapters and to provide joint activities, when deemed desirable, and to present a unified employee front to the employer when necessary and desirable to do so.

.4 **Objection to a Decertification Effort or the Chartering of a New Chapter**

.01 An existing chapter or chapters may object to the decertification effort or chartering of a new chapter and may appeal the decision to the Board of Directors. When an appeal is filed, no decertification effort or chartering shall be initiated until the appeal has been acted upon.

.02 If a chapter objects to the proposed decertification effort or chartering it shall immediately direct a letter to the Board of Directors (Attention: Executive Director) setting forth the complete reasons for the objections in detailed form.

.03 Upon receipt of the letter of objection the Executive Director shall compile all the pertinent data and forward it, immediately, to each member of the Board of Directors and immediately notify the Association President.

.04 The President shall decide whether the matter shall be heard:

(a) By the Board as a whole at its next regularly scheduled meeting.

(b) By the Board as a whole at a special Board meeting.

(c) By a five-member committee appointed by the President and composed of Board members.

.05 The hearing will be held in the general locale of the district in which the question has been raised.

.5 Changes in this policy which would substantially alter its intent may only be effected by action of the delegates to an Annual or Special Conference of the Association.

609 REFUND FOR OVERPAYMENT OF DUES B-VII

Revised January 2023

.1 The Association recognizes that occasionally and for various reasons, chapters/employers remit dues payments in excess of those required by the governing documents of CSEA and its chapters, and that appropriate refunds should be made.

.2 Refund of overpayment of dues will be made only on the following basis:

.01 **100 Percent Refund.** All verified claims for refund of overpayment by the chapter/employer will be fully refunded on overpayments occurring within 12 months of the date of the claim.

.02 **Administrative Charge.** An administrative charge of not less than $50 nor more than $150, dependent upon the number of overpayments claimed and the length of time involved shall be made for claims of between 12 months and 36 months. The Executive Director may waive the administrative charge.

.03 **Non-Entitlement.** No refund for overpayment which occurred prior to 36 months from the date of the claim shall be made. As the cost to CSEA of generating and mailing a refund check is more than two dollars ($2.00) per check, no refund shall be made for overpayments of less than two dollars.

.3 Interest shall be included in refunds only when a member has had more dues than the annual cap deducted by their district and CSEA has not refunded such dues for more than six (6) months, in which event interest shall be paid at the federal funds rate at the end of the fiscal year in which the cap was exceeded.

.4 Refunds for dual chapter members are addressed separately by Policy 614.

610 COLLECTIVE BARGAINING B-XII

Revised August 2023

.1 **Purpose.** In order to protect members' statutory rights to participate in the activities of this Union, every chapter of this Association shall negotiate a contract covering wages, hours and other terms and conditions of employment with the employer. The purpose of this policy is to ensure that negotiated agreements, as described in Section .8 of this policy, are properly approved by the chapter's membership and the Association.

.01 **Petitions for Recognition**. Any petition submitted by a chapter of this Association seeking exclusive recognition (including a petition seeking decertification of another organization) under the laws of this state and rules of the Public Employment Relations Board (PERB) shall seek recognition for "The California School Employees Association and its (name) Chapter (number)."

.02 **Collective Bargaining Agreements.** All collective bargaining agreements shall provide that the agreement is between the employer and "The California School Employees Association and its (name) Chapter (number)."

.2 **Failure to Adhere to Policy.** Should chapter officers fail to adhere to this policy, it shall be grounds for their expulsion from membership or removal from office under Article II, Section 7, of the Association Constitution upon charges being brought and sustained by the Board of Directors that they have intentionally and knowingly violated the provisions of Policy 610.

.3 **Initial Proposals**

.01 Each chapter, when negotiating a full contract, shall survey its membership for recommendations of its initial bargaining proposal.

.02 Each chapter will forward a copy of its initial bargaining proposal to the Field Director and Labor Relations Representative before it is presented to the membership for approval. When it is available, a copy of the employer's initial proposal will also be provided to the Field Director and Labor Relations Representative. As soon as it is practical, the Field Director shall review the initial proposals and advise the chapter of any concerns as well as identify resources that may be helpful to the chapter in negotiations.

.03 **Each chapter shall ensure that initial bargaining proposals are determined by a vote of the membership.**

Initial proposals shall meet the requirements of the Public Employment Relations Board and shall include sufficient information concerning subjects to be discussed during negotiations.

If there is more than one bargaining unit in a chapter, the chapter leadership shall ensure that the initial bargaining proposals are determined by a vote of the membership of each appropriate unit.

.4 Prior to a chapter beginning the negotiations process, the Labor Relations Representative will review the procedures for ratification, as described in this Policy, with the Chapter leadership.

.5 The employer shall be notified of CSEA's negotiations and ratification process and procedures at the outset of negotiations.

.6 **Merged Bargaining.** Merged bargaining with pooled voting is an alternative form of negotiation and ratification for chapters with more than one bargaining unit. The provisions for merged bargaining and pooled voting are detailed in Section .11 of this policy.

.7 **Bargaining**

.01 If the Association becomes aware of a bargaining issue during the chapter's negotiations process that could be detrimental to the chapter and/or its members, the Field Director may call a meeting with the chapter's Executive Board and negotiating team/committee to discuss the issue and possible solutions.

.02 The Association has the right, as the exclusive representative, to require that a Labor Relations Representative and/or other Association representative attend any meeting associated with collective bargaining including, but not limited to, bargaining sessions, caucuses, grievance meetings, and bargaining preparation meetings with chapter representatives and/or the employer.

.03 Negotiating Committee shall provide the chapter membership an update following each negotiation session with the employer.

.04 Waiver of Essential Association Rights

(a) No Chapter may enter into a clause binding the Association to pay any part of the expenses of arbitration or other hearing before any outside hearing officer unless such clause also provides that the Association must have approved the request for arbitration or hearing.

(b) No Chapter may enter into a Management Rights Clause waiving an Essential Bargaining Right of the Association without the Association's prior approval. The initial determination for the Association shall be made by the Field Director, but it shall be appealable to the Director of Field Operations and Board using the procedures set forth in Policy 615. "Essential Bargaining Right" means a CSEA right under EERA to negotiate over a management decision, including contracting-out of unit positions.

.8 **Negotiated Agreements**

.01 All negotiated agreements shall be reviewed by the Labor Relations Representative and the Field Director. No chapter shall enter into a negotiated agreement or take a formal ratification vote, until it has been reviewed by the Labor Relations Representative and the Field Director.

(a) Negotiated agreements include any collective bargaining agreements, modifications thereof, memorandums of understanding, side letters, letters of understanding, or other contracted arrangements between the chapter and the employer.

.02 Every negotiated agreement shall be signed by both the Association and its chapter.

(a) For purposes of this Policy, the following are not required to be ratified by the chapter's membership:

(1) Settlements resulting from unfair practice charges, grievance procedures, PERB proceedings or Administrative determination unless they would change the collective bargaining agreement or the intent thereof as determined by the Field Director.

(2) An "Appalachian-Shale" agreement with the District, setting the new term of the agreement, can be signed by the Chapter President with the approval of the chapter's Executive Board. However, any re-opener modification to the agreement shall follow the regular ratification procedures, as described herein.

(3) Individual reclassifications or creation of new positions when accomplished utilizing reclassification procedures contained within a ratified collective bargaining agreement.

(4) Agreements implementing changes to law.

.9 **Ratification Procedures**

.01 When the chapter, any chapter officer or chapter negotiating committee (by whatever name) has negotiated any agreement, it shall, prior to submitting the agreement to the bargaining unit members for ratification or rejection, submit one copy to the Labor Relations Representative assigned to the chapter.

.02 Upon receipt of the negotiated agreement, the Labor Relations Representative shall provide a copy of the Agreement to the Field Director.

(a) Negotiated agreements must be reviewed by the Labor Relations Representative and the Field Director before a chapter takes a formal ratification vote.

.03 The Field Director shall forward to the Chapter President, without delay, a review that determines whether the Agreement is in compliance with applicable laws, CSEA's Constitution and Bylaws, and/or policies of the Association. If the review recommends disapproval, the Field Director shall include the specific reasons as to why such a recommendation is being made. In cases where a verbal review is necessary, the Field Director shall immediately follow up such verbal review in writing to the Chapter President. The review letter shall be provided in writing to the Chapter President prior to the ratification meeting.

.04 After receipt of the aforementioned written review from the Field Director, the Chapter President, in accordance with Article XII, Section 3, of the Association Bylaws, shall call a meeting of all CSEA members of the bargaining unit(s) at which the leadership shall outline all the provisions of the negotiated agreement and provide an opportunity for discussion, debate, answering of questions, and voting.

Non-members shall only be allowed such participation in the ratification process complying with the minimum requirements of the law as approved by a vote of chapter members. They shall not have the right to make motions or vote.

Chapter leadership shall not cause an unreasonable and unjustifiable delay in scheduling a ratification meeting, following Field Director review.

(a) Such meetings shall be open to attendance by all CSEA members of the bargaining unit(s).

(b) If the Association is recommending rejection of the negotiated agreement, an Association representative shall be in attendance at the ratification meeting and shall be provided ample opportunity to outline the rejection and reasons therefore.

(c) If the chapter's constitution (as approved by the Association) specifies voting by mail or online balloting, the meeting described herein shall be a contract information meeting with balloting to begin no sooner than the day after the informational meeting. If the chapter's constitution as approved by the Association specifies for voting by site ballot, the meeting described herein shall be a contract information meeting with balloting to occur no sooner than the day after the informational meeting.

(1) Chapters may choose to have more than one (1) contract information meeting.

.05 The meeting notice shall be issued to all bargaining unit members no later than five (5) working days before the scheduled meeting.* The chapter executive board shall determine the most efficient means of distributing the notice, which may be to individual bargaining unit members utilizing the district mail system, distribution by site representatives or others, or by posting in prominent location(s) at each work site.

* The Executive Director, or designee, may approve a notice period of less than five (5) working days, upon request of the chapter executive board and the concurrence of the Field Director.

.06 In addition to the meeting notice, the chapter shall provide each CSEA member of the bargaining unit(s): (1) a copy of the negotiated agreement, or a summary of the negotiated agreement; and (2) a statement indicating that the Negotiating Committee recommends ratification of the negotiated agreement.

(a) The Negotiating Committee shall not recommend rejection of a negotiated agreement reached under good faith bargaining, unless in reference to an employer's last, best, final offer.

.10 **Ratification Vote**

The ratification vote shall be by secret ballot conducted in accordance with procedures as specified in the chapter's constitution as approved by the Association:

.01 **Voting by CSEA members in good standing of the appropriate bargaining unit(s) present at a ratification meeting conducted in accordance with Section .9, above.**

(a) The meeting notice shall include appropriate information and notification that the secret ballot vote on ratification will be conducted at the meeting, and shall contain the times allotted for discussion/debate, and the times during which voting will take place.

(b) Polls for voting shall not be opened until the period for discussion/debate has begun.

(c) At least two (2) Tellers shall be appointed to conduct the balloting. Tellers shall verify CSEA membership in good standing and members shall sign or initial for receipt of the ballot next to their name on the membership list. Ballots shall be deposited in a closed ballot box. **Bargaining unit members who are not members of CSEA shall not be permitted to vote**.

(d) Absentee or proxy votes shall not be permitted.

(e) Ballots shall be tallied and results announced prior to close of the meeting.

.02 **Voting by mail ballot.**

(a) Ballots and return addressed envelopes, together with instructions for completion and return to a designated chapter officer (election official), shall be distributed to all CSEA members in good standing of the appropriate bargaining unit(s).

(b) Ballots shall be mailed via First Class, U.S. Postal Service, to the member's home address, at least ten (10) calendar days in advance of the date set for receipt of the completed ballot by the designated official.

(c) A double envelope system for return shall be used, providing a space for signature, CSEA member number, and other identification of the voter on the outside of the return addressed envelope to verify voter eligibility.

(d) At least two (2) Tellers shall be appointed to oversee the election process and conduct the vote tally.

(e) Any and all costs of mail balloting shall be the sole responsibility of the chapter.

.03 **Voting by site ballot.**

(a) The location(s) and number of voting sites and the date and times for conducting the balloting shall be determined by the Executive Board.

(b) At least two (2) Tellers shall be appointed to conduct the balloting at each voting site. Listings of members in good standing eligible to vote at each of the designated voting sites shall be provided to the Tellers.

The list shall be broken down into separate lists containing only the names and other appropriate identification of members eligible to vote at each particular voting site.

(c) Members shall be notified at least five (5) working days in advance of the date, time(s) and location where the balloting will be conducted for their designated site. Notice may be by any of the means listed in Section .9.05 of this policy. The Executive Director, or designee, may approve a notice period of less than five (5) workings days upon request of the Executive Board.

(d) Tellers shall verify CSEA membership in good standing and the members shall sign for receipt of the ballot next to their name on the voter list. Ballots shall be deposited in a closed ballot box.

(e) Members shall be required to cast their ballots at their designated voting site only.

Voters whose names are not on the site list shall be permitted to cast a challenged ballot, which shall be placed in an appropriately identified envelope, sealed and set aside until all other votes have been tallied. If the number of challenged ballots could affect the outcome of the vote, voter eligibility shall be determined and valid ballots then counted.

(f) Ballots shall be counted and verified separately for each voting site, prior to combining the count for the final tally. However, each site's ballots shall not be tallied separately.

Counting ballots means to count the number of ballots cast without unfolding the ballots and without viewing how the ballot was marked. Tallying ballots means to unfold and tally the results of the ballots.

.04 **Voting by online ballot**.

(a) An online ballot shall be requested from the CSEA Executive Department prior to the commencement of online balloting.

(b) Notice of online balloting, along with the appropriate information needed to cast an online ballot (such as member identification and password), at least five (5) working days in advance of the date set for online balloting to close, shall be mailed via U.S. First Class mail to each CSEA member in good standing of the appropriate bargaining unit(s) at the last known home address, except that notice may be e-mailed to such members who have an email address on file with the chapter.

(c) Chapters shall ensure that a ratification vote conducted via online balloting shall be open on the same day the ratification notice is mailed or emailed and shall remain open until the date set to close.

(d) Any and all costs of online balloting shall be the sole responsibility of the chapter.

.11 **Chapters with More Than One Bargaining Unit.**

.01 **Merged Bargaining.** Merged bargaining with pooled voting is an alternative form of negotiation and ratification for chapters with more than one bargaining unit.

(a) Prior to submission of the initial proposals to the employer, each bargaining unit shall separately determine whether negotiations for the units should be merged, including a pooled ratification vote, or whether negotiations will be considered separate for each unit and thereby subject to separate, independent ratification votes by each unit.

(b) The employer shall be notified of the agreed-upon ground rules for ratification at the outset of negotiations.

(c) No bargaining unit can be included in merged negotiations without its consent. Once consent is given, no unit can withdraw from merged negotiations for that contract without the consent of all parties including, if initial proposals have been submitted to the employer, the consent of the employer.

.02 **Negotiated Agreement and Ratification Vote.** Each unit shall vote separately on ratification of the negotiated agreement unless the units have agreed to pooled voting.

When voting separately, each unit shall use separate colored ballots and each unit's vote tallied separately.

.12 **Violations of Ratification Policies and Procedures**

.01 If, within six (6) months of a ratification vote, the Field Director determines that a ratification procedure violated policies and procedures of the Association assuring fair representation, the Field Director may order that the results of the ratification vote be set aside and a new ratification vote be conducted.

.02 A chapter may appeal the Field Director's decision to set the results of the ratification vote aside. Such appeal shall be in writing, addressed to the Association President with a copy to the Executive Director, postmarked within ten (10) calendar days of the date of the notice from the Field Director, and shall stipulate the reasons why the chapter believes the results of the original ratification vote should stand.

Within five (5) working days, the appeal will be considered by the Association President or designee, the concerned Area Director, and the Executive Director or designee, with the decision referred to the CSEA Board of Directors for ratification at its next meeting. (If the Area Director is a member of the appealing chapter, the Association President may appoint another Board member to consider the appeal.)

Immediately following action on the appeal, the Executive Director shall cause the Director of Field Operations, Field Director, Labor Relations Representative, Regional Representative and Chapter President to be orally notified of the approval or denial of the appeal, and shall issue a follow-up written notification to all concerned.

.13 **Ratification Over Objection of Association**

If ratification is properly approved over the objection of the Association representative, the Association shall sign the negotiated agreement thereto together with authorized chapter personnel, unless one or both of the following exist:

.01 The negotiated agreement contains provisions which are unlawful.

.02 The negotiated agreement is in violation of CSEA's Constitution & Bylaws, Policies, or procedures of the Association assuring fair representation.

(a) If within six (6) months of a ratification vote, the Field Director determines that a negotiated agreement violates law and/or CSEA's Constitution & Bylaws, Policies, or procedures of the Association assuring fair representation, the Field Director may prohibit the negotiated agreement from taking effect and/or considered for ratification, including informing the employer that the specific negotiated agreement is not legal and/or violates CSEA's Constitution & Bylaws, Policies, or procedures of the Association assuring fair representation.

(b) A chapter may appeal the Field Director's decision to prohibit the negotiated agreement from taking effect and/or considered for ratification. Such appeal shall be in writing, addressed to the Association President with a copy to the Executive Director, postmarked within ten (10) calendar days of the date of the notice from the Field Director, and shall stipulate the reasons why the chapter believes the results of the original ratification vote should stand.

Within five (5) working days, the appeal will be considered by the Association President or designee, the concerned Area Director, and the Executive Director or designee, with the decision referred to the CSEA Board of Directors for ratification at its next meeting. (If the Area Director is a member of the appealing chapter, the Association President may appoint another Board member to consider the appeal.)

Immediately following action on the appeal, the Executive Director shall cause the Director of Field Operations, Field Director, Labor Relations Representative, Regional Representative and Chapter President to be orally notified of the approval or denial of the appeal, and shall issue a follow-up written notification to all concerned.

.14 **Provision of Copies of Agreement**

The chapter shall, immediately upon ratification of the negotiated agreement (by the chapter and the employer), provide the Labor Relations Representative assigned to service the chapter with three (3) signed copies of the negotiated agreement.

611 CHAPTER TREASURER BONDING C-III,6

Adopted February 1997

This policy is enacted in accordance with Article III, Section 6 of the Association's Constitution, to protect chapters against loss of chapter funds due to misappropriation by elected chapter officers.

.1 The basic position bond coverage of $1,000 shall be self-funded by the Association and provided to chapters at no cost.

.2 The additional bonding amount to be made available at the option and expense of the chapter shall be provided through an insurance company upon referral by the Association.

.01 The supplemental bond or policy shall be issued directly to and in the name of the requesting chapter.

.02 The premium on such bond shall be paid by the chapter, and may be paid directly to the bonding agency, or upon chapter request may be paid by the Association subject to reimbursement by the chapter. The chapter shall reimburse the Association for the appropriate premium upon receipt of billing. Should the premium not be reimbursed within 30 days of receipt of billing, the Association may cancel the policy.

.03 To obtain supplemental bonding or a quotation on the coverage, chapters shall contact the CSEA Chief Financial Officer for a referral.

.3 **Claims**

.01 To qualify for reimbursement for loss from the Association up to the basic $1,000 coverage, chapters shall comply with the following provisions:

(a) Show proof of loss, either through a Policy 613 judgement showing a finding of loss due to fraudulent acts resulting in personal financial gain of the offending member, or a civil court judgement, and

(b) Provide a copy of the chapter audit covering the period during which the loss occurred; and

(c) Submit the above documentation, together with a cover letter clearly stating the nature and amount of the claim, directed to the Executive Director at San Jose Headquarters.

.02 Claims to a bonding agency for amounts in excess of $1,000 shall be submitted directly to, and in accordance with claims procedures and such documentation or proof of loss as may be required by, said agency.

.03 Should the chapter obtain repayment of misappropriated funds, the chapter shall reimburse the Association in like amount for claims paid by the Association.

612 DISBANDMENT OF CHAPTERS C-III,9

Revised January 2010

.1 General

.01 The Association recognizes the conflict which can arise if it attempts to continue a chapter in existence when exclusive representation rights have been accorded to another organization and when CSEA does not hold exclusive representation rights for any bargaining unit under the chapter's jurisdiction.

.02 The Association also recognizes that it has both a moral and legal obligation to protect the financial as well as other interests of the Association and its members when its relationship with any chapter is severed for any reason.

.2 Disbandment Due to Loss of Exclusive Representation Rights

.01 It shall be the policy of the Association to disband a chapter when exclusive representation rights have been secured by another employee organization or organizations which includes all employees eligible for inclusion in the chapter.

.02 Immediately upon PERB certification of representation election results, all monies, books/records and other assets held by the chapter shall be transmitted to the Association's Chief Financial Officer to be held for the benefit of the Association, in accordance with Article III, Section 9 of the Constitution, and an immediate audit of chapter financial records shall be performed by CSEA's Analyst/Auditor, in conjunction with the Chapter Audit Committee when possible. The Association's Chief Counsel shall take such actions as may be necessary to enforce these provisions on behalf of the Association.

.03 All chapter members shall be notified of the pending disbandment of the chapter and shall be provided the option of continuing their CSEA membership as an Associate member. **C-II,1(c) B-VII,2(d)**

.04 Following conclusion and certification of the Audit, the CSEA Financial Analyst/ Auditor shall supervise distribution of treasury funds, in the following order:

(a) All monies due and owing the Association shall be promptly remitted to the Association's General Fund.

(b) All outstanding obligations of the chapter shall be promptly paid.

(c) All remaining unrestricted funds and assets shall be held in trust by the Association for the purpose of reorganization and for the benefit of the successor chapter chartered for the affected bargaining unit(s).

Said trust account shall be continued until a successor chapter is chartered or for 36 months following chapter disbandment, whichever occurs first. The Board of Directors may, however, approve extension of the trust account for up to an additional 12 months, if at the end of the 36-month period a decertification attempt is then in progress or, upon recommendation of the Executive Director, will be attempted within the immediate future.

(d) If the decertified chapter has separate, restricted funds for operation of a scholarship or other similar benefit program(s), operated for the benefit of the membership and their beneficiaries, the Association shall continue to administer such program, in accordance with appropriate rules and regulations as established by the chapter and in effect at the time of decertification, until such restricted fund has been depleted.

.05 Except as may be provided in .07, below, the chapter shall be officially disbanded by action of the Board of Directors effective with final disposition of assets.

.06 If a successor chapter has not been chartered for the affected bargaining unit(s) prior to expiration of the time period established for the trust account, all unrestricted funds and assets held in trust shall revert to the Association.

If a successor chapter is chartered, all books, records, and assets held in trust by the Association shall, upon certification of officer elections for the newly organized chapter, be turned over to the appropriate officers, who shall give receipt for same.

.07 Upon recommendation of the Director of Field Operations, following assessment and consensus of the Director of Organizing, appropriate Field Office staff, Regional Representative and Area Director, the Board of Directors may approve continuation of the chapter's charter in an "Associate Chapter" status, for the purpose of retaining a steering committee of Associate members to work towards decertification.

(a) Should a decertification attempt be unsuccessful, or if no decertification attempt is made within 36 months following approval of "Associate Chapter" status, the "Associate Chapter" shall be disbanded. Members of the "Associate Chapter" shall, however, be entitled to retain their "Associate" member status.

(1) The "Associate Chapter" status may be extended by action of the Board of Directors in conjunction with extension of the trust account under provisions of .04 (c), above.

(b) Should a decertification attempt be successful, the "Associate Chapter" shall be restored to regular status, and "Associate" members thereof shall revert to full "Active" membership status within a period of thirty (30) days, in accordance with Article II, Section 1(c) of the Constitution.

Immediately upon certification of election of officers within the reorganized chapter, the books, records and assets being held in trust by the Association shall be returned to the appropriate officers, who shall give receipt for same.

.3 **Disbandment Due to Other Reasons**

.01 Immediately upon notice of intent to disband for reasons other than loss of exclusive representation rights, instituted either by the Association under provisions of Article III, Section 4 of the Constitution, or by lawful action of the chapter, the Association's Chief Financial Officer and the Chief Counsel shall take such action as may be necessary to ensure that all funds of the chapter are held for the benefit of the Association, in accordance with Section 9, Article III of the Constitution, and an immediate audit of chapter financial records shall be performed by the CSEA Analyst/Auditor, in conjunction with the Chapter Audit Committee when possible.

.02 Following conclusion and certification of the Audit, the Analyst/Auditor shall supervise distribution of chapter funds as follows:

(a) All monies due and owing the Association shall be promptly remitted to the Association.

(b) All outstanding obligations of the chapter shall be promptly paid.

(c) If the jurisdiction of the disbanding chapter(s) is being transferred to a successor chapter through merger or amalgamation as provided under Policy 620, all remaining funds shall be transferred to said successor chapter.

(d) If the jurisdiction of the disbanding chapter(s) is not being transferred through merger or amalgamation under Policy 620, all remaining funds shall be transferred to the Association.

All unrestricted funds and assets shall be held in trust by the Association for the purpose of reorganization and for the benefit of the successor chapter chartered for the affected bargaining unit(s).

If the disbanding chapter has separate, restricted funds for operation of a scholarship or other similar benefit program(s), operated for the benefit of the membership and their beneficiaries, the Association shall continue to administer such program, in accordance with appropriate rules and regulations as established by the disbanding chapter and in effect at the time of disbandment, until such restricted fund has been depleted.

.03 The chapter shall be officially disbanded by action of the Board of Directors effective with final disposition of assets.

(a) If the chapter was a member of a Central Labor Council (CLC) of the AFL-CIO, the Association President shall cause notification to be sent to the appropriate CLC regarding the chapter's disbandment and withdrawal from the CLC.

.04 If a successor chapter has not been chartered for the affected bargaining unit(s) within thirty-six (36) months following chapter disbandment, all unrestricted funds and assets held in trust shall revert to the Association.

If a successor chapter is chartered within the 36-month period, all books, records, and assets held in trust by the Association shall, upon certification of officer elections for the newly organized chapter, be turned over to the appropriate officers, who shall give receipt for same.

.4 **Requirements, Rights and Benefits of ''Associate'' Chapters**

.01 To qualify for "Associate Chapter" status, the chapter must retain at least five (5) members in Associate member status, and shall designate a steering committee to work with Association representatives towards a decertification attempt within the bargaining unit(s).

.02 The Association shall retain a "Communications" Roster for the Associate Chapter, and said chapter shall receive such Association bulletins and other communications as are approved by the Board of Directors as being appropriate for distribution to such chapters, for the purpose of keeping the steering committee apprised and knowledgeable about relevant representational matters, Association benefits, and actions undertaken on behalf of classified school employees.

.03 The appropriate Regional Representative and assigned staff representative(s) shall meet with the chapter on a regular basis to keep the membership informed of Association activities and direct the activities of the steering committee.

.04 The chapter steering committee shall have use of Field or Service Office facilities and services in support of its approved activities. The assigned Labor Relations Representative shall submit claims for reimbursement of necessary expenditures incurred by or on behalf of the chapter's steering committee in its approved activities for payment by the Association. Payment of such claims shall be charged against the Organizing budget.

.05 The "Associate Chapter" shall have no official voice, vote, or other participation in the Association's internal affairs.

613 MEMBER DISCIPLINARY ACTION C-II,7

Adopted August 1981 – Revised August 2023

.1 General

This policy is adopted in conformance with Section 7, Article II of the Constitution, to establish procedures governing the expulsion, suspension and discipline of Active, Retired, and Life members for actions determined to constitute "conduct detrimental to the Association."

.2 Applicability of Policy

Any Active member, Association Life member, or member of the Retiree Unit may bring charges against any other member covered in Article II of the Constitution. Members who resign membership from CSEA may still be found in violation of this policy and incur penalties for misconduct while a member. However, members who resign waive their right to appeal in proceedings under this policy.

.3 Offenses Subject to Charges

Charges may be brought for the following offenses:

.01 **Intentional** violation of any provision of the Constitution & Bylaws or written policies of the Association or of the Constitution & Bylaws or written policies of a Chapter or retiree council that impose a specific and mandatory duty on a person holding an elective or appointive position. This charge shall be restricted as applicable only to members holding an elected or appointed position within the Association at any level at the time such violation occurred. For purposes of this section, conduct shall be considered "intentional" if the charged party knew or has reason to know that the charged party's conduct would violate a specific constitutional or policy standard, but nevertheless engages in such conduct.

.02 Intentionally using the influence of an office to the detriment of the welfare of the Association or the membership of one or more of its chapters, including but not limited to violating the duty of fair representation or engaging in bad faith bargaining. This does not include an officer criticizing another member internally within the union, but would include an officer trying to persuade management to discipline or discharge a member.

.03 Working as a strikebreaker when a CSEA sanctioned strike has been instituted, or encouraging or assisting others in doing so.

.04 Participating in a decertification attempt against the Association or any chapter.

.05 Misappropriation of funds or property of the Association, any chapter or retiree council.

.06 Acts of disloyalty to the Association, which shall consist of the following:

(a) Advocating or attempting to bring about (i) withdrawal from the Association of any chapter or any member, or (ii) non-membership in the Association.

(b) Unauthorized release of membership or officer mailing lists to other organizations or outside interests for the purpose of personal gain or profit or assisting a representational effort.

(c) Intentional misuse or destruction of any CSEA website, logo, email address, or other property.

(d) Conduct against CSEA which likely constitutes a crime or intentional tort, including assaulting staff or officers, falsely passing oneself off as being a CSEA staff member or officer, or falsely claiming CSEA endorsement. A prior judicial finding of guilt or liability shall not be required in order to impose discipline for this offense; rather, it shall be sufficient if it is shown likelier than not that the charged party committed the misconduct alleged.

(e) Any of the following conduct:

(1) Providing the employer or outside parties with internal union related information which can be used to the detriment of CSEA, such as details as to when and where CSEA staff or chapter officers will be talking privately with bargaining unit members regarding grievances, disciplinary related matters, PERB charges, or litigation; names of bargaining unit employees who are union sympathizers; or details about internal union activities such as the number or percentage of votes for or against ratification of a negotiated agreement or for concerted activities.

(2) Aiding in the inappropriate contracting-out of CSEA-represented bargaining unit work.

(3) Aiding in an employer's violation of its legal obligation to CSEA.

(4) Engaging in any conduct to cover up improper conduct by the employer which is detrimental to CSEA.

(5) Aiding an employer in a labor dispute with CSEA through any actions not affirmatively protected by EERA or other law.

(6) Chapter officers, without just cause:

(i) Blocking CSEA representative access to District property, causing a District to refuse to allow such access, or requiring advance notice to the Chapter of CSEA representative accessing District property when such notice would be impractical which exposes CSEA to liability under the duty of fair representation.

(7) Chapter officers:

(i) Making remarks to other District employees about CSEA which reasonably appear to be intended to discourage these employees from joining CSEA or remaining members,

(ii) Making similar remarks about CSEA to District management which may cause harm to CSEA,

(iii) Threatening to encourage workers to drop membership as a means of obtaining leverage with CSEA, or

(iv) Threatening to or actually withholding transmission of state association dues,

(v) Failing to promptly report to CSEA any material violations of CSEA's legal rights which are known to the member,

(vi) Encouraging management to discipline a member in circumstances where the officer is not required by their job position to report misconduct by other employees or is not reporting misconduct which adversely impacts others in the chapter, or which threatens public safety.

.07 Filing of frivolous Policy 613 charges which caused material detriment to the Association. A "frivolous" charge is defined as one which no reasonable member could have thought at the time to have merit. A charge under this subsection may only be filed by a member of the Board Subcommittee, not by a charged party. Members of the Board Subcommittee shall have until three months after final decision is rendered on the original charge to decide whether it was so frivolous and detrimental to the Association that charges under this subsection are warranted. If a charged party believes a charge against them to be frivolous, they may not file a counter-charge claiming frivolousness, but rather should include their evidence showing frivolousness when submitting other evidence in opposition to the original charge.

.08 Breaching confidentiality by disclosing to any individual (or otherwise failing to keep confidential) information and documents developed in the course of processing charges, including communications with CSEA staff during their investigation.

(a) It shall not constitute a breach of confidentiality for:

(1) A charging party, while the charge is pending before the Judicial Panel, to communicate on a need-to-know basis with persons needed to present testimony or evidence at the hearing before the Judicial Panel on the charges that member has filed;

(2) A charged party, while the charge against them is pending before the Judicial Panel or on appeal to the Board of Directors, to communicate on a need-to-know basis with persons needed to present testimony or evidence at the hearing before the Judicial Panel on the charges filed against the member;

(3) A charged party, while the charge against them is pending before the Judicial Panel or on appeal to the Board of Directors, to communicate on a need-to-know basis with the charged party's representative; or

(4) A party to engage in other communications affirmatively protected by EERA or other law.

(5) A party to engage in communications authorized by the Judicial Panel or Board to respond to communications made in violation of this confidentiality requirement, so as to prevent irreparable harms from the violation.

.09 Refusing to appear as a witness without just cause in response to a reasonable request from the Judicial Panel.

.10 Engaging in "abusive conduct," also known as "bullying,"

(a) Abusive conduct under this policy is specially defined here as one of the following four actions:

(1) Cursing at another member or CSEA staff if offensive and repeatedly committed in connection with union business and with malice;

(2) Screaming at another member or CSEA staff (e.g. shouting in anger at someone so loudly and so close to them that they're forced to cover their ears to protect them from damage) if offensive and repeatedly committed in connection with union business and with malice;

(3) Threatening or physically intimidating another member or CSEA staff (e.g. inside a CSEA meeting, repeatedly threatening to hit another member who disagrees with you, or using your body to physically intimidate or threaten another) if offensive and repeatedly committed in connection with union business and with malice; or

(4) Insulting the appearance or personal characteristics of another member or CSEA staff (e.g. labelling a decisionmaker as "dumb," as opposed to calling the decision "dumb") if offensive and repeatedly committed in connection with union business and with malice.

(b) The abusive conduct must not only be offensive to the charging party, but also would be offensive to any reasonable person in their situation.

(c) A single act shall not constitute abusive conduct unless especially severe or egregious.

(d) Any charge alleging that a member has violated this provision of Policy 613 must be reviewed and signed by at least two (2) Regional Representatives to certify their belief after reasonable inquiry that the charge has merit. The effort to conciliate required by .5.02 below must occur prior to the review and signing described above.

.11 Violating a decision of the Judicial Panel, Complaint Review Committee, or Board of Directors under Policy 613 or Policy 626.

.12 Violation of the CSEA Board of Directors Code of Conduct by a Board Member. After final determination of a violation of the Code of Conduct under this Policy, the Board by majority vote may announce to the membership the finding and the remedy or penalty imposed.

(a) For Board Members elected prior to adoption of the Code of Conduct, such violation shall not be punished by removal from office during the remainder of their term after adoption.

.4 **Penalties.**

Penalties which may be imposed under this policy include, but are not limited to, fines (including restitution), written reprimand, suspension of membership rights, disqualification from holding Association offices at any level, and/or expulsion from membership in the Association, subject only to the following limitations:

.01 A fine may not be imposed on any member for charges brought under Section .3.03 above, nor for any other charge unless the offense has or could have resulted in financial gain for the member.

.02 Suspension of membership rights may be imposed for a period of no greater than five (5) years for any one offense.

(a) "Suspension of membership rights" means:

(1) Loss of all voting rights;

(2) Loss of the right to participate in internal affairs of the Association at any level;

(3) Loss of the right to attend any meeting(s) or other functions conducted by the Association at any level, except for contract ratification meetings affecting the suspended member's bargaining unit;

(4) Loss of the right to hold any elected or appointed office in the Association at any level.

(b) A member under penalty of suspension shall, however, retain the right to all member benefit programs available to members generally, contingent upon continued payment of the full membership dues.

(c) A member under penalty of suspension shall have the right to resign membership without jeopardizing employment rights, but in such event the penalized member shall be bound by all other provisions of a collective bargaining agreement and EERA.

.03 Disqualification from holding Association office may be imposed for a period of no greater than five (5) years for any one offense, and shall mean disqualification from holding any and all offices, either elected or appointed, at any level of the Association, except that a member found guilty of a charge or complaint under Association policy and whose conduct has caused the Association to pay money to resolve a claim concerning the conduct that was subject to the charge or complaint shall be ineligible to serve on the Board of Directors.

.04 Individuals who are expelled from membership shall retain full entitlement to such representational services for which the Association is obligated under its duty of fair representation, and shall be bound by all other provisions of a collective bargaining agreement.

.5 **Procedures for the Submission of Charges Against CSEA Members**

.01 **Charges Covered.** All CSEA members, including Active members, Association Life members, and members of the Retiree Unit (collectively referred to as "members"), have the right to file a charge under these procedures concerning the offenses subject to charges.

.02 **Conciliation Requirement.** Charges against any member or officer of the Association may only be brought after the charging party has notified the Regional Representative of their intent to file a charge at least seven (7) calendar days before filing.

(a) After the charge is filed, the Association President may appoint as a mediator any member whom the Association President finds qualified. The Association President shall automatically appoint a mediator for all charges of abusive conduct or misuse of the influence of office if the Board Subcommittee so requests.

(b) The charging party and charged party must participate in good faith in mediation before any such mediator. Refusal to do so shall itself be grounds for discipline under this Policy. If the mediator determines there has not been good faith participation in a mediation process, they shall so advise the Board Subcommittee which may direct such issue be submitted to hearing under this Policy.

(c) If requested by the mediator, the Legal Department staff may share with the mediator information they have learned during the process of investigating the charge. The RR, mediator and all members and staff involved must keep confidential all information they learn through these conciliation and mediation procedures.

.03 **Filing of the Charge.** Any member who believes that another member has committed a chargeable offense can file a charge with the CSEA Executive Director. (The Executive Director or a designee may perform any of the functions of the Executive Director set out in these procedures; accordingly, all references in these procedures to the Executive Director also include any designee.) Under this policy, decisions about whether to impose discipline are strictly made by members rather than CSEA staff. Accordingly, members should direct all questions about whether conduct violates this policy to the member leaders in their area rather than to CSEA staff.

(a) The charge must be submitted on Forms F–2042 and F–2042A. Forms F–2042 and F–2042A may be obtained upon request to the CSEA Headquarters Executive Department.

(b) The charging party shall certify in writing under penalty of perjury that the charting party has notified the appropriate Regional Representative at least seven (7) calendar days prior to filing, as required by this Policy, and that the charging party has read the policy provision they claim to have been violated and understand what it means. Members with questions about the meaning of policy provisions must direct them to member leaders and not to CSEA staff.

(c) The charge shall specifically outline the offense(s) alleged to have been committed and/or the specific section(s) of the Constitution or Bylaws, Policy, or written policies of a chapter or retiree council alleged to have been violated, the dates, times, places and the witnesses involved in each offense charged, and shall contain a statement of the specific facts constituting each offense.

If any charge alleges violation of the Constitution or Bylaws, Policy, or written policies of a chapter or retiree council, a copy of the section(s) alleged to have been violated shall be attached to the charge form.

.04 **Time for Submitting the Charge.** Charges must be filed within three (3) months of the date of the alleged offense; except that charges alleging misappropriation of funds or property under .3.05 or charges filed in conjunction with the causes of a Policy 607 administratorship may be filed within three (3) months of the date the charging party became aware of the alleged offense.

.05 **Avoidance of Multiple Charging Parties and Repetitive Charges.** Multiple members filing charges alleging similar offenses must designate no more than two (2) members to represent the group for all purposes.

(a) CSEA staff shall notify charging parties of the need to designate representatives upon the conditions in .05 above being met.

(b) Charging parties shall make such designation within ten (10) days following receipt of the notice to designate representatives.

(c) If the charging parties fail to make their designation within the time period allowed, the Board Subcommittee as defined in .7 below shall designate no more than two representatives for the charging parties.

(d) If multiple members are upset about conduct by a charged party, rather than all joining a charge as charging parties or filing their own charges, they can submit signatures supporting the first charge and/or appear as witnesses at the hearing.

.6 **Board Subcommittee**

The Board subcommittee shall consist of the 1st Vice President, 2nd Vice President, and the Past President. Should any of the above officers be the charged party, the charging party, or have direct knowledge of or otherwise be a party to the charge, the Association President shall select another member of the Board to serve.

.7 **Judicial Panel**

.01 **Composition.** The Judicial Panel is comprised of six (6) members and a chairperson, all of whom shall be appointed by the Association President with the approval of the Board of Directors.

.02 **Terms and Qualifications.** The Judicial Panel members, including the chairperson, shall be appointed for two-year terms.

(a) Members of the Judicial Panel shall, upon appointment, be active or retired members of the Association as prescribed in Section 1(a) and/or Section 4, or Section 1(e)(2)(I), respectively, of Article II of the Constitution and must remain as such during their term.

(b) Members of the Board of Directors shall not be appointed to the Judicial Panel.

.03 **Removal and Vacancies.** The Board of Directors may, by a vote of ten (10) members thereof, remove any member of a Judicial Panel, including the chairperson, at any time and for any reason, except that removal shall not occur at a time when the Judicial Panel member is involved in hearing a disciplinary matter.

The Association President, with the approval of the Board of Directors, shall fill vacancies for the unexpired term of any vacancy which occurs.

.04 Secretary to the Judicial Panel shall be the Executive Director or designee, for purposes of handling administrative tasks relating to disciplinary action proceedings and coordination of Panel activities. The Executive Director shall not be a member of the Panel.

.05 **Selection of Judicial Panel.** When the Judicial Panel is required to hear a disciplinary matter, it shall consist of the Chairperson and two (2) panel members who shall be selected by lot by the Secretary to the Judicial Panel.

(a) Any Judicial Panel member who is a party to the disciplinary action or whose familiarity with the party(ies) or the action will impair objectivity shall be disqualified from serving.

(b) If the Chairperson is disqualified or unable to serve at a hearing for any reason, the Association President will appoint an acting chair from among the Judicial Panel members.

(c) Should there be fewer than three Judicial Panel members available to serve at a hearing, due to disqualifications, the Association President shall be authorized to appoint another eligible member (or members) to serve for that particular hearing, upon consultation with the 1st Vice President and Past President.

.8 **Withdrawal of Charge**

The member who filed the charge may withdraw it at any time upon signed, written request to the Executive Director, unless it is determined by the Board subcommittee designated in .7 that the institutional interests of the Association in prosecuting the charges outweigh the individual interests of the charging party(ies) in withdrawing the charge.

In such instances, the Board subcommittee shall become the charging party, and the charges shall be carried forward on behalf of the Association by a staff attorney designated by the Executive Director. The charged party shall be so notified and advised that the charged party may select a private attorney or member to represent the charged party in presentation of the defense, at the expense of the charged party.

Should the charges be withdrawn, all parties will be so notified.

.9 **Processing of Charges**

.01 Upon receipt of a charge the Executive Director shall forward a copy of the charges, not including the witness list, to the charged party via certified mail at the member's last known home address.

.02 The parties are prohibited from contacting each other about this matter while the charges are being investigated.

.03 The Executive Director shall cause the charge to be reviewed for sufficiency and investigated toward determining whether the alleged facts, if proved to be true, are sufficient to constitute conduct detrimental to the Association such as would warrant disciplinary action. The investigation shall afford the charged party an opportunity to state the charged party's position regarding the charges. It shall not be the role of CSEA staff to make credibility determinations.

(a) Said investigation shall be conducted by Association legal staff or their designee and shall be completed no later than thirty (30) calendar days following receipt of the charges.

(b) The Executive Director shall have the authority, however, upon request and good cause shown, to extend the time for completion of the investigation for up to an additional thirty (30) calendar day period.

.04 When the charges are fully developed, the Executive Director shall submit the results of the investigation in a confidential report to a subcommittee of the Board of Directors. The report shall summarize the evidence submitted and responses from both sides, and shall contain an evaluation based solely on whether the alleged offense(s), if proved to be true after hearing, would in fact constitute conduct detrimental to the Association and a chargeable offense under this Policy, and whether or not sufficient evidence exists to proceed to a hearing.

.05 If the Board subcommittee finds that the charges and the evidence submitted constitute sufficient grounds for disciplinary action, it shall take such action as appropriate under subsection (a) or (b), below:

(a) Direct the Judicial Panel Secretary to prepare the charges for forwarding to the charged party.

(1) The notification to the charged party shall fully outline:

(i) The charges brought and specific facts alleged on which the charge is based;

(ii) The identity of the charging party(ies);

(iii) The composition of the Judicial Panel;

(iv) The date, time, and place established for the Panel to hear the matter, which shall not be earlier than twenty-one (21) calendar days from the date of the notification, and which shall be held at a location reasonably convenient to the charged party;

(v) The right of the charged party to be represented at the hearing by an attorney or by another member of the Association, the right to present evidence and/or witnesses, and the rights of confrontation and cross-examination of witnesses. The Judicial Panel may be advised by CSEA counsel and non-attorney advisors, who may be present in the hearing room; and

(vi) The fact that if the charged party chooses to select a representative to represent the charged party at the hearing, the charged party must notify the Judicial Panel Secretary of the name and address of said representative at least ten (10) calendar days prior to the date set for the hearing, and that all costs and/or fees relevant thereto shall be the responsibility of the charged party.

(2) The notification shall be sent by certified mail to the last known address of the charged party.

(3) The charging party shall be notified of the time, date, and place of the hearing.

(4) The charging party and the charged party shall be responsible for notifying any witnesses to testify on their behalf of the time, date and place of the hearing. The parties shall also be responsible for ensuring their attendance. All costs relative to attendance of all witnesses shall be at their own expense or as may otherwise be agreed to by the respective parties.

(5) Association staff may not be called as witnesses unless a party obtains the approval of the Executive Director. The Executive Director's approval will not be given unless there are no reasonable alternatives and staff testimony is essential to protect the due process rights of the charged party or there is compelling evidence that it will serve vital interests of the Association.

(b) Direct that such other administrative procedure deemed appropriate or applicable under another policy shall first be undertaken to address the concerns set forth in the charges.

(1) Referral of such a case to the Judicial Panel shall be deferred for six months, or such earlier time as the Board subcommittee determines to be appropriate, while a matter is considered pursuant to such other administrative procedure.

(i) In exceptional circumstances, referral of a matter to the Judicial Panel can be deferred for an additional six (6) months when the Board subcommittee determines that doing so would facilitate resolution of the matter.

(2) The notification to the parties shall fully outline the other administrative procedure deemed appropriate or applicable and the length of the deferment.

.06 If the Board subcommittee finds that the evidence submitted does not substantiate the charges, or if the charges are such that do not warrant disciplinary action, it shall dismiss the complaint and so notify the charging party and the charged party, including the reasons for its decision.

.10 **Hearing on the Charges**

The Judicial Panel shall hold a hearing on the charges at the appointed date, time, and location.

.01 The proceedings shall be audio or video recorded as determined by the Panel. Said recording shall be destroyed following final action by the Board of Directors under Sections .12 or .13 of this policy and expiration of time for any legal proceeding resulting from discipline. No other person shall record the proceedings by any means. A printed transcript shall not be provided.

.02 The accused may appear in person and with witnesses to answer the charges. The accused may present the defense, or may select a member of the Association or attorney to represent the accused in presentation of the defense.

.03 The charges shall be carried forward by the charging party, to include presentation of the charges, all documentation and oral arguments before the Judicial Panel.

.04 The Judicial Panel shall be provided legal assistance by the Association's Chief Counsel, or designee, who shall act in an advisory capacity only, to ensure that due process rights are honored.

.05 If the accused or designated representative does not appear at the hearing, the Panel shall conduct the hearing in the accused's absence.

.06 The hearing shall be conducted in closed session with the confidentiality of the proceedings to be strictly maintained. All witnesses shall be duly sworn to testify truthfully, and all witnesses may be subject to examination and cross-examination by the parties and/or questioning by the Judicial Panel. Only the parties, including their representatives (one representative each), and witnesses directly involved in the matter, may attend the hearing as the proceedings are to be treated as confidential. However, the CSEA Executive Director (or designee) has discretion to attend the hearing or participate as a party, including presenting evidence, argument, oral summation and appeal on any issues. The non-party witnesses may be excluded from the hearing except when testifying. Panel members shall not disclose any information relevant to the case except as required by this Policy. The formal rules of evidence shall not apply.

.11 **Determination by the Judicial Panel**

.01 Within thirty (30) calendar days of the conclusion of the disciplinary hearing, the Panel shall determine the sufficiency of the evidence relating to each offense charged and shall find the charged party guilty or innocent based thereon. If the Panel finds the charged party guilty of any of the charges, it shall outline the basis for its findings and indicate the penalty to be imposed as authorized in Section 613.4 and shall direct that the charged party comply with all relevant Association policies, procedures, and constitutional provisions.

.02 A report of the Panel's findings and penalties to be imposed, if any, shall be forwarded to the Association President and the Judicial Panel Secretary within thirty (30) days of the conclusion of the hearing.

.03 A copy of said report shall be forwarded to both the charging party and the charged party, via certified mail to the last known address, together with notification that the matter has been forwarded to the Board of Directors for final disposition, and specifying the procedures by which the charged party may appeal the decision.

.04 Interim remedies issued by the Judicial Panel which are deemed necessary to protect the parties' safety and/or privacy, or to protect against retaliation or irreparable harm to the Association may be implemented at any time after charges are filed if such remedies are requested by an Association officer and the request approved by the Board subcommittee. Such interim remedies may include, in especially serious cases, temporarily removing a CSEA officer or steward from their union duties (but not from their office) and suspending them from any release time pending final Board resolution of the charges. If such interim relief is requested prior to full Panel hearing, the Panel shall provide reasonable notice and opportunity for the charged party to respond to the request for interim relief prior to its imposition. Charges requesting interim relief shall not be subject to the notification period in Section 613.5.02.

.12 **Appeal Process**

.01 Any Charging Party or Charged Party may appeal the Judicial Panel's findings and/or proposed penalties to the Board of Directors. The procedures for filing and processing such appeal shall be as follows:

(a) The appeal shall be in writing, fully outlining the party's objections and arguments against the Panel's findings and/or proposed penalties. The written appeal must contain all arguments intended as support for the appeal.

(b) To be timely, any appeal must be delivered, faxed, email, or postmarked to the Association President within twenty-one (21) calendar days of the date that the Judicial Panel's decision is received by the parties. Appeals may be submitted by mail, email, fax, or hand delivery. The Executive Director shall distribute copies of any appeals to all other parties in the case, by cover letter, which shall specify that any response or opposition to the appeal must be received by the Executive Director within fourteen (14) calendar days from the date the cover letter is mailed.

(c) Upon expiration of the deadline for receipt of any response or opposition to the appeal, the Executive Director shall forward the appeal, together with any responses or oppositions, and the written record of the case (which includes the recording of the hearing, the exhibits, the Judicial Panel decision, and any written correspondence between the Judicial Panel and the parties) to each member of the Board of Directors.

(d) An appeal shall be based solely on the written record of the case and no appeal hearing shall be permitted. The Board of Directors may affirm, vacate or modify the decision of the Judicial Panel, including but not limited to increasing or reducing the penalty. The decision of the Board shall be made by majority vote, which shall constitute the position of the entire Board. Accordingly, there shall be no minority report or dissent filed or noted. Its decision shall be based upon the evidentiary record together with the written arguments submitted by the parties. New evidence shall not be considered at the appeal level, unless exceptional circumstance precluded its submission to the Judicial Panel.

(e) The Board may review and act on appeals at regular or special meetings, or through any other collective means, including but not limited to, telephone or video conference calls and telephone polling of members. Board members involved in the matter shall be ineligible to participate in the review of such appeal. Members of the Board subcommittee that referred the matter to the Judicial Panel shall disqualify themselves from voting in the appeal action. In the event that a quorum is unavailable as a result of recusals, the Alternate Area Director of a recused Area Director shall be appointed by the Association President to hear the appeal.

(f) A ruling on the appeal shall be mailed to the parties by Return Receipt Requested within fourteen (14) calendar days of when the Board of Directors receives the appeal and supporting documents from the Executive Director. No other appeal shall be available.

(g) The Executive Director shall cause notice of the decision to be given to members and staff with a need to know in order to implement the decision. No other appeals or proceedings shall be allowed in order to ensure the prompt and final resolution of charges. The Executive Director shall issue a letter reporting on the implementation of the remedy to the Board of Directors and to the parties.

(h) A ruling of the Judicial Panel, absent a timely appeal, or a decision of the Board of Directors shall be final and binding on all parties. The ruling or decision shall be immediately and fully implemented with no further appeal available.

.13 **Consolidation of Successive Charges**

If before the Judicial Panel or the Board of Directors issues a decision on a pending charge there is another charge filed against the same party, the Judicial Panel or the Board of Directors **may** postpone issuing a decision on the previously filed charges until after the hearing or Judicial Panel decision on the later charge in order to issue a consolidated decision on all charges.

614 DUAL CHAPTER MEMBERS C-II,2

Revised August 2023

.1 The Association recognizes that there may be instances where a member is employed by more than one school district and a member of multiple chapters and therefore is required, for representational purposes, to pay per capita dues through more than one CSEA chapter. In such instances the member's total annual dues payments may be more than would be required if based on a combined total annual salary from each of the employing districts.

(For example, if a member earned a total annual salary of $35,000, the annual per capita dues assessment would be $472.50 (maximum cap). However, if that member received $18,000 of that annual salary from one district, and $17,000 from another district, the member would be required to remit per capita dues of $270 and $255 respectively, for a total of $525 annually—or $52.50 more than would be required if dues were assessed on the combined annual salary for the two districts.)

The Association will provide appropriate refunds twice each year to such members for which the Association has a personal address. As the cost to CSEA of generating and mailing a refund check is more than two dollars ($2.00) per check, no refund shall be made for overpayments of less than two dollars.

615 ARBITRATION SUPPORT PROCEDURES B-XII,2

Adopted March 1981 – Revised August 2023

Contract implementation and enforcement is of the greatest concern to the Association as a whole, as well as to the Chapter involved. It is therefore required that all involved in the execution of this policy to act expeditiously and thoroughly so that proper decisions can be made by the Board of Directors. It is also hoped that this policy will encourage EVERY bargaining unit to incorporate and maintain a mandatory arbitration clause.

.1 A request from a Chapter seeking approval to arbitrate at Association expense MUST provide assurances that the issue to be arbitrated is meritorious.

Generally, it is the intent of the Board that requests for arbitration WILL be approved even if the issue is one solely related to that particular locale, provided the issue is meritorious.

The Board does NOT encourage approval of arbitration requests, nor will the Board approve requests on appeal, where it appears reasonably certain that the issue is solely one of personality, or if the employer's position is clearly correct, etc. The purpose of this statement is to encourage chapters NOT to submit arbitration requests where the issue is NOT meritorious, and as a guide to Field Directors as to what issues should be arbitrated.

.2 **Procedures**

.01 When a Chapter has exhausted all grievance procedural steps and has or is ready to notify the employer of its intent to require arbitration of the issue, the Chapter shall complete Form F-3056, attaching all supporting data, and forward same to its Field Office for action.

(Note: If a Chapter notifies the employer of its intent to pursue arbitration and/or participates in the selection of an arbitrator before approval has been granted under these procedures, and the request does not receive final approval, the Chapter is solely responsible for any and all costs involved in the arbitration. To avoid this possibility, the Chapter should not provide any notification to the employer prior to exhaustion of these procedures UNLESS failure to do so would jeopardize its right to arbitrate.)

.02 Within twenty (20) working days of receipt of the complete request form and all necessary supporting data, the Field Director shall review the case with the assigned Labor Relations Representative.

The Field Director shall then either approve or disapprove the request for arbitration.

"Working days," as used in Policy 615.2.02, means days that CSEA Headquarters is open for business.

.03 If the request for arbitration is approved, the Field Director shall cause the Chapter President to be immediately notified orally of the approval, and shall issue a follow-up written notification, with copies sent to the Labor Relations Representative, Regional Representative, Area Director, and Director of Field Operations.

(a) The Field Director shall forward all documents to the Director of Field Operations, together with comments outlining the basis for approval of the request.

.04 If the request for arbitration is denied, the Field Director shall immediately notify the Chapter President, both orally and in writing, of the reason for the denial, and of the Chapter's right to appeal the decision to the Board of Directors as outlined herein.

Copies of such written notification shall be sent to the Labor Relations Representative, Regional Representative, Area Director, Director of Field Operations, and Executive Director.

(a) The Field Director shall then forward all documents to the Director of Field Operations, together with comments outlining the basis for denial of the request.

.3 **Appeal Procedures by Chapter**

.01 If a request for arbitration is denied by the Field Director, the Chapter may appeal the decision to the Board of Directors.

The Chapter's appeal shall be directed to the California School Employees Association, 2045 Lundy Avenue, San Jose, California 95131, Attn: Director of Field Operations. The appeal shall be postmarked or received (e-mailed, faxed, or hand-delivered) within ten (10) calendar days after notification of the Field Director's decision to deny the request for arbitration.

The appeal shall be in writing and shall stipulate the reasons why the Chapter believes the arbitration is meritorious and should be approved. In addition, the member grievant may submit a written statement why the member believes the arbitration is meritorious and should be approved.

.02 The Director of Field Operations shall review the appeal, the member grievant statement (if submitted), and the Field Director's decision to deny the request for arbitration.

(a) If the Director of Field Operations determines that the matter should be pursued, the Director of Field Operations shall direct the appropriate Field Director to approve the arbitration request, or cause other representational action to be implemented.

The Field Director shall cause the Chapter President to be immediately notified orally of the Director of Field Operations' decision, and shall issue a follow-up written notification, with copies sent to the Labor Relations Representative, Regional Representative, and Area Director, and Director of Field Operations.

(b) If the Director of Field Operations determines that the request for arbitration should not be approved, the Director of Field Operations shall forward the Chapter's appeal, the member grievant's statement (if submitted), and the Field Director's decision to deny the request for arbitration to the Association President and Executive Director.

.03 If time permits, the matter will be submitted to the Board of Directors for action.

Upon receipt of the appeal, the Association President shall cause the matter to be placed on the agenda for action at the next Board meeting. The matter shall be considered in Executive Session with the confidentiality of the proceedings to be strictly maintained. Neither the Chapter President/Executive Board representative nor the member grievant may appear to present oral testimony.

The Executive Director shall provide the Board of Directors with copies of all documents relating to the matter, together with the Director of Field Operations' recommendations as to whether the appeal should be denied.

.04 If time does not permit Board consideration, the appeal may be considered by the Association President, the concerned Area Director, and the Executive Director, with the decision referred to the Board for ratification at its next meeting. The ratification shall be conducted in Executive Session with the confidentiality of the proceedings to be strictly maintained. Neither the Chapter President/Executive Board representative nor the member grievant may appear.

.05 Immediately following action on the appeal, the Executive Director shall cause the Director of Field Operations, Field Director, Labor Relations Representative, Regional Representative, and Chapter President to be orally notified of the approval or denial of the appeal, with a follow-up written notification to all concerned.

.4 The Director of Field Operations, shall prepare a monthly report on arbitration requests for submission to the Board of Directors. Such report shall be segregated into two parts: I. Arbitrations Approved; II. Arbitrations Denied. Each section shall itemize all requests for arbitration submitted, provide a brief synopsis of the issues in the case, the estimated costs, the date of approval or denial by the Field Director. Monthly updates on Arbitrations Approved shall include the final costs of the arbitration and whether won or lost. Monthly updates on Arbitrations Denied shall include date of appeal and action on appeal, if any.

.5 The Executive Director shall cause payment to be made for charges relevant to approved arbitration requests upon receipt of invoices, receipts, and/or billings and a copy of the Arbitrator's Decision submitted by the Chapter through the Field Director.

.6 **Funding.** All approved expenditures related to arbitration support as provided in this Policy shall be a proper charge against the Defense Fund established under authority of the Association's Bylaws, Article VII, Section 10.

617 CONTRIBUTIONS—STRIKE FUNDS B-XII,2

Revised August 2023

.1 Chapters who have complied with Article XII of the Association's Bylaws and Policy 630 in obtaining membership approval and CSEA Board sanction for the concerted activity may request permission for solicitation of contributions from CSEA chapters statewide, and from other labor unions and organizations, for strike fund donations.

.2 All requests for such solicitation must be submitted to the Board of Directors as follows:

.01 Such requests must be filed in writing with the Labor Relations Representative assigned to the Chapter.

.02 Within three (3) working days of receipt of such request, the Labor Relations Representative shall discuss same with the Field Director, and shall provide the Field Director with all information relative to the duration of the concerted activity, the number of members involved, and the extent of probable economic loss to the membership.

.03 Within three (3) working days of receipt of the above report, the Field Director shall forward same, in writing, to the Executive Director, together with recommendation for approval or disapproval of the crisis loan request.

.04 The Executive Director shall forward the request to the Association President for placement on the agenda of the next regular or special meeting of the Board of Directors.

Should immediate action on the request be deemed necessary (due to extreme hardship of the members or for purposes of morale), approval may be granted by agreement of the Association President and the Executive Director. The matter shall then be referred to the Board of Directors for ratification at its next meeting.

.05 The Board of Directors shall either approve or disapprove such request.

.3 Should the Board approve said request for solicitation, the notice to chapters statewide and other labor unions and organizations shall emanate from Association Headquarters, signed by the Association President and/or Executive Director, and shall stipulate that all chapters and organizations wishing to contribute funds in support of the concerted activity shall remit such funds by check only, payable to the concerned chapter, directed to the attention of the Director, Field Operations, 2045 Lundy Avenue, San Jose, CA 95131.

.01 The Director of Field Operations, shall cause all contributions to be properly recorded as to contributing chapter/organization and amount of contribution, and forwarded to the concerned chapter's strike fund within three (3) working days following receipt.

.4 Within thirty (30) working days following the conclusion of the concerted activity, the Director of Field Operations, shall prepare a written report listing all contributing chapters/organizations and amounts of contribution, which shall be forwarded to the Executive Director for submission to the Board of Directors at its next regular meeting.

.5 Letters of appreciation from the Association President and/or Executive Director will be sent to those chapters/organizations donating to the affected chapter's strike fund, and appropriate recognition shall be provided in the Association's official publication.

618 CHAPTER ELECTIONS

Adopted September 1983 – Revised August 2023

.1 **Force and Intent.** This Policy is enacted to reinforce the intent of provisions of the Association's Constitution and Bylaws that all members of Chapter Executive Boards and delegates and alternates to Association Conferences are required to be elected; to ensure democratic processes in the election and/or recall of local chapter offices, and to ensure the rights of individual members to be nominated and run for any elective office. **C-III,3 B-V,2(c)**

.2 **Application**

.01 **All** positions designated as an officer or member of a Chapter's Executive Board, and delegates and alternates to Association Conferences, **shall be elected**, and all such elections shall be governed by the policies as hereinafter set forth. Any provisions within a Chapter's Constitution or other rules to the contrary shall be null and void.

.02 No change to the term of an Executive Board office (either shortened or extended) due to a change in the Chapter's Constitution shall take effect prior to an election for that office as governed by the policies as hereinafter set forth.

.03 In addition, elections for all other elected positions within the Chapter shall be governed by the policies as hereinafter set forth.

.04 Prior to a chapter conducting an election, the Regional Representative will review the procedures for chapter elections, including electioneering and campaign rules, as described in this Policy and the Chapter's Constitution (approved by the Association), with the Chapter leadership.

.3 **Definitions**

.01 "Active member in good standing" means any person employed in a bargaining unit represented by the chapter who has fulfilled the requirements for membership as stated in Article II, Section 5 of the Association Constitution and who has neither voluntarily withdrawn from membership nor has been expelled or suspended from membership in accordance with provisions of Article II, Section 7 of the Association's Constitution, nor has been expelled for nonpayment of dues.

.02 Where the term "Chapter Constitution" is used in this policy, it refers to the principal governing rules of the chapter, whether that document be called the Chapter "Constitution," "Bylaws," or "Constitution & Bylaws."

.4 **Eligibility to Hold Chapter Office.** Eligibility to hold chapter office shall be as set forth in the Chapter's Constitution, except as noted below:

.01 If the Chapter's Constitution is silent on the subject of eligibility, all "active members in good standing" of the chapter shall be eligible, except as provided below:

(a) If the Chapter's Constitution provides that a particular office is to represent the members of a particular bargaining unit or classification of members, or that a particular office is to be elected specifically by the members of a particular bargaining unit or classification of members, then eligibility to hold that office shall be limited to active members in good standing employed in said bargaining unit/classification.

.02 Retired members of the chapter shall not be eligible to hold chapter offices unless: (1) the Chapter's Constitution contains provisions for an "Active Retired" membership which specifically grants retirees this right; and (2) the retiree has continued membership in good standing through the Association's Retiree Unit.

.03 Nominees for elected office shall be "Active" (or "Active Retired") members in good standing of the Chapter at the time of nomination and can only accept nomination for one (1) Executive Board office.

.5 **Notice for Nominations and Election**

.01 The time and method of submitting nominations and the time and place of elections shall be as set forth in the Chapter's Constitution, except as follows:

(a) **Executive Board Elections –** Nominations for Chapter Executive Board offices/ officers shall be held in October and November. Elections for Chapter Executive Board offices/officers shall be held in December. No election is necessary for those offices where there is only one nominee.

Nominations and elections for Executive Board offices/officers in newly-chartered chapters shall be conducted by the Regional Representative or a designee of the Association President as soon as practicable following the Chapter's charter date.

(b) **Conference Delegate and Alternate Elections –** Nominations for Conference delegates and alternates shall be held in February or March. Elections for Conference delegates shall be held the following month (March or April). No election for conference delegates is necessary if there is only one nominee for each delegate position. No election for alternates is necessary if there is only one nominee for each alternate position. Nominations and elections for Conference delegates/alternates in chapters newly-chartered after March but before the next Annual Conference shall be conducted by the Regional Representative or a designee of the Association President as soon as practicable following the chapter's charter date.

.02 Reasonable notice for nominations shall be provided to all members in good standing at least five (5) working days prior to the time of nominations. Such notice shall specify:

(a) The offices to be filled by election.

(b) The time for submitting nominations.

(c) The place for submitting nominations.

(d) The proper form for submitting nominations, i.e., whether written, or orally from the floor at (a) designated meeting(s).

(e) The eligibility requirements for nomination and election to the office(s).

.03 Reasonable notice of the election shall be provided to all members in good standing not less than five (5) working days prior to the election. Such notice shall specify:

(a) The date, time (hours during which polls will be open or balloting will take place), and place of the election.

(b) The positions to be voted on.

.04 "Reasonable notice" shall consist of any of the following:

(a) An individual notice mailed to each member in good standing, either by U.S. mail to their last known home address, or through an inter- or intra-employer mail distribution system that ensures each member will receive the notice.

(b) Publication in chapter newsletter which is distributed to all members in good standing.

(c) Other methods as may be prescribed in the Chapter's Constitution which are reasonably calculated to reach all members in good standing within the timelines specified.

.05 The notice of election may be combined with the notice for nominations, provided that any such joint notice is distributed in such manner as to ensure delivery to each member in good standing within the timeframes specified in subsections .02 and .03 of this section.

.06 If a mail ballot is to be used, the election notice and ballots, including instructions for their completion and return, must be mailed to each member in good standing who is eligible to vote, at the last known home address, at least ten (10) calendar days before the last day on which ballots must be mailed back in order to be accepted for counting.

.07 If an online ballot is to be used, at least five (5) working days in advance of the date set for online balloting to close, the election notice, along with the appropriate information needed to cast an online ballot (such as member identification and password), shall be mailed via U.S. First Class mail to each CSEA member in good standing who is eligible to vote in the election at the last known home address, except that notice may be e-mailed to such members who have an e-mail address on file with the chapter.

.6 Campaign Rules P-622.9

.01 Chapter funds shall not be used to promote the candidacy of any person. Use of chapter funds in connection with chapter office elections shall be restricted to:

(a) Issuance of nomination and election notices;

(b) Issuance of ballots and other expenses necessary for conducting the election;

(c) Printing of candidate statements in a regular or special issue of the chapter newsletter, provided that all candidates shall be provided equal opportunity and equal space in the same issue.

.02 The Chapter Executive Board shall honor the request of any candidate to inspect the list of the members in good standing of the chapter prior to the election.

Candidates for chapter office shall not receive a chapter membership list or mailing labels for campaign purposes.

.03 The Chapter Executive Board shall honor all reasonable requests of any candidate to distribute campaign literature, by mail or otherwise, at the expense of the candidate, to all members in good standing.

(a) Candidates and their designees may not distribute campaign materials through the employer's mail and/or e-mail system unless such distribution is approved by the Chapter Executive Board. Candidates or their designees' placement of campaign materials in employee boxes shall not constitute use of the employer's mail system.

(b) Candidates and their designees may not post campaign materials on CSEA bulletin boards unless such posting is approved by the chapter executive board.

(c) Distribution and/or posting privileges, if provided to one candidate, must be accorded all other candidates on an equal basis and the chapter executive board must provide written notice to all candidates within twenty-four (24) hours upon approval.

(d) Candidates for chapter office also have the option to mail campaign materials through the Field Office. The campaign literature shall be mailed in plain envelopes from the Field Office, with the candidate required to reimburse the Field Office for all relevant (labor and materials) costs.

.04 Candidate promotional materials shall not contain the CSEA shield or any other identification that would tend to denote Association sanction of the materials or endorsement of the candidacy.

.05 Only members in good standing may campaign on behalf of any candidate for chapter office.

.06 No campaigning, including wearing of campaign buttons, etc., may be done within 25 feet of any polling site so as not to interfere with a member's right to cast a secret ballot.

.7 **Election Procedures**

.01 Elections are to be conducted in such manner as specified in the Chapter's Constitution as approved by the Association, which MUST be ONE of the following:

(a) Balloting by eligible members present at a chapter meeting specifically designated for the election.

(b) Balloting at various polling sites.

(c) Mail balloting.

(d) Online balloting.

.02 All chapter office elections shall be conducted by secret ballot. Proxy votes shall not be permitted.

.03 All active members in good standing of the chapter shall be eligible to vote in elections, except as provided below:

(a) Chapter Constitutions may contain reasonable rules and restrictions relating to voter eligibility, provided such restrictions have been approved in accordance with Article III, Section 8 of the Association's Constitution.

(b) If a particular chapter office is designated as being representative of a particular unit or classification of employees, only those members in good standing employed in such unit or classification shall be eligible to vote for said office, subject to such further reasonable rules and regulations as may be contained in the Chapter's Constitution.

If a particular chapter office is designated as being representative of all members of the chapter, but restricted to only allow a member of a particular unit or classification of employees to hold said office, then all members of the chapter shall be eligible to vote for said office.

(c) Retired members of the chapter shall not be eligible to vote in chapter office elections unless: (1) the Chapter's Constitution contains provisions for an "Active Retired" membership which specifically grants retirees this right; and (2) the retiree has continued membership in good standing through the Association's Retiree Unit.

.04 **Elections Committee:** The Chapter President/Executive Board shall appoint (pursuant to the Chapter's approved constitution) a committee of tellers whose duties it shall be to oversee the preparation, distribution, and counting of the ballots; to ensure that election procedures are in accordance with applicable provisions of the Association's Constitution & Bylaws and Policy, and the Chapter's constitution; and to certify the election results. The Committee shall have one (1) Chair (chief teller) and at least one (1) member.

(a) As soon as practicable after the close of nominations but no later than ten (10) calendar days prior to an election, the Chapter Executive Board shall ensure that all eligible candidates are given or provided access to Publication 2085 — Chapter Elections Rules. The election rules shall be published annually, no later than September 1, by the Association via a General Information Bulletin (GIB). This provision does not pertain to those chapter elections where, pursuant to the Chapter's approved constitution, the nominations and election are held at the same meeting, such as election of job grouping representatives on committees.

(b) The Chapter Secretary and/or Treasurer shall furnish the Committee a list of the names of record of all members entitled to vote, which shall be certified as correct as of the date on which ballots are to be issued.

(1) If balloting is to be at various polling sites, the list shall be broken down into separate lists containing only the names and other appropriate identification of members eligible to vote at each particular polling site.

(2) If the vote is to be by mail, the membership list (as certified by the Chapter Secretary and/or Treasurer) shall include the mailing addresses of record of all members entitled to vote. If the vote is to be by online balloting, and assuming the chapter is authorized to distribute online election notices via e-mail, then the membership list shall include e-mail addresses.

(c) The membership listing(s) shall be controlled and ballots distributed by the election tellers, who shall verify the eligibility of each member and require said member to sign for receipt of the ballot(s).

(1) If numbered ballots are used for control purposes, one teller shall verify eligibility and obtain signatures, a second teller shall distribute the ballots. **Numbers SHALL NOT be recorded next to any voter's name on the voting list.**

(d) The tellers shall monitor the casting of ballots to ensure that no member votes more than once:

(1) In meetings where only eligible voters are present, members may either: (1) remain in their seats and drop their ballots into a receptacle passed by a teller, accompanied by another teller as watcher and checker; or (2) they can go to a central ballot box in charge of at least two (2) tellers and deposit their ballots.

(2) Where ballots are cast at separate polling sites, an enclosed ballot box shall be monitored by at least two (2) tellers.

(e) **If the vote is to be by site ballot:**

(1) When there is more than one (1) nominee for an office, a secret ballot election shall be conducted in the month of December, on the day scheduled for the chapter meeting. Balloting shall be conducted at such times and at campus site locations as determined by the Chapter President/Executive Board. Hours for balloting shall be set so that polls will close prior to the end of the chapter meeting so results may be announced at that chapter meeting.

(2) Every member shall be notified, at least five (5) working days in advance of the date set for balloting, of the exact location of their balloting site, the specific date and time (hours) during which balloting will take place, and the candidates and offices which will appear on the ballot. At least two (2) election tellers will be present at each balloting site to verify voter eligibility and secure the balloting process.

(f) **If the vote is to be by mail ballot:**

(1) Distribution of ballots shall be in accordance with Policy Section 618.5.06.

(2) Ballots SHALL NOT be numbered.

(3) The tellers shall ensure that the mailing labels used corresponds exactly to the official roll of eligible members specified in Section 618.7.04(b)(2), and shall ensure that the mailing to each eligible member includes:

(i) Instructions for completion of the ballot and deadline date and time for receipt of the marked ballot.

(ii) The official ballot (or ballots), which shall be pre-folded in such a manner so that when returned marked and refolded in the same manner there will be no chance of accidental observance of the member's vote when removed from the return envelope.

(iii) A pre-addressed, return envelope for return of the marked ballot(s), with a space designated for the voter's signature, CSEA member number, and other identifying data.

(4) The Chapter Executive Board shall arrange for a special post office box so that the returned ballots will not be released except to authorized election officials in the presence of candidates or their observers at a scheduled time for the pickup. Ballots shall be picked up at the previously designated time, date, and place and taken to a pre-announced tally site, where the tally will be conducted promptly by the Elections Committee, in the presence of the candidates or their observers. At said tally, each envelope and ballot(s) shall be handled in the following manner:

(i) The signature and identification on the return envelope is checked against the list of eligible voters.

(ii) The eligible voter is checked off on the list as having voted.

(iii) The envelope is opened, and the ballot(s) removed and placed, still folded, into a closed receptacle.

(iv) When all return envelopes have been thus processed, the ballots are taken from the receptacle and the votes counted.

(g) **If the vote is to be by online ballot:**

(1) An online ballot shall be requested from the CSEA Executive Department prior to the commencement of online balloting.

(2) The notice of online balloting shall be distributed in accordance with Policy 618.5.07.

(3) Chapters shall ensure that an election conducted via online balloting shall be open on the same day the election notice (referenced in 618.5.07) is mailed, and shall remain open until the date set to close.

(4) Any and all costs of online balloting shall be the sole responsibility of the chapter.

(h) Each candidate shall be permitted to appoint observers to be stationed at each polling place to observe the conduct of the balloting and to challenge the eligibility of any voter, and at the counting of the ballots. Observers must be **members** in good standing of the Association.

(1) The candidate may appoint as many observers as may be necessary to properly observe the procedures and ensure a fair election and ballot count.

(2) The candidate shall provide the names of appointed observers to the committee of tellers prior to the opening of the polls. The Elections Committee (tellers) will provide direction to the observers so that their presence will not interfere with a member's right to cast a secret ballot.

(3) Where a mail ballot is conducted, the candidate's observers shall be permitted to observe the entire process, including the preparation and mailing of the ballots.

(4) Where online balloting is conducted, the candidate's observers shall be permitted to observe the entire process, including the preparation and distribution of the online election notices.

(i) **Absentee Ballots**

(1) Absentee ballots shall not be permitted unless specifically authorized within the Chapter's Constitution.

(2) When permitted, provisions for casting absentee ballots shall be as follows:

(i) Notice of the procedure for requesting absentee ballots and eligibility requirements for casting absentee ballots shall be included in the notice of election sent to each member.

(ii) Requests for use of absentee ballots must be received in writing by the Elections Committee Chair (chief teller) at least ten (10) days prior to the date set for the election.

(iii) The Elections Committee Chair (chief teller) shall mail ballot(s) to the absentee voter to the voter's home address, or otherwise ensure personal delivery of said ballot(s), within forty-eight (48) hours of receipt of the request, along with instructions for completion of the ballot(s), notice of the deadline date and time for receipt, and a pre-addressed return envelope for mailing the completed ballot, as specified in 618.7.04 (f) (3) (iii).

(iv) The Chapter shall arrange for rental of a special post office box to be used exclusively to receive the absentee ballots. Absentee ballots will be collected only once at the specified time on the date of the election by the Elections Committee Chair (chief teller) accompanied by the candidates or their observers.

(v) The marked ballot(s) must be received at the special post office box by the designated time of pickup on the election date.

(vi) Absentee ballots received shall first be verified as to voter eligibility, and verification made that the absentee voter has not been recorded as already having voted at the polls. Acceptable absentee ballots shall then be removed from the return envelope, and deposited for tally with all other ballots cast, prior to commencement of the tally.

.8 **Challenged Ballots.** If an election teller is unable to verify the eligibility of a voter, or if an authorized observer challenges (for good cause) the eligibility of a voter, such voter shall be permitted to cast a challenged ballot. A challenged ballot shall be folded and placed in a sealed envelope marked with the voter's name and other appropriate identifying data, which shall be kept separate from other ballots cast until the challenge has been resolved.

All such challenges need be resolved only if the challenged ballots could affect the outcome of the election.

.9 **Counting of Ballots.** As soon after polls are closed as is feasible, the Committee of Tellers shall tally the ballots. All persons shall be excluded from the area in which the tally is being conducted, other than the Committee of Tellers and the candidates or their official observers. **(Note: If the voting is done at a chapter meeting, it is permissible to continue with the business meeting while the ballots are being counted.)**

.01 It shall require a plurality of the ballots cast to elect.

(a) For site balloting, ballots shall be counted and verified separately for each voting site, prior to combining the count for the final tally. However, each site's ballots shall not be tallied separately.

Counting ballots means to count the number of ballots cast without unfolding the ballots and without viewing how the ballot was marked. Tallying ballots means to unfold and tally the results of the ballots.

.02 If a tie exists, the election shall be determined by lot (such as drawing a name out of a hat, flipping a coin, etc.) between the tied candidates.

.03 The Elections Committee (tellers) shall comply with procedures as specified in Robert's Rules of Order, Newly Revised, in recording the ballots cast and in preparing the Teller's Report.

.04 The Elections Committee Chair (chief teller) shall certify the Teller's Report and deliver same to the Chapter President and provide copies to each candidate or designated representative.

.05 All ballots, including used, unused, invalid and successfully challenged ballots, tally sheets, sign-in sheets and related documents (including envelopes used to mail in marked ballots in the case of a mail election or absentee ballots, and copies of the notices for nomination and election) shall be secured and retained by the Chapter Secretary for a period of one year, or until all objections to the election have been finally resolved, whichever is the longer period.

.10 **Declaration of Results.** If the election is held at a chapter meeting or by site balloting, the Chapter President shall read the Teller's Report into the Minutes and declare the election of each position.

If the election is conducted by mail or online balloting, the results shall be published as soon thereafter as possible in such manner as can reasonably be expected to reach all members in good standing, and shall also be announced at the next chapter meeting.

.11 **Recall from Chapter Office**

.01 Elected chapter officers, including Executive Board members, Conference delegates/alternates, Negotiating Committee members, Union Stewards, and Central Labor Council (CLC) delegates may be recalled from office upon a two-thirds (2/3) secret ballot vote of Active members of a chapter in good standing present and voting at a meeting called for the purpose of a recall action. If elected by classification, job grouping, or worksite, chapter officers may be recalled from office by a two-thirds (2/3) secret ballot vote of the Active members in good standing of the classification, job grouping, or worksite from which the position was originally elected who are present and voting at a designated meeting.

.02 Recall may be initiated by a petition of two-thirds (2/3) of a chapter's Executive Board or thirty percent (30%) of a chapter's members in good standing eligible to vote on the officer being recalled. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Executive Board and to the individual.

.03 Upon receipt of the petition, the Executive Board shall arrange for a special meeting to be held not less than fifteen (15) calendar days nor more than thirty (30) calendar days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, including presentation and cross-examination of witnesses as may be appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members of the Executive Board and members of the chapter in good standing who are eligible to vote on the particular recall action, authorized representatives of the Association, and such witnesses as may be pertinent to the action. Notice specifying time, date, and place and the specific nature/purpose of the meeting shall be issued to those eligible for attendance at least ten (10) calendar days in advance.

.12 **Objections to the Election**

.01 Any nominated candidate, who was not elected, may file a complaint relating to the conduct of chapter office elections which alleges violation of these policies and/or lawful provisions of the Chapter Constitution or alleges other improper conduct or activities relating to the election process which may have affected the outcome of the election.

(a) **Exception:** Objection may also be filed by any member otherwise qualified to be elected, only if alleging lack of sufficient notice regarding nominating procedures or other improper actions which prevented the member's nomination and/or placement on the ballot.

In addition, any elected chapter officer who is recalled from office may file a complaint relating to the conduct of the recall election which alleges violation of these policies and/or lawful provisions of the Chapter Constitution, or alleges other conduct or activities relating to the recall process which may affect the outcome of the recall election.

.02 Such complaints must be filed with the Association President within fifteen (15) working days following the close of the election, and shall be in writing and submitted on Form 2081 and Form 2081A, specifying which section(s) of these policies and/or Chapter Constitution provisions are alleged to have been violated or the conduct being objected to, and specifying in what manner such violations and/or conduct may have affected the outcome of the election. The complaint shall include copies of pertinent provisions of the Chapter Constitution relating to the election process and relevant evidence available to the complainant.

Form 2081 and Form 2081A may be obtained upon request to the CSEA Headquarters Executive Department.

.03 The Association President shall forward the complaint to the Executive Director or designee who shall cause it to be reviewed for timeliness and sufficiency toward determining whether the alleged facts, if proved to be true, are sufficient to constitute a violation of these policies and/or lawful provisions of the Chapter Constitution or other improper conduct or activities relating to the election process which may have affected the outcome of the election. The review shall be limited to the complaint and any evidence submitted with the complaint.

(a) Said review shall be conducted by Association executive staff and shall be completed no later than ten (10) working days following receipt of the complaint.

(b) The Executive Director shall have the authority, however, upon request and good cause shown, to extend the time for completion of the review for up to an additional ten (10) working days.

.04 Upon completion of the review, the Executive Director or designee shall submit the results of the review in a confidential report to a subcommittee of the Board of Directors as designated below. The report shall summarize the allegations and evidence submitted, indicate whether the complaint is timely, and contain an evaluation based solely on whether the alleged offense(s), if proved to be true, would in fact constitute a violation of these policies and/or lawful provisions of the Chapter Constitution or demonstrate other improper conduct or activities relating to the election process which may have affected the outcome of the election.

.05 The Association President shall cause copies of the written complaint to be forwarded to the Chapter's Executive Board, the appropriate Area Director, the appropriate Regional Representative, and the Executive Director within ten (10) working days of receipt.

The Association President shall request election materials (including but not limited to notices of nomination meetings, election notice(s), ballots, and membership/voter lists) from the Chapter's Executive Board. The Chapter's Executive Board shall provide the requested election materials within ten (10) working days. Failure to comply with the Association President's request shall result in a ruling based on the evidence the Board Subcommittee has received and may result in a Policy 613 charge being filed against members of the Chapter's Executive Board.

.06 The Association President shall refer the complaint and forward all evidence received to the Board Subcommittee.

.07 The Board subcommittee consisting of the 1st Vice President, the Past President, and the appropriate Area Director shall review the confidential report, the complaint, and the evidence presented and determine whether the allegations shall be sustained or dismissed. The subcommittee shall have the authority to request additional information and/or documentary evidence. The subcommittee shall require that the additional information/evidence be submitted within ten (10) working days. Failure to comply with the Board Subcommittee's request shall result in a ruling based on the evidence the Board Subcommittee has received and may result in a Policy 613 charge being filed against members of the Chapter's Executive Board.

If any of the officers on the Board subcommittee is directly involved in the election objection, the Association President shall select another member of the Board to serve.

(a) If the allegations are sustained and if in fact such violations could reasonably have affected the outcome of the election, the election shall be set aside and a new election shall be ordered. The Association President shall designate an Association representative to conduct the new election.

If the sustained allegations include violations of the procedures regarding nominations, including accepting nominations for ineligible members, the Board subcommittee shall also order that a new round of nominations be conducted.

The election may be conducted using the voting method prescribed by the chapter's constitution, or the Board subcommittee may direct that an alternate voting method described in Policy 618.7 be used. If the Board subcommittee does determine that the new election shall be conducted using an alternative voting method, the Board subcommittee shall include that information as part of the written decision (described in 618.12.08).

The cost of the new election will be borne by the Chapter.

(b) If the allegations are sustained but it is determined that such violations could not have affected the outcome of the election, the Board subcommittee shall order the institution of such procedures as may be necessary to prevent such violations in future elections.

(c) If the complaint is untimely or the allegations if proved to be true would not in fact constitute a violation of these policies and/or lawful provisions of the Chapter Constitution or demonstrate other improper conduct or activities relating to the election process which may have affected the outcome of the election, the Board subcommittee shall dismiss the allegations.

.08 The decision of the Board subcommittee shall be provided in writing to the complainant within fifteen (15) working days following receipt of Forms 2081 and 2081A (election objection complaint forms), confidential report, and election materials requested pursuant to 618.12.05, or 618.12.07 if applicable, and shall outline the basis upon which such decision was reached. Copies shall be forwarded to the concerned Chapter's Executive Board, the Area Director, the Regional Representative, and the Executive Director for file.

.09 **Appeal.** The decision of the Board subcommittee may be appealed to the Board of Directors by either the complainant or the Chapter's Executive Board. Such appeal shall be in writing and submitted on Form 2082, forwarded to the Association President, with a copy to the Executive Director, within ten (10) working days of receipt of the written decision from the Board subcommittee. Said appeal shall specify the reasons for disagreement with the decision.

Form 2082 may be obtained upon request to the CSEA Headquarters Executive Department.

(a) Upon receipt of the written appeal, the Association President shall cause the matter to be considered by the Board of Directors at the next Executive Session, which shall not be sooner than twenty-one (21) days following receipt of the written appeal. Confidentiality of the proceedings shall be strictly maintained.

No new evidence, information or statements will be considered that was not presented with the complaint. Neither the appellant or chapter representatives may appear to present oral testimony.

(b) The decision of the Board shall be final.

The written decision of the Board will be mailed to the appellant(s), complainant, Area Director, and Regional Representative within five (5) working days of the Board meeting.

.10 "Working days," as used in Policy 618.12, means days that CSEA Headquarters is open for business. All other references to working days in Policy 618 means days the chapter's employer is open for business.

.11 **Status of Officers During Process.** The challenged election shall be presumed valid pending a final decision and/or a new election conducted, as herein provided, and the officers elected shall take office and assume their duties as provided within the Constitution.

A challenged recall election shall be presumed valid pending a final decision and/or a new recall election conducted, as herein provided.

619 CHAPTER REGION ASSIGNMENTS

Adopted September 1985

.1 "Regions" consist of a specified grouping of chapters within a limited geographic area, designed for ease in delivering line-function services provided by the office of Regional Representative.

It should be kept in mind that Regions are part of the Association's service structure, and have no relationship to the Association's political structure (Areas).

.2 The number of Regions established and chapters assigned to a Region shall be determined by the Board of Directors.

.3 Establishment of new Regions or realignment of existing Regions may be initiated if one or more of the following conditions exist:

.01 A Region overlaps into more than one Area.

.02 The geographic area covered by the Region is too large and/or the chapters in the Region are too widespread.

.03 Adverse driving conditions exist which hamper the Regional Representative in traveling to chapters and/or which create hardship for the chapter in traveling to RPMs.

.04 The number of chapters within the Region exceeds 12.

.4 Proposals for creating new Regions or realignment of existing Regions may originate with either the appropriate Field Director (with the concurrence of the Director of Field Operations) or the Area Director, and must be submitted to the Board of Directors for approval in accordance with the following procedures:

.01 The Area Director, Field Director, and Regional Representative(s) involved shall meet to discuss the desirability and feasibility of creating new Regions and/or realignment of existing Regions.

.02 Should the Area Director, Field Director, and concerned Regional Representative(s) determine that the proposal has sufficient merit, the Field Director shall notify the concerned chapter(s), in writing, of the proposed Regional realignment and reasons therefor, and invite them to provide input on the matter.

.03 The Area Director, Field Director, and concerned Regional Representative(s) shall consider any input provided by the concerned chapter(s) prior to submitting their final recommendations on the matter.

.04 Final recommendations shall be submitted to the Director of Field Operations, who shall cause the matter to be forwarded for action at the next meeting of the Board of Directors. The Agenda item submitted for Board action shall specify whether the concerned chapter(s) agree or disagree with the proposed action, and shall list the reasons for disagreement, if any.

The Director of Field Operations shall notify the concerned chapter(s) of the date the matter will be submitted for Board consideration.

.05 The action of the Board shall be final.

620 MERGER AND AMALGAMATION OF CHAPTERS

Revised June 2023

.1 **Purpose:** The purpose of this policy is to provide a uniform process for the merger and amalgamation of existing chapters and to protect the rights of the Association and its members.

.2 **Definitions:**

.01 "Merger" means the absorption of one or more chapters by another, with the absorbing chapter retaining its own name and number and acquiring the members, assets, liabilities, responsibilities, units and power of the other chapter(s).

(a) Chapters may voluntarily merge or may be merged by action of the Board of Directors upon failure of a chapter to maintain at least five (5) members in good standing, to preserve recognition and representational rights. **C-III,4(b)(1)**

.02 "Amalgamation" means the combining of two or more chapters into a newly created chapter by the voluntary action of the chapters involved or as a result of the reorganization or unification of the districts where CSEA and its chapters have members and/or representational rights.

(a) Chapters created by amalgamation are chartered as a new chapter by the CSEA Board of Directors. The newly chartered chapter acquires the members, assets, liabilities, responsibilities, units and power of the previous chapters.

(b) "Executor" means a member appointed by the Association President to administer the amalgamation of the chapters involved.

.03 The order of preference for chapters merging or amalgamating shall be: (1) two chapters that share the same district, (2) a chapter of one district type (i.e. community college, unified, union, high, elementary, county office of education) joining another chapter of the same district type within the same county, (3) a chapter of one district type joining another chapter of a different district type where the two districts share the same or a significantly similar district boundary line (some additional weight shall be placed on a relationship between two chapters where the respective districts feed into one another such as where the pupils of an elementary district move into the local high school district).

.3 **Voluntary Merger or Amalgamation**

.01 The executive boards of the chapters desiring to merge or amalgamate shall meet together with the Regional Representative and the Labor Relations Representative.

(a) At this meeting, the desirability of a merger or amalgamation shall be discussed. The discussion should include the impact to each chapter's governance and elected or appointed officers, the disposition of all assets and liabilities, the dues rates of each chapter, and the budgets and expenditures. The chapters shall be required to discuss as a condition of the merger or amalgamation that all impacted chapters can ensure substantial continuity in representation (i.e., that the arrangement of the new chapter won't cause a sudden, substantial change in who negotiates and handles grievances for members) or that the chapters are otherwise prepared to go through the initial organizing process with PERB.

(b) If merger or amalgamation is acceptable to all chapter executive boards impacted by the decision, the following actions shall be taken:

(1) Set a proposed dates for the merger or amalgamation elections in each chapter.

(2) Set a proposed final effective date for the merger or amalgamation.

(3) Prepare an election and information notice to the members of each chapter concerning the election, to be distributed at least ten (10) days in advance of the meeting at which the voting will occur. A two-thirds (2/3) secret ballot vote among eligible members present at the meeting shall be conducted with the appropriate question as to the merger or amalgamation on the ballot.

.02 Upon an affirmative vote all chapters impacted by the decision, the chapters shall notify the relevant Field Office who shall forward the matter to the Director of Field Operations. At a subsequent meeting, the Board of Directors shall set the effective date of the merger or amalgamation, taking into consideration the effective date desired by the impacted chapters. For amalgamations, the Board of Directors shall charter the new chapter at the same meeting.

.4 **Involuntary Merger.** Chapters that fail to maintain at least five (5) members in good standing in the chapter may be merged into an appropriate nearby chapter by action of the CSEA Board of Directors. Prior to taking such action, the Board shall notify the chapter executive boards of the impacted chapters.

.5 **Involuntary Amalgamation.** Where CSEA represents chapters in separate districts that are reorganized or unified into a single district, the CSEA Board of Directors may order an amalgamation of all such chapters. Prior to taking such action, the Board shall notify the chapter executive boards of the impacted chapters.

.6 **Actions Upon Merger or Amalgamation.**

.01 All chapters impacted by merger or amalgamation, whether voluntary or involuntary, are responsible for notifying their membership and district, final disposition of their treasury and all associated obligations, and handling the general affairs of the chapter prior to the effective date of the merger or amalgamation. All impacted chapters shall:

(a) Pay all outstanding bills, including remittance of all relevant CSEA dues to the Association, and then audit the books and records of the chapter.

(b) Obtain and sign the necessary documents from the respective banks to cause the transfer of funds and accounts.

(c) Turn over all books, assets, and records of the chapter to the relevant officers.

(d) Send a letter notifying their district that:

(1) The chapter has merged or amalgamated with another chapter, identifying the chapter name and number into which they're merging or amalgamating.

(2) All communications, assets, and liabilities are to be directed to the relevant new treasurer who shall be identified in the letter by name, address, and contact information.

(3) Where applicable, the new chapter dues rate to be deducted moving forward.

(4) All obligations and the dues monies collected prior to the effective date of merger or amalgamation are still due and payable to the chapter.

For mergers, this letter shall be sent by the chapter president and chapter treasurer of the merging chapter. For amalgamations, this letter shall be sent by the Executor, modified as necessary to appropriately direct that two or more CSEA chapters are now a single new chapter, and direct where all communications and chapter dues should now be sent.

.02 **Amalgamation.** Upon the effective date of the amalgamation, the Association President shall appoint an Executor to administer the amalgamation of the chapters involved. The Executor shall perform the following duties:

(a) Call and chair a chapter meeting for the purpose of conducting nominations (and elections, if necessary) for chapter officers.

(b) Work with the chapters to select a new chapter name. The Executor shall determine the method used for selection.

.03 The Regional Representative shall provide guidance and assistance to chapters involved in mergers on matters dealing with Association Policy, Chapter Constitutions, and chapter officer elections. The chapter constitution of the absorbing chapter should be modified in a way that preserves substantial continuity in representation for the members in the merged chapter(s). The Regional Representative shall render such other assistance as may be necessary to implement the merger.

(a) In the case of amalgamations, the Regional Representative shall assist the Executor with chapter elections. After the Executor's duties are complete, the Regional Representative shall assist the chapter with the modification of the chapter's standard chapter constitution. The constitution should be modified in a way that recognizes the amalgamated chapters in the governance structure of the new chapter and otherwise preserves substantial continuity in representation, as well as the new chapter dues rate, all as determined by a chapter constitution amendment.

.04 The Labor Relations Representative shall provide technical assistance to the chapters in cooperation with the Regional Representative. The Labor Relations Representative shall ensure the necessary forms are completed and procedures are followed for proper recordkeeping, notification to PERB, the district(s), the Field Office, and Association Headquarters. The Labor Relations Representative shall inform the relevant Field Director and the Director of Field Operations of the chapter's progress in these procedures.

621 CHAPTER DELEGATE ASSISTANCE B-V,2

Adopted October 1993 – Revised Conference 2019

.1 **Purpose.** The purpose of this policy is to provide assistance to chapters that are unable to financially support delegate attendance at the Annual Conference from their own dues revenues, and to ensure that all chapters newly chartered following an Annual Conference will have the opportunity to have delegate attendance at the next Annual Conference, for the purpose of acquainting them with the overall statewide perspective of CSEA. It is not the intent to have chapters rely solely on this program to provide funding to send a delegate to conference.

.2 Financing for delegate assistance under this policy shall be recommended to the Board of Directors and budgeted annually within the General Fund Budget, based on anticipated need and use of the program.

.3 The Association President shall annually appoint a Delegate Assistance Committee, consisting of one (1) member of the Board of Directors, one (1) Regional Representative, two (2) lay members, plus a Staff Coordinator assigned by the Executive Director.

Said committee shall review chapter eligibility and determine the amount of assistance to be provided under this program.

.4 **Assistance for Newly Chartered Chapters**

.01 Each chapter newly chartered by May 31st of each year shall be eligible to send one (1) delegate to the next following Annual Conference at Association expense. Chapters newly chartered between June 1st and the close of the Annual Conference shall be eligible for this program the following year.

All newly chartered chapters shall conform to the requirements set forth in Article V, Section 2(g) of the Constitution and Bylaws. Definition of "newly chartered" shall not include two (2) or more existing chapters that merge into one (1) , nor shall it include one (1) existing chapter that splits into two (2) or more chapters.
Newly chartered chapters chartered after May 31 but before the Annual Conference who attend the conference as invited guests of the Association President shall be eligible for delegate assistance at the following Annual Conference.

Expenses provided by the Association shall be: (1) actual and necessary round trip travel expenses; (2) actual and necessary housing expenses; (3) per diem allowance in accordance with Policy 113. Registration fee for the Conference shall be waived.

.02 Each chapter newly chartered following an Annual Conference shall be notified by Association Headquarters that they are eligible to send one delegate to the next Annual Conference at Association expense. The notice shall include the appropriate delegate registration forms and information relative to conference activities, and shall outline the costs that the Association will pay and those that will be at the delegate's option and at the delegate's or the chapter's expense, and such other information as may be pertinent.

.03 Chapters choosing to take advantage of this one-time opportunity for Association assistance shall confirm to the Association and submit delegate registration forms and other requested information within timelines as may be required by the Delegate Assistance Committee.

.04 Nothing herein shall **require** a newly chartered chapter to send a delegate to the next following conference; nor preclude the chapter from sending additional delegates at the chapter's expense. However, should a newly chartered chapter fail to send a delegate to the next following Annual Conference, having received due notice of its right to do so, the chapter shall have no further claim to assistance under this policy section.

.5 **Assistance to Other Chapters**

.01 Chapters whose membership as of February 28 is 75 or less, including all bargaining unit members, or whose annual income from chapter dues is $2,500 or less, shall be eligible to make application to the Association for financial assistance to enable the attendance of **one (1) delegate** at the Annual Conference.

Maximum assistance provided by the Association to any chapter shall apply to expenditures of the chapter's designated delegate for the following: (1) actual and necessary round trip travel expenses; (2) actual and necessary housing expenses based on double occupancy; (3) per diem allowance in accordance with Policy 113.

In addition, should assistance be approved for the chapter, the delegate registration fee shall be waived for chapters with twenty-five (25) or less, including all bargaining unit members.

.02 **Procedures:** The Association shall annually publicize the assistance available under this policy via a general information bulletin issued to all chapters during the month of January, which shall detail the criteria and procedures necessary for chapters to make application and appending the required application form.

(a) Application forms and other requested information shall be submitted to the Association postmarked no later than March 1st.

(b) All financial information requested on the application form shall be provided or the application shall not be considered

.6 The Delegate Assistance Committee shall meet as soon after March 1st as is practicable, but in no event later than March 31st, to consider the applications submitted under .5 of this Policy.

.01 **Criteria for Awarding Assistance:**

(a) Chapters making application for assistance that do not meet the minimum eligibility requirements stated in .5.01 of this Policy shall not receive consideration by the Committee.

(b) Chapters whose potential membership as of February 28 is seventy-five (75) or less, including all bargaining unit members, may receive assistance on an on-going basis, if application is made, unless the chapter failed to notify Member Benefits as required in .7.03 below.

.02 Chapters receiving an award shall be so notified following the committee's decision, which shall specify the type(s) of assistance to be provided by the Association. Included with the notice shall be the appropriate delegate registration materials and instructions as to the procedures for payment/reimbursement by the Association.

.7 The following provisions shall apply to all delegate assistance awards granted under this program:

.01 The Association may require that the delegate share housing with another member delegate.

.02 The Association may require that travel be coordinated with other members/staff to reduce transportation costs.

.03 Delegates receiving assistance under this program shall be required to notify Member Benefits at least two (2) weeks prior to the start of Conference if they are unable to attend. The chapter's failure to notify Member Benefits, without just cause, will result in the chapter being deemed ineligible for delegate assistance the subsequent year.

.04 The chapter shall follow all procedures of its Constitution and/or Association Policy 618 regarding election of its delegate (and alternate), or shall forfeit the award.

.05 The chapter shall be required to complete the election of its delegate (and alternate) and submit the delegate registration forms and other pertinent information as may be required within the timelines set by the Association, and on such forms as may be requested, or shall forfeit the award.

.06 Delegates receiving assistance under this program shall be required to attend a resolutions meeting.

.07 Delegates receiving assistance under this program shall be required to give a full report of conference activities back to the chapter.

.08 Delegates attending conference under this policy shall submit such receipts as may be required, no later than thirty (30) days following the conference.

.8 For delegate assistance awards granted under .5 of this Policy, the Delegate Assistance Committee shall determine the amount of assistance to be provided to any chapter, based on its financial need.

.9 Delegates from newly-chartered chapters shall be recognized and welcomed to membership at the Annual Conference. A report as to all other chapters attending under this policy and the total amount projected to be expended shall be provided in the delegate packets.

623 CHAPTER RELEASE TIME PROGRAM

Adopted June 2000 – Revised March 2016

The Association shall encourage and assist chapters to negotiate **District-paid release time** into their contracts in order to build the Union by enhancing service and member involvement, grievance processing, political activities, site representative and union steward programs, internal chapter communications, and membership recruitment.

624 REVIEW PROCESS FOR RESOLVING OUTSTANDING ISSUES

Adopted October 2000 – Revised August 2023

.1 General

The Association recognizes the need to provide the best possible assistance to members concerning the membership and representation issues that they raise.

.2 Who May Request Assistance

Any active member, group of active members, chapter, or the Association President may submit a request for assistance under this process.

In order for a chapter to forward an issue for assistance, it must properly obtain the approval of its chapter members at a chapter meeting.

.3 Issues That May Be Forwarded for Assistance

Members or chapters may only forward specific issues or problems regarding representation, member or chapter service, and/or support from member leaders for review. Personal feelings or non-specific complaints may not be forwarded for review.

Requests may be submitted under this policy only when the basis of the request is not subject to review under any other CSEA policy or procedure.

.4 Submission of Request for Assistance

.01 Preliminary resolution

(a) Representational issues — Members may only submit issues regarding representation for review **after** they have attempted to resolve the issue with the following applicable individuals:

(1) Chapter Union Steward/Chief Steward

(2) Chapter President/Executive Board

(3) Labor Relations Representative

(4) Field Director

(5) Director of Field Operations

(6) Executive Director

(b) Non-representational issues – Members may only submit non-representational issues **after** they have attempted to resolve the issue with the following applicable individuals:

(1) Chapter President/Executive Board

(2) Regional Representative

(3) Association President

.02 All matters regarding which assistance is requested shall be described in writing and shall specify the particular matter with respect to which they need assistance. The request must be submitted on Form F-2039 and shall contain a statement of the specific facts, including relevant dates, times, places, and persons involved in the issue(s). All relevant documents must be attached to the form.

.03 Form F-2039 may be obtained upon request to the Executive Director or designee.

.04 A request for assistance shall be forwarded for review within one (1) month following the conclusion of the member's attempts to resolve the matter as provided by 624.4.01, unless the Chairperson of the Board Member-Management Panel determines, for good cause shown, that a longer time limit should apply in a particular case.

.5 **Processing Requests for Assistance**

.01 The Executive Director, or designee, shall receive all Forms F-2039, and shall review them for proper format and completeness. Properly completed review requests shall be forwarded immediately to the chair of the Board Member-Management Panel.

(a) If the Executive Director, or designee, determines that Form F-2039 is not complete or if the issue noted could be addressed by another policy, notification shall be sent immediately to the member(s) or chapter that has requested assistance. In addition, a copy of that notification shall be sent to the Association President, Area Director, Regional Representative, Executive Director, Director of Field Operations, Field Director, Labor Relations Representative, and the Chapter President.

.02 The chair shall schedule a meeting of the panel to be held within fifteen (15) working days of the receipt of Form F-2039 by the Executive Director or designee.

(a) Notification of the panel meeting shall be sent to the relevant parties at least ten (10) working days prior to the date of the meeting.

.03 The Association President shall have the authority, upon request and good cause shown, to extend any timelines.

.6 **Board Member-Management Panel**

.01 Within fifteen (15) days of receipt of a properly submitted Form F-2039, the Association President and Executive Director shall appoint a Board Member-Management Panel to review the matter.

.02 **Composition**. The panel shall consist of four (4) members and a Chairperson. The Association President shall appoint the Chairperson and two (2) members from the current members of CSEA's Board of Directors and the Executive Director shall appoint two (2) members from CSEA's management staff.

.03 **Panel Coordination.** Secretary to the Board Member-Management Panel shall be the Executive Director, or designee, for purposes of handling administrative tasks relating to the coordination of the panel's activities. The Executive Director shall not be a member of the panel.

.7 **Procedure**

The Board Member-Management Panel shall hold a meeting on the issue(s) at the appointed date, time, and location.

.01 Whenever possible, panel meetings shall be conducted in close proximity to the applicable chapter's geographic location.

(a) Member(s) or chapter representatives attending panel meetings shall appear at their own expense.

.02 The issue shall be presented, either in person or in writing, by the member(s) or chapter representative(s) that submitted the request for assistance.

.03 The member(s) or chapter representatives presenting the request for assistance can only present information or documentation that is directly related to the issue and that was provided in advance via the submission of Form F-2039. The Chairperson shall determine what information or documentation is appropriate under this Policy.

.04 The panel and its members are authorized to contact appropriate managers and member leaders in an attempt to respond to the request for assistance. The panel members shall otherwise have no investigatory authority.

.05 The meeting shall be conducted in closed session with the confidentiality of the proceedings to be strictly maintained. The presence of parties not directly involved or necessary to the process shall be prohibited. Panel members shall not disclose any information relevant to the case except as required by this Policy.

.8 **Withdrawal of Requests for Assistance**

.01 Member(s) or chapters requesting assistance may withdraw their request at any time prior to the date set for the panel meeting upon signed, written request to the Executive Director, or designee.

.02 Should a member(s) or chapter withdraw its request, all parties shall be notified.

.9 **Recommendation(s) of the Board Member-Management Panel**

.01 Upon conclusion of the presentation of information and documentation, the panel members shall continue to meet in private to develop a report of its findings and recommendations. The panel's report shall be submitted to the Association President.

(a) The Chairperson shall only vote in the case of a tie.

.02 The panel is not authorized to make disciplinary recommendations regarding CSEA employees. Instead, the panel's charge is limited to issuing factual findings and recommendations regarding service and representational issues. Any panel findings or recommendations that concern employee performance or misconduct shall be submitted to the Executive Director by the Association President without recommendation as to disciplinary action, for referral by the Executive Director to the appropriate supervisor or manager in keeping with the requirement of Article 17 of the collective bargaining agreement between CSEA and AEU.

.03 The issue cannot be appealed to the Board of Directors.

.10 Nothing in this procedure shall be interpreted or enforced in a manner that would derogate or otherwise conflict with the applicable provisions of any collective bargaining agreement then in effect between the California School Employees Association and the Association Employees Union, or any successor union thereto.

625 TRACKING OF REPRESENTATIONAL MATTERS

Adopted April 2001 – Revised April 2012

.1 **Purpose.** The purpose of this policy is to track formal grievances and other representational matters that are filed by or assigned to a Labor Relations Representative ("LRR") and to log formal grievances of which the LRR is aware that have been filed by a chapter.

.2 **Docket Files.** Field Offices shall maintain docket files for all representational matters including but not limited to formal grievances, problems outside the contract which are of a serious or continuing nature, and requests for Legal Department assistance or litigation, Employment Development Department (EDD) matters, Equal Employment Opportunity Commission (EEOC) charges, Fair Employment and Housing Commission (FEHC) complaints, and Department of Motor Vehicles (DMV) matters.

Docket files shall include all pertinent materials, as required by Operating Procedure 3.

.3 **Access.** Access to information in docket files shall be limited to appropriate staff and members with a legitimate business need for the information.

626 PROTECTING CSEA MEMBERS FROM DISCRIMINATION, HARASSMENT, AND RETALIATION C-II,2

Adopted November 2002 – Revised August 2023

.1 **General**

A central tenet in the mission of CSEA is to improve the lives and protect the rights of its members. To that end, it is CSEA's policy that all CSEA members are protected from any kind of prohibited discrimination or harassment reasonably related to their membership and CSEA related activities, and from any kind of retaliation for filing or supporting a complaint of such discrimination or harassment. Such Prohibited Conduct will not be tolerated by CSEA and will be remedied by timely and appropriate, corrective action or discipline as set out in this policy and accompanying procedures.

.2 **Applicability of Policy**

This Policy applies to complaints of discrimination, harassment, and retaliation filed by Active members, Association Life members, and members of the Retiree Unit (collectively referred to as "members") against other members. All members are required to follow this Policy and shall not engage in any Prohibited Conduct in connection with any CSEA related or sponsored activity (including while at or traveling to/from CSEA sponsored or affiliated activities or functions, including social activities and functions, collective bargaining, or other internal union meetings or events).

.3 **Prohibited Conduct Subject to Complaints.** Discrimination and harassment can take many forms. Certain actions or even words can constitute discrimination and harassment. As a general matter, it is a violation of this Policy for any member to treat another member in a way that is threatening, intimidating, embarrassing, or offensive, or that denies a person equal treatment and opportunities **because of** sex (including gender, pregnancy, sexual orientation), age (forty or over), race, creed, color, national origin, temporary or permanent disability, marital status, protected family care or medical leave status, religion, or religious beliefs or other unique, personal characteristics. Offensive conduct that is not openly biased against one's protected status can constitute unlawful harassment, but only if the complainant can prove it was motivated because of the complainant's protected status, and can also prove this misconduct was either severe or pervasive (as defined by the courts under the Fair Employment Housing Act and Title VII).

This policy and its procedures are designed to apply specifically and exclusively to Prohibited Conduct that is based on or related to one of these protected classifications or characteristics. Offensive or harassing conduct not **based on** or **related to** protected classifications or characteristics shall be addressed under other CSEA policies and procedures where appropriate (e.g., Policy 613).

To assist CSEA members in recognizing and avoiding behavior which may be considered discriminatory, harassing or retaliatory, the following examples of Prohibited Conduct are listed:

.01 **Physical Harassment:** Unwelcome physical contact that is sexual or romantic in nature, such as touching, grabbing, pinching, patting, brushing against or poking another member's body, blocking another member's movement, or standing unnecessarily close. Physical harassment also encompasses sexual assault, including rape, or attempt to commit such assaults.

.02 **Verbal Harassment:** Racial or sexual jokes, name-calling, using slurs, derogatory terms, belittling remarks, or abusive language related to another member's gender, race, or other defining characteristics. Such conduct to violate this Policy must be either severe (such as threatening physical attack) or pervasive, as those terms have been defined by the courts in cases involving claims of unlawful hostile environment.

.03 **Visual Harassment:** Displaying objects, messages, pictures, pornography, graffiti, or drawings of a sexual or racial nature; engaging in offensive and unwelcome personal, sexual or romantic conduct such as offensive gestures, staring (especially at particular body parts), leering.

.04 **Electronic Communication:** Using electronic media, including but not limited to computers, email lists, and the Internet, to access, display or transmit material that is sexually explicit or derogatory in nature based on any of the protected classifications listed in paragraph 3.

.05 **Unwelcome Romantic or Sexual Attention**: Unwelcome flirting or pressuring another for a date and unwelcome sexual or romantic advances; unwanted comments about a person's sexual orientation, sexuality or sexual experience; demanding sexual favors or romantic attention as a condition of any type of membership and/or employment benefit.

.06 **Discriminatory Treatment:** Preferential treatment or promises of preferential treatment for submitting to sexual conduct, or subjecting, or threatening to subject, any member to disparate treatment for rebuffing unwelcome sexual or romantic attention or conduct.

.07 **Retaliation:** Any kind of offensive, harassing, discriminatory or other harmful conduct directed at others for their having filed or supported a complaint (found valid or invalid) of discrimination or harassment constitutes prohibited retaliation.

.08 **Breach of Confidentiality:** Anyone disclosing to any individual (other than those directly involved and on a need-to-know basis) or otherwise failing to keep information and documents developed in the complaint procedure confidential, except to the extent such communication is affirmatively protected by law such as EERA.

.09 **Refusal to Testify:** Refusing to appear as a witness without just cause in response to a reasonable request from the Complaint Review Committee.

These examples should not be construed as an all-inclusive list of the acts prohibited by this Policy.

It is not possible to exhaustively define the Prohibited Conduct since discrimination and harassment may include a wide range of subtle (and not so subtle) behaviors and may involve individuals who may or may not share the same characteristics, including, for instance, individuals of the same race or gender. So called "joking around" or "good intentions" does not excuse Prohibited Conduct. On the other hand, isolated negative comments critical of the complainant and not openly attacking the complainant because of their protected status do not constitute unlawful harassment.

.4 **Duty to Report Prohibited Conduct and Cooperate with an Investigation**

All members have the right and responsibility to promptly report any Prohibited Conduct of which they are aware, to the CSEA Executive Director, or designee. It is important not to assume that CSEA knows of particular incidents of discrimination, harassment or retaliation. Unless the problem is timely reported through these procedures, CSEA may not know about it and be able to remedy it. In addition, members have the obligation to speak honestly with regard to the conduct under investigation, and to refrain from providing false information or withholding information during an investigation.

.5 **The Importance of Telling the Offending Person to Stop**

It is important if a CSEA member believes that said member is a victim of discrimination, harassment or retaliation in violation of this Policy that the member immediately inform the offending person that the conduct is found offensive and ask that it be stopped. Please note, however, that telling the offending person to stop their Prohibited Conduct is not a requirement for filing a Complaint or for the imposition of penalties under this Policy. While it sometimes may feel uncomfortable to do, directly and timely telling the offending person that the member finds the conduct unacceptable, and that the member wants it to stop, is critical to the member's rights and to CSEA's policy to maintain a work environment free from Prohibited Conduct. Putting the offending person on notice gives the member and others around the member the following benefits: 1) it empowers CSEA members by setting clear boundaries and rights; 2) it alerts the offending person to something they may not fully understand without the member saying so that the member experiences the conduct as offensive or harmful; 3) it often will result in resolution and understanding with the offending person; or, if not, at least that person may understand enough to stop the offensive conduct; 4) it gives the member more protection and subjects the offending person to more penalties if Prohibited Conduct is repeated despite the member telling that person to stop; and 5) it promotes self-responsibility and open, and honest interactions, and work relationships, among members by having problems addressed directly when they occur.

.6 **Penalties**

Any member who violates this Policy by engaging in Prohibited Conduct in connection with any CSEA related or sponsored activity, may be subject to internal discipline, including suspension or expulsion from CSEA, or disqualification from holding CSEA office, or other penalties and fines. Depending on the nature of the Prohibited Conduct and other findings, a member who engages in Prohibited Conduct may receive a written notice of violation of Policy, be required to undertake appropriate education or training, and/or be subject to other progressive and educative forms of disciplinary actions, or may be fined, as deemed appropriate, and as set forth in the Guidelines for Remedies and Penalties in Cases of Discrimination, Harassment and Retaliation Regarding CSEA Members.

.01 **Guidelines for Remedies and Penalties in Cases of Discrimination, Harassment and Retaliation Regarding CSEA Members**

(a) **Considerations in guiding imposition of remedies and penalties.** The Complaint Review Committee ("CRC") and Board of Directors (if an appeal is taken) is to consider all relevant factors in determining the appropriate remedy, including the nature and severity of the Prohibited Conduct, the degree of physical and/or mental harm, the weight of the evidence and testimony, whether there was a continuing course of conduct or a single incident, whether the accused previously committed Prohibited Conduct of any kind, and any mitigating circumstances.

Where appropriate, given the nature of the violation and the parties' desire to prevent and promptly remedy discrimination and harassment, the Discrimination, Harassment, and Retaliation Policy and Procedures are to be used to punish misconduct as well as to educate and provide an opportunity to correct behavior, consistent with principles of progressive discipline. However, serious penalties shall be imposed for serious violations of this Policy, and the maximum penalties of suspension and expulsion from Association membership may be imposed on members found to have engaged in Prohibited Conduct.

(b) **Remedies and Penalties.** Upon taking the above referenced guidelines into consideration, the CRC, and on appeal, the Board of Directors, may impose penalties, including mandatory education and training, written reprimand, suspension of membership rights, disqualification from holding Association offices at any level, expulsion from membership in the Association, and other penalties and monetary fines. Remedies may also include separating the parties, removing a member from an appointed position or committee assignment, or prohibiting a member found guilty from participating in certain CSEA related activities or events.

(1) Any member found guilty of violating the Policy may, at a minimum, be required to participate in an approved training, and to sign a statement agreeing to abide by the Policy and not to engage in Prohibited Conduct in the future as one condition of maintaining or resuming CSEA membership.

(2) While the CRC, and on appeal, the Board of Directors, has discretion with regard to the imposition of penalties, it is the Association's policy that members found guilty of the following conduct receive higher levels of penalty: members found guilty of retaliating against other members for complaining of Prohibited Conduct or retaliating against an individual or assisting a member who complained, members found guilty of breaching the confidentiality of the complaint proceedings, or members found guilty of quid pro quo harassment (for example, demanding sexual favors in exchange for CSEA related rights or benefits), or for physical harassment or serious harm.

(3) **Disqualification from holding office.** Association members may be removed from office and/or suspended from holding office, either elected or appointed, and at any level of the organization, for up to five (5) years for any one offense, except that a member found guilty of a charge or complaint under Association policy and whose conduct has caused the Association to pay money to resolve a claim concerning the conduct that was subject to the charge or complaint shall be ineligible to serve on the Board of Directors.

If a member is disqualified from holding office, the member shall not lose other membership rights, unless specifically so stated in the CRC or Board decision.

(4) **Suspension of membership.** Association membership may be suspended for up to five (5) years for any one offense. If a member is suspended from membership in the Association, the member loses all voting rights, loses the right to participate in internal affairs of the Association at any level, loses the right to run for or hold elected or appointed office in the Association at any level, and loses the right to attend meetings or functions conducted by the Association at any level. Members who are suspended or expelled from membership continue to be entitled to representational services for which CSEA is obligated under its duty of fair representation to members of CSEA represented bargaining units.

.7 **Procedures for the Resolution of Complaints of Discrimination, Harassment, and Retaliation regarding CSEA Members**

.01 **Complaints Covered.** All CSEA members, including Active members, Association Life members, and members of the Retiree Unit (collectively referred to as "members"), have the right to file a complaint under these procedures concerning incidents of discrimination or harassment by another CSEA member (including officers and Executive Board members) based on sex (including gender, pregnancy, sexual orientation), age (forty or over), race, creed, color, national origin, temporary or permanent disability, marital status, protected family care or medical leave status, religion, or religious beliefs or other unique characteristics, or alleging retaliation in connection with having filed or supported a complaint of such discrimination or harassment ("Prohibited Conduct"). Complaints may also be filed under these procedures alleging breaches of confidentiality concerning a matter processed under this policy. Complaints will be processed pursuant to the following procedures.

.02 **Filing of the Complaint.** Any member who believes that said member has been subjected to Prohibited Conduct should immediately file a complaint with the CSEA Executive Director. (The Executive Director may appoint a designee to perform any of the functions of Executive Director set out in these procedures; accordingly, all references in these procedures to the Executive Director also include any designee.) The complaints must be submitted on Form F–2068. Form F–2068 may be obtained upon request to the CSEA Headquarters Executive Department and can be found on the CSEA website. Complaint forms may be submitted by sending the completed form via mail or facsimile, to the CSEA Executive Director, at 2045 Lundy Avenue, San Jose, CA 95131 (fax 408-321-8227).

Complaints may also be emailed to the following email address: policy626complaint@csea.com.

.03 **Time for Submitting the Complaint.** Members are urged to submit complaints of discrimination, harassment, or retaliation, as soon as possible, but complaints must be filed within three (3) months from the time it is alleged the Prohibited Conduct occurred in order to be considered timely. In order for this Policy against Prohibited Conduct to work best for the benefit of all members, including the complaining party, it is essential that complaints be filed around the time the Prohibited Conduct occurs so that the problem can be quickly addressed and any additional problems deterred.

While this Policy allows for the filing of complaints within three (3) months from time of incident, please note that the greater the amount of time passes between the incident and the filing of a complaint, the more it may affect how the investigation determines the seriousness or legitimacy of the complaint. Late filings (more than three (3) months from when the Prohibited Conduct is alleged to have occurred) may be considered at the discretion of the CRC.

.04 **General Objectives of These Procedures.** These 626 procedures herein are designed to address two (2) different sets of legal and membership rights. First, the procedures are intended to provide prompt and adequate investigation, determination and remedying of Prohibited Conduct in a context that is safe, fair and confidential for members, especially those who file complaints under the policy. Second, the procedures are equally designed to provide union members, accused of Prohibited Conduct, with basic due process rights, including the right to be: (a) served with written specific charges; (b) given a reasonable time to prepare a defense; (c) afforded a full and fair hearing; and (d) adjudicated in accordance with any pertinent provisions of the CSEA Constitution; before any penalty affecting membership rights may be imposed. The 626 procedures herein are intended to properly balance and harmonize these respective rights of complaining members and accused members.

.8 **Confidentiality**

It is CSEA policy that information concerning the subject matter or nature of the allegations of any complaint and the disposition of any complaint filed herein shall be treated as confidential and shall not to be disclosed to anyone other than those directly involved in the dispute and on a need-to-know basis at any time. Violations of this confidentiality policy shall be considered Prohibited Conduct and are punishable up to and including the most severe penalties available in accordance with the circumstances. This policy shall not be construed to preclude communications affirmatively protected by law such as EERA.

.9 **Interim Relief**

The CSEA Executive Director and/or CRC may issue temporary directives pending the Complaint Review proceedings to protect the complainant or the integrity of the investigation, including taking steps to try to separate the accused from the complainant, subject to any conditions or limitations under the control of the School District or other employer who employs the involved members.

.10 **Complaint Review Committee ("CRC")**

.01 Composition. The CRC is comprised of six (6) committee members, including one (1) who will be designated as the committee chairperson, all of whom shall be appointed by the Association President with approval by the Board of Directors.

.02 Terms and Qualifications. The CRC members, including the chairperson, shall be appointed for staggered two-year terms.

(a) Members of the CRC shall, upon appointment, be active or retired members of the Association as prescribed in Section 1(a) and/or Section 4, or Section 1(e)(2)(I), respectively, of Article II of the Constitution and must remain as such during their term.

(b) Members of the Board of Directors shall not be appointed to the CRC.

.03 **Removal and Vacancies.** The Board of Directors may remove committee members for cause (i.e., breach of confidentiality, etc.).

The Association President, with the approval of the Board of Directors, shall fill vacancies for the unexpired term of any vacancy which occurs.

.04 Selection of CRC Panels. A panel of CRC members, including the Chair, and two chosen by lot, and subject to availability, shall hear each complaint.

(c) Any CRC member who is a party to the action or whose familiarity with the accused party or the action will impair objectivity shall be disqualified from serving.

(d) If the Chairperson is disqualified or unable to serve at a hearing for any reason, the Association President will appoint an acting chair from among the CRC members.

(e) Should there be fewer than three CRC members available to serve at a hearing, due to disqualifications, the Association President shall be authorized to appoint another eligible member (or members) to serve for that particular hearing, upon consultation with the 1st Vice President and Past President.

.05 **CRC Member Training.** Members of the CRC shall receive appropriate training in the handling and processing of discrimination, harassment and retaliation complaints. The Executive Director, or designee, shall provide administrative assistance to the CRC.

.11 **Withdrawal of Complaint**

The member who filed the complaint may withdraw it at any time upon signed, written request to the Executive Director. If the Executive Director finds that there is reasonable cause to believe that a member has engaged in Prohibited Conduct, the Association may substitute in as the complaining party and the charges shall be carried forward on behalf of the Association by a staff attorney designated by the Executive Director. The charged party shall be so notified and advised that the charged party may select a private attorney to represent the charged party in presentation of the defense, at the expense of the charged party.

Should the charges be withdrawn, all parties will be so notified.

.12 **Processing of Complaints**

.01 Upon receipt of a complaint, the CSEA Executive Director will forward it to the Legal Department for a preliminary review to determine whether the complaint falls within Policy 626. The review shall include whether the complaint is timely filed and whether the facts alleged, if true, could give rise to a violation of Policy 626. The Legal Department will then forward the complaint to the CRC with its recommendation regarding whether the complaint falls within Policy 626. The CRC shall render a decision on whether the charge falls within Policy 626.

If the charge alleges the accused acted out of an unlawful motive (i.e. because of the complainant's protected status), but the accused did not make statements to express it, the CRC shall determine if there is other evidence from which a reasonable panel could find such improper motive after a hearing. If the accused did make statements hostile about those in a protected category, the CRC shall determine whether a reasonable panel could after hearing find these statements to be severe or pervasive enough to constitute unlawful harassment.

(a) If the CRC determines that the complaint does not fall within Policy 626, a letter shall be sent to the complainant stating that the complaint will not be processed further and a hearing will not be held. The letter may state, as appropriate, that the matter may possibly be addressed under Policy 613. Such notice shall be sent by Certified Mail and by regular mail, and also shall include the original 626 Complaint. If appropriate, the notice shall be sent along with a blank 613 Form and a copy of the 613 Policy.

(b) If the CRC decides that the complaint falls within Policy 626, the CRC shall send a copy of the complaint to the accused via certified mail and regular mail at their last known home address. The accused shall not receive any contact information (e.g., home address, phone number, email address) concerning the complaining party.

The CRC shall then schedule a hearing of the matter and forward to the member who filed the complaint and the member charged with engaging in Prohibited Conduct ("the parties") a copy of Policy 626 and a notice setting a hearing date and notifying them of the complaint resolution procedure. The notice will inform the parties that it is CSEA's policy that all information and materials related to Discrimination, Harassment, and Retaliation Complaints is to remain confidential, and that CSEA does not tolerate retaliation of any kind in connection with filing or supporting a complaint of such discrimination or harassment. The parties are prohibited from contacting each other about this matter.

(c) The CRC shall endeavor to set the hearing no less than twenty-one (21) and no more than thirty (30) calendar days from the date of the notice, except for good cause. The CRC may extend the hearing date up to an additional thirty (30) calendar days. The hearing will be held in a location reasonably convenient to the parties and consistent with the practices under CSEA Policy 613.

(d) The member who filed the Complaint and the member(s) charged in the Complaint may each have one member or attorney to assist and represent each of these members in these proceedings. The CRC may be advised by CSEA counsel and non-attorney advisors, who may be present in the hearing room. The parties shall identify their representative and provide their contact information at least ten (10) calendar days before the hearing absent exigent circumstances precluding such notice. Each party must bear its own fees and costs for representation.

(e) Unless the CRC directs otherwise in accordance with (f) below, the charging party and the charged party shall be responsible for notifying any witnesses to testify on their behalf of the time, date, and place of the hearing, and for ensuring their attendance. All costs relative to attendance of all witnesses shall be at their own expense.

(f) The CRC may, on its own initiative or upon request of one of the parties, direct in writing all material witnesses to appear at the hearing. The CRC will determine the witness lists, giving due regard for the need to have a complete record while avoiding redundancy and immaterial issues. Member witnesses who are requested to appear have a duty to do so, and failure to appear at the hearing upon reasonable notice may subject the member to appropriate penalties. CSEA will reimburse member witnesses for their reasonable and necessary out-of-pocket expenses in appearing at the hearing.

(g) Association staff may not be called as witnesses unless a party obtains the approval of the Executive Director. The Executive Director's approval will not be given unless there are no reasonable alternatives and staff testimony is essential to protect the due process rights of the accused or there is compelling evidence that it will serve vital interests of the Association.

.13 **Hearing on the Complaint**

The CRC shall hold a hearing on the complaint at the appointed date, time, and location.

.01 The hearing shall be audio or video recorded as determined by the CRC. No other person shall record the proceedings by any means. A printed transcript shall not be provided.

.02 All witnesses shall be duly sworn to testify truthfully, and all witnesses may be subject to examination and cross-examination by the parties and/or questioning by the CRC. Only the parties, including their representatives (one representative each), and witnesses directly involved in the matter, may attend the hearing as the proceedings are to be treated as confidential to protect the privacy rights of those involved. However, the CSEA Executive Director (or designee) has discretion to attend the hearing or participate as a party, including presenting evidence, argument, oral summation and appeal on any issues. The non-party witnesses may be excluded from the hearing except when testifying. CRC members shall not disclose any information relevant to the case except as required by this Policy. The formal rules of evidence shall not apply.

.03 Each party may give an oral summation of their arguments and evidence at the close of the hearing; no post-hearing briefs may be submitted.

.14 **Determination by the CRC**

.01 Within thirty (30) calendar days of the conclusion of the hearing, the CRC shall issue its written decision, and ensure that a copy of the decision is immediately mailed to all parties by Return Receipt Requested and forwarded to the Association President and the Executive Director, or designee.

.02 The CRC is empowered to issue all appropriate remedies, as set out in the accompanying Guidelines for Remedies and Penalties for resolution of Complaints of Discrimination, Harassment, and Retaliation Regarding CSEA Members ("Remedy Guidelines"). The CRC may also make findings and issue remedies concerning any breaches of the confidentiality rule under this policy. The decision of the CRC shall inform the parties as to its findings, any appropriate remedies, the right and procedure for an appeal, and the strict prohibition against retaliation for bringing or supporting the processing of a Complaint.

.03 The decision of the CRC in matters covered by this policy is final and binding on all parties unless a timely appeal is filed as specified below.

.04 Interim remedies issued by the CRC which are deemed necessary to protect the parties' safety and/or privacy, or to protect against retaliation may be implemented pending final resolution of an appeal. Such interim remedies may include, in especially serious cases, temporarily removing a CSEA officer or steward from their union duties (but not from their office) and suspending them from any release time, pending resolution of the matter.

.15 **Appeal Process**

.01 Any Charging Party or Charged Party (or the Executive Director) may appeal the CRC decision to the Board of Directors. The procedures for filing and processing such appeal shall be as follows:

(a) The appeal shall be made by filling out a CSEA Appeal Form fully outlining the party's objections and arguments against the CRC's findings and/or proposed penalties and submitting it to the Association President. The written appeal must contain all arguments intended as support for the appeal.

(b) To be timely, any appeal must be delivered, faxed, emailed, or postmarked to the Association President within twenty-one (21) calendar days of the date that the CRC's decision is received by the parties. Appeals may be submitted by mail, email, fax, or hand delivery. The written appeal must contain all argument intended as support for the appeal. The Executive Director shall distribute copies of any Appeals to all other parties in the case, by cover letter, which shall specify that any response or opposition to the Appeal must be received by the Executive Director within fourteen (14) calendar days from the date the cover letter is mailed.

(c) Upon expiration of the deadline for receipt of any response or opposition to the appeal, the Executive Director shall forward the appeal, together with any responses or oppositions, and the written record of the case (which is the recording of the hearing, the exhibits, the CRC decision, and any written correspondence between the CRC and the parties) to each member of the Board of Directors.

(d) An appeal shall be based solely on the written record of the case and no appeal hearing shall be permitted. The Board of Directors may affirm, vacate or modify the decision of the CRC, including but not limited to increasing or reducing the penalty, with consultation to the Remedy Guidelines. The decision of the Board shall be made by majority vote, which shall constitute the position of the entire Board. Accordingly, there shall be no minority report or dissent filed or noted. Its decision shall be based upon the evidentiary record together with the written arguments submitted by the parties. New evidence shall not be considered at the appeal level, unless exceptional circumstance precluded its submission to the CRC.

(e) The Board may review and act on appeals at regular or special meetings, or through any other collective means, including but not limited to, telephone or video conference calls and telephone polling of members. Area Directors in whose jurisdiction the matter arises and other Board members involved in the matter shall be ineligible to participate in the review of such appeal. The Board of Directors shall receive training concerning discrimination/ harassment/retaliation matters from an expert in the field at least once every two (2) years.

(f) A ruling on the appeal shall be mailed to the parties by Return Receipt Requested within fourteen (14) calendar days of when the Board of Directors receives the appeal and supporting documents from the Executive Director. No other appeal shall be available.

(g) The Executive Director shall cause prompt implementation of the remedies provided in the final decision. No other appeals or proceedings shall be allowed in order to ensure the prompt and final resolution of discrimination, harassment and retaliation complaints. The Executive Director shall issue a letter reporting on the implementation of the remedy to the Board of Directors and to the parties.

(h) A ruling of the CRC, absent a timely appeal, or a decision of the Board of Directors, shall be final and binding on all parties. The ruling or decision shall be immediately and fully implemented with no further appeal available. The Executive Director shall report to the Board of Directors on the final disposition of all complaints submitted under this policy.

627 CHAPTER AUDITS, FINANCIAL REPORTS, AND TAX RETURNS C–III,6

Adopted June 2003 – Revised June 2018

.1 **Chapter Audits.** Each chapter shall cause the books and records of its treasurer to be audited at least once per year. Such books and records must also be audited at the time a change is made in treasurer personnel irrespective of any previous audit. The audit may be made by an auditing committee of the chapter; or the audit may be made by a qualified firm or person outside the chapter membership.

.01 Chapter audits conducted by the chapter's Auditing Committee should be completed within sixty (60) days following the end of the fiscal year, or following mid-term replacement of a chapter treasurer. Upon completion of a chapter audit, the chapter president shall agendize the chapter audit, for membership review at the chapter's next regular membership meeting.

(a) Chapters are required to provide CSEA Headquarters with a copy of annual chapter audits for receipt no later than **March 1** of each year.

.02 The Association may perform audits for chapters upon request to the Association President or designee. The request must be made by the chapter president and/or executive board, and should include the reason why the chapter's Auditing Committee should not perform the audit.

(a) Upon completion of a chapter audit, the Association President shall send the audit and accompanying notes to the chapter president. The chapter president shall agendize the chapter audit for executive board review at the next executive board meeting and for membership review at the chapter's next regular membership meeting.

(b) If the audit opinion issued is "Adverse," the chapter executive board shall, within thirty (30) days, submit to the Association President a plan to correct the irregularities. The Association President will order a follow-up audit no later than sixty (60) days following the end of the fiscal year. The Regional Representative shall, at the direction of the Association President, monitor the chapter's compliance.

(1) If the audit opinion issued is "Adverse," the chapter president shall submit to the Association President the signed approved executive board meeting minutes showing that the audit opinion and the plan to correct the irregularities were reviewed by the executive board in accordance with section .02(a) above. These minutes shall be submitted within fifteen (15) days from the date of the meeting during which the minutes were approved.

(2) If the audit opinion issued is "Adverse," the chapter president shall submit to the Association President the signed approved chapter meeting minutes showing that the audit opinion and the plan to correct the irregularities were reviewed by the general membership in accordance with section .02(a) above. These minutes shall be submitted within fifteen (15) days from the date of the meeting during which the minutes were approved.

(c) The Association President shall have the authority, upon request and good cause shown, to extend these timelines.

.03 Chapter audits should be signed by the Auditing Committee and retained in the chapter's records for five (5) years.

.2 **Chapter Annual Financial Reports.** Each chapter is required to prepare an annual financial report, and to provide each chapter member with a copy of the report **no later than March 1** of each year.

.01 The original copy of the completed Chapter Annual Financial Report (signed and dated by the Chapter President and Chapter Treasurer) should be retained in the chapter's records for five (5) years.

.02 Chapters are required to provide CSEA Headquarters with a copy of annual chapter financial reports for receipt **no later than March 1** of each year.

.3 **Chapter Tax Returns.** Chapters are required to file annual income tax reports.

.01 **Federal Tax Returns**

(a) **Chapters with less than $50,000 in annual gross receipts** (as defined in 627.3.06) are required to file IRS Form 990-N (e–Postcard) with the IRS no later than May 15 of each year. CSEA Headquarters files Forms 990-N on behalf of the chapters with less than $50,000 in annual gross revenue, which fulfills these reporting requirements.

(b) **Chapters with $50,000 or more in annual gross receipts** (as defined in 627.3.06) are required to file IRS Form 990 or 990-EZ, **no later than May 15** of each year.

.02 **State of California Tax Returns**

(a) **Chapters with less than $50,000 in annual gross receipts** (as defined in 627.3.06) are required to file State Tax form 199-N no later than May 15 of each year. CSEA Headquarters files Form 199-N on behalf of the chapters with less than $50,000 in annual gross revenue, which fulfils these reporting requirements.

(b) **Chapters with $50,000 or more in annual gross receipts** (as defined in 627.3.06) are required to file State Tax Form 199, no later than May 15 of each year.

.03 Chapters that are required to file IRS Form 990 or 990-EZ and State Form 199 must provide CSEA Headquarters with copies of these forms no later than March 1 of each year.

.04 Chapters must use the Employer Identification Number (EIN) assigned to them and CSEA's Group Exemption Number in filing these forms. These numbers are provided to Chapter Treasurers.

.05 Chapters that fail to meet their annual filing requirement for three (3) consecutive years will have their tax-exempt status revoked as of the filing date of the third year.

.06 **Gross receipts.** Included in the definition of gross receipts are the chapter's portions of dues, interest or dividends on chapter savings or investment accounts, gross proceeds from the sale of assets, gross revenue from chapter fundraising events, contributions, gifts, or other chapter income. "Gross receipts" for purposes of these filing requirements does NOT include Association per capita dues or other funds collected on behalf of the Association, such as Victory Club payments—if these are immediately transferred to the Association when due.

.4 A general information bulletin will be distributed no later than January 31 of each year to inform chapters of the requirements regarding chapter audits, annual financial reports, and filing tax reports.

.5 Pursuant to Article III, Section 3, of the Association's Constitution, the chapter fiscal year is January 1 to December 31.

628 CHAPTERS JOINING CENTRAL LABOR COUNCILS OF THE AFL-CIO

Adopted April 2004 – Revised August 2023

.1 **Purpose.** The purpose of this policy is to establish procedures for chapters joining a central (local) labor council of the AFL-CIO.

.2 **Member approval.** Each chapter shall ensure that the decision to join a central labor council is determined by a simple majority vote of the members attending a regular or special general membership meeting.

A meeting notice shall precede the chapter meeting at least five (5) days in advance. Said notice shall include a summary of the business to be acted upon, including the matter of joining a central labor council. The notice shall be distributed in a manner determined by the chapter president and/or executive board that is reasonably calculated to reach all chapter members in good standing within the timelines specified.

.3 After membership approval, the chapter shall submit a written request to join the central (local) labor council to the Association President. The request shall include the name and location of the central labor council. In addition, the following documents must be attached to the request:

.01 Approved meeting minutes where the chapter membership approved joining the central labor council. The minutes must be signed by the Chapter President and Chapter Secretary.

(a) If the Chapter President was not present at the meeting, then the presiding officer should sign in the president's place, with explanation provided. If the Chapter Secretary was not present at the meeting, the member acting in this capacity for the purpose of recording the meeting minutes should sign in the secretary's place, with explanation provided.

.02 Verification that the chapter can financially support its membership in the central labor council, which shall be any one of the following documents:

(a) The chapter budget for the current fiscal year, including bank account balances.

(b) The treasurer's report (including bank account balances) for the month in which the vote to join the central labor council was taken.

(c) The annual chapter financial report for the previous year.

.03 A copy of the council's membership agreement or CLC constitution/bylaws which describes the cost of membership (dues).

.4 The Association President, or designee, shall verify that the matter was properly approved by the chapter's membership, and that the chapter can financially support its membership in the council.

.5 The Association President shall notify the chapter of the President's decision to approve or disapprove the chapter's request to join the central labor council within one (1) month of receipt of the request. If the Association President does not approve the request, the President shall provide reasons for the disapproval.

The chapter may appeal the Association President's decision to disapprove the request to join the central labor council to the CSEA Board of Directors. The appeal must be in writing and received by the Association President no later than one (1) calendar month following the date of the notice of disapproval.

The Association President shall arrange for the appeal to be considered at the next regular or scheduled meeting of the Board of Directors, which is scheduled at least ten (10) working days after receipt of the written appeal. The appeal shall be considered in Executive Session. The Association President shall notify the chapter of the date, time and place set for the Board to hear the appeal. The Chapter President, or designee, may appear in person to present arguments before the Board; however, such personal appearances shall not be required.

.6 The chapter shall not join the central labor council until approved by the Association President or by action of the Board of Directors.

.7 **Delegates to Central Labor Councils.** Upon the chapter membership's approval to join the central labor council, the Association shall amend the chapter's constitution governing the selection and recall/removal of the chapter's delegate(s) to the council as follows:

Delegates to Central Labor Council

1. **Delegates:** Delegates to the _____ Central Labor Council shall be designated from among the Active members in good standing (including Active Retired members of the chapter) as follows:

(a) The Chapter President or a designee from the Executive Board.

(b) Additional delegates in such number as may be authorized by the governing document of the _____ Central Labor Council.

2. **Election:**

(a) Nominations for the authorized delegate position(s), other than the President/Executive Board designee, shall be taken at the regular Chapter meeting in November and election shall be by secret ballot at the next regular Chapter meeting in December.

(b) Notification of nominations and election and all other procedural matters relating to the delegate election shall conform to Association Policy 618 and shall be conducted under the supervision of the Elections Committee.

(c) Term of office for the elected members shall commence upon their election and continue for one (1) year or until their successors are elected.

(d) Vacancies shall be filled by special election for the remainder of the original term only.

3. **Responsibilities:** Delegates shall:

(a) Make written or oral reports to the Executive Board and chapter.

(b) Make periodic reports, as requested, Regional Presidents Meetings (RPM's).

(c) Follow the constitution/bylaws of the Central Labor Council in respect to delegate duties to the Central Labor Council.

(d) Represent the Chapter at the Central Labor Council on all applicable CSEA issues.

(e) Attend monthly Central Labor Council meetings.

(f) Attend monthly Central Labor Council Executive Board meetings, as appropriate.

(g) Ensure that all actions are consistent with CSEA policies and procedures, including political endorsements.

4. **Recall/Removal:** Delegates shall be subject to the recall and/or removal provisions of the chapter's constitution.

.8 **Council dues, fees and/or assessments.** The chapter will be solely responsible for payment of council dues, fees and/or assessments, which will be paid directly to the appropriate central labor council.

.9 **Withdrawal from central labor councils.** Each chapter shall ensure that the decision to withdraw from a central labor council is determined by a simple majority vote of the members attending a regular or special general membership meeting.

.01 A meeting notice shall precede the chapter meeting at least five (5) days in advance. Said notice shall include a summary of the business to be acted upon, including the matter of withdrawing from a central labor council. The notice shall be distributed in a manner determined by the chapter president and/or executive board that is reasonably calculated to reach all chapter members in good standing within the timelines specified.

.02 After membership approval, the chapter shall submit a written notice to the Association President. The notice shall include a copy of the meeting notice and minutes where the chapter voted to withdraw from the council, verification that the withdrawal is in compliance with the council's governing documents and written verification that all applicable dues/fees have been paid by the chapter.

.03 The chapter shall not withdraw from the central labor council until required documentation is provided to the Association President.

.10 The Association President shall have the authority, upon request and good cause shown, to extend these timelines.

.11 Any action taken by chapters who belong to central labor councils must remain consistent with CSEA policies and procedures, including political endorsements.

629 CHAPTER NAME CHANGE

Revised March 2010

Chapter requests for chapter name change shall be submitted to the Director of Field Operations who shall cause the matter to be forwarded for action at the next meeting of the Board of Directors. Submissions must include the chapter minutes verifying chapter membership approval of name change.

630 CONCERTED ACTIVITIES SUPPORT PROCEDURES B-XII,2

Moved from Policy 615.1 March 2011 – Revised August 2023

.1 Any chapter which contemplates concerted activities against an employer must first obtain approval of the Board of Directors before instituting same. "Concerted activities" for the purpose of this policy shall mean concerted withholding of service. The Chapter is required to strictly adhere to this policy to receive full support for its action.

Request for approval of concerted activities must be made in accordance with the following procedures:

.01 Form F-3057 must be completed by the chapter, to include such detailed information as to: (1) the issue; (2) date employer's last offer was submitted to the membership and result thereof, including number attending ratification meeting, number of members in chapter, number of members voting for and against concerted activities; and (3) such other data as may be required.

.02 Form F-3057 must be submitted to the Field Director within three (3) days of the above meeting date.

.03 Upon receipt of the request form, the Field Director shall, within three (3) days, verify all of the data and ensure completeness of the form, obtain such additional data as may be necessary, and forward documents to the Executive Director together with a recommendation.

If the Field Director is not available or will not be available within thirty-six (36) hours of receipt of the request form and other required data, the Field Office Secretary shall immediately forward all data to the Executive Director together with a signed cover memo indicating same.

.04 Upon receipt of the request form and accompanying data, the Executive Director shall convene a panel consisting of the Executive Director; the Director of Field Operations; the Director, Organizing; the Chief Counsel; and the Association President. The panel shall review all data and determine the merits of the request, and if approval is to be recommended or granted shall determine what the total needs and costs thereof will be.

.05 Time permitting, the matter will be submitted to the Board of Directors for action. If time will not await Board action, approval may be granted by agreement of the Association President, concerned Area Director, concerned Regional Representative, and Executive Director. It shall then be referred to the Board for ratification at its next meeting.

.06 Immediately following action on the request, the Executive Director shall cause the Field Director, Labor Relations Representative and Chapter President to be orally notified of the approval or denial of the request, and shall issue a follow-up written notification to all concerned.

.2 **Types of Concerted Activities Support**. If the request is approved, the Chapter shall be eligible to receive financial and/or staff assistance to include any or all of the following:

.01 Establishment of a headquarters to coordinate activities.

.02 On-site Communications/Public Relations assistance.

.03 Association Headquarters staff assistance.

.04 Additional Labor Relations Representative assistance from around the state.

.05 Such other necessary activities which require expenditures and are approved by the Board.

.06 Strike benefit assistance as outlined in Section 630.3 below.

The Executive Director shall cause payment to be made for approved expenditures upon receipt of invoices, receipts, and/or billings submitted from the Chapter through the Field Director.

.3 **Strike Benefit Assistance.** Chapters which have received approval for concerted activities under .01 of this policy shall be eligible for strike benefit assistance for their members in accordance with the following:

.01 Benefits shall be payable only to CSEA members in good standing.

.02 Eligibility for strike benefits shall commence on the 16th calendar day of the concerted activity. Strike benefits shall not be payable for concerted actions of fifteen (15) calendar days or less.

.03 Strike benefits shall be payable in the amount of $50 per work week, and shall be payable only for days on which the member has served picket duty or otherwise actively participated in the sanctioned strike activities (i.e., performing duties at strike headquarters, etc.).

.04 Chapters shall maintain such duty rosters/sign-in sheets as are required to verify member eligibility for receipt of strike benefits.

.05 The Chapter shall, at the beginning of each work week, submit to the Labor Relations Representative Form F-3072, listing those members who have qualified for receipt of strike benefits during the preceding week. The Labor Relations Representative shall verify the eligibility of members on the list and, within two (2) working days, forward the information to the Field Director for processing and payment.

Should the Chapter leadership refuse to follow recommendations of the CSEA Staff and Board to make every effort to end the concerted activity when it is in the best interests of the chapter membership and the Association to do so, benefits under this section shall be terminated at the option of the Board of Directors.

.4 It is the purpose of this policy to provide immediate and proper consideration of all requests relating to concerted activities. It is therefore essential that each element, from the Chapter to the Board, fulfill the obligation of completing and forwarding data required at each level.

.5 **Funding.** All approved expenditures related to concerted activities support as provided in this Policy shall be a proper charge against the Defense fund established under authority of the Association's Bylaws, Article VII Section 10.

631 TRANSMITTAL OF ASSOCIATION AND CHAPTER DUES

Adopted October 2012 – Revised June 2018

.1 Remittances for all CSEA dues and other CSEA payments authorized for payroll deduction shall be by direct payment, with employers remitting Association dues directly to the Association the following month. The Association shall then reimburse the chapter for its portion of dues collected within thirty (30) days of receipt of the remittance from the agency/employer.

.01 Effective March 1, 2013, remittances for chapter dues received by the Association shall only be issued by electronic funds transfer via the submission of an Authorization Agreement for Automatic Deposits (Credits) form.

(a) The Association President, for good cause shown, may waive this provision and order the transmission of chapter dues payments via check.

.2 Notwithstanding Policy 631.1, chapters may work with their employers to arrange for a separate warrant for the chapter’s portion of dues to be paid directly to the chapter.

.3 Active members who choose to pay their Association and chapter dues annually in advance shall remit them directly to Association Headquarters no later than September 30 of each year.

Retired members who pay their Association annually in advance (rather than by automatic deduction from their CalPERS or CalSTRS warrants) shall remit them directly to Association Headquarters on their annual due date.

Inactive, Associate, and Exempt members shall remit their Association dues according to the prescribed provisions of the Association's Constitution and Bylaws.

.4 Chapter Treasurers receiving payments for Association dues and other payments owed to the Association shall remit the same to Association Headquarters within 30 days of receipt.

700
ASSOCIATION HEADQUARTERS

701 LOCATION

Revised November 1974

The Association Headquarters shall be located in San Jose.

702 CAPITAL EQUIPMENT

Revised April 2006

All equipment costing $2000 or more and having a useful life of at least two (2) years shall be considered capital equipment and subject to inventory control and depreciation. An item costing $500 but less than $2000 and having a useful life of at least two (2) years shall be reviewed by the Chief Financial Officer who, in turn, shall forward a recommendation to the Executive Director as to whether or not the item should be considered a capital item. The Executive Director shall render a decision.

703 ANNUAL INVENTORY

Revised November 1974

The Executive Director shall cause a complete inventory of all capital items (including furniture and equipment) owned by the Association to be made as of April 30 each year. The inventory shall list the capital equipment by department, type of equipment, and other appropriate identifying data; the cost at purchase; depreciation factor; and current book value as depreciated.

704 DISPOSAL OF CAPITAL ITEMS

Adopted May 1989 – Revised August 2023

.1 No capital items shall be sold, leased, given away or otherwise disposed of without approval of the Board of Directors upon recommendation of the Executive Director, except as referenced in .6 below.

.2 The Executive Director's recommendation shall itemize the cost to the Association at purchase (where appropriate), the applicable depreciation factor, and the current net book value as depreciated. For assets having zero net book value, the current market value of the asset shall be estimated, if applicable, based on the item's condition at the time of recommended disposition.

.3 The Executive Director's recommendation shall specify the recommended means of disposal for each item i.e., offer for sale to the membership, sell for scrap, contribution to charitable entity, etc.

.4 Upon Board approval of the disposition of assets by sale to the membership, a General Information Bulletin shall be issued, listing all assets approved for sale, their condition, the date of sale, where the asset is located, and instructions in the bidding procedure.

.01 All bids shall be by closed or sealed bid, which must be received prior to the deadline for date of sale established in the GIB. All purchases shall be paid by Money Order or Cashier's Check. The purchaser shall be responsible for picking up any item purchased, at the location listed in the GIB, within ten (10) working days. If the purchaser does not pick up the item(s) purchased within ten (10) working days, the next highest bid shall be accepted. All sales shall be final, and shall be on an "as is" basis.

.5 If there are no bids received or interest shown on any of the assets offered for sale, the Executive Director shall approve appropriate disposition of the asset, and shall file a report with the Board of Directors.

.6 **EXCEPTION:** Office furniture that has been certified by the appropriate Manager as broken, non-repairable, and a safety hazard may be disposed of without the approval of the Board of Directors.

.01 The manager will notify the Executive Director of broken, non-repairable office furniture for disposal. The Executive Director will then direct the Chief Financial Officer to remove the item(s) from the fixed asset inventory.

.02 The Executive Director shall keep the Board informed through quarterly reports regarding disposed office furniture.

705 OFFICIAL PUBLICATIONS

Bound volumes of the official publications are to be kept in the Association's Headquarters. **B-VII,6 P-307**

800
ASSOCIATION PERSONNEL

801 EXECUTIVE DIRECTOR **C-VI,5(d)**
Revised August 2023 **C-IX,3**
B-I,9

.1 **Provide Data and Recommend Policies.** May provide data and recommend policies to the Board and/or committees.

.2 **Additional Regulations to Implement Policy.** May make additional regulations to implement the policies of the Board provided the meaning of the Association policies is not changed.

.3 **Supervision of Association Office(s).** Shall assume charge of the Association Office(s) and employees of the Association, and shall interpret Association policies and give direction and supervise the implementation of these policies.

.4 **Policy Reports.** Shall make reports relative to the execution of Association policies to the Board of Directors when directed to do so.

.5 **Coordination of Policies and Programs.** Shall direct efforts toward assisting in the coordination of the work of the various committees and departments in executing policies and programs of the Association as outlined by the Board of Directors. **B-II,1**

.6 **Inaugurate New Programs.** Shall not inaugurate new programs or activities without prior approval of the Board of Directors unless they fit into existing policies.

.7 **Budget Recommendations** **B-VIII,2&6(d)**
C-IX,3(g)
SR-I

The Executive Director shall prepare and present a detailed budget report to the Annual Conference, to include itemized receipts and expenditures for the prior fiscal year and those projected for the ensuing year, and indicating the amount to be set aside for working capital, reserve capital, and a reserve fund, if any. In addition, the budget document shall provide a written summary of projected expenditures within each major account, containing a clear explanation and reasons for major additions or changes from the previous year.

The budget report shall be submitted for review by the Board of Directors prior to presentation to the Annual Conference for delegate approval.

.8 **Purchasing, Accounting, and Auditing.** Shall recommend policies for purchasing, accounting, and auditing for approval of Board of Directors.

802 OTHER PERSONNEL **B-I,9**
Revised March 1987 **C-IX,1&2**
C-IX,3(k)

.1 Management and Confidential personnel will serve under the general direction and the pleasure of the Executive Director. Salaries and benefits will be established by the Board of Directors. **P-804.5**

.2 If a Management or Confidential employee has legitimate complaints of malfeasance, misfeasance, nonfeasance, or inefficiency relative to the Executive Director, they shall be submitted to the Association President with a copy to the Executive Director. The Board of Directors assures all Management and Confidential employees that they shall be free of intimidation, harassment, or retaliation by the Executive Director for filing such a complaint. The Board of Directors shall determine the disposition to be made of the complaint. The complaint shall be heard in Executive Session.

.3 Those employees whose positions are a part of a bargaining unit shall be subject to the provisions of the appropriate bargaining contract and rules and regulations promulgated by proper management authority.

803 AFFIRMATIVE ACTION PROGRAM

Revised August 2023

Purpose. To materially increase the utilization of qualified persons without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences at all levels and in all segments of the work force, consistent with our training capabilities, resources, and planned growth.

.1 **Policy.** It is the policy of CSEA to (1) offer equal employment opportunities to all persons without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences, and (2) further the principles of equal employment opportunity.

.01 The Board of Directors, through the Executive Director of CSEA, considers the effective implementation of this policy to be a major responsibility of every CSEA employee and, to ensure it is carried out, will require analyzing and reporting all Affirmative Action Program (AAP) results in an Annual Report to Conference Delegates.

.02 The Director or Assistant Director, Human Resources, is designated as the primary responsible individual for the administration of this policy and, as Equal Employment Opportunity (EEO) coordinator, will establish reporting and monitoring procedures to ensure that:

(a) We recruit, hire, transfer, train and promote all job classifications without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

(b) We base decisions on employment so as to further equal opportunity.

(c) We make promotion decisions in accordance with these principles by imposing only valid requirements for promotional opportunities.

(d) We administer all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, in-service training, education, tuition assistance, social and recreational programs, without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

.2 **Dissemination**

.01 **Internal**

(a) The AAP will be included in the CSEA Operating Procedures manual.

(b) The AAP and its progress will be publicized in bulletins and other media.

(c) Meetings will be held with management and bargaining unit staff to explain the policy and individual responsibilities.

(d) The AAP and EEO policy will be discussed in new employee orientation sessions and policy statements will be issued to each employee.

(e) The AAP and EEO policy will be posted in all CSEA offices.

(f) The Collective Bargaining Agreement contains a bilateral discrimination provision indicating that the agreement shall be administered without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

.02 **External**

(a) Advertisements for employment will clearly state that the Association is an equal employment opportunity employer and assures that all qualified candidates are given equal consideration for employment without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

(b) The Association has communicated and will communicate to applicants for employment, the existence of the Association's AAP and make available such elements of the program as will enable prospective employees to know of and avail themselves of its benefits.

(c) Notification of the Association's AAP has been and will be sent to all vendors, recruitment sources, community leaders and organizations, secondary schools and colleges, requesting appropriate action on their part.

(d) CSEA advertising campaigns shall reflect the diversity goal of the AAP.

(e) The EEO clause shall be incorporated into purchase orders, leases, contracts, and other documents, as appropriate.

.3 **Responsibilities**

.01 **Board of Directors' Responsibilities**

The Board shall ensure that the Association complies with anti-discrimination laws, maintains equal employment opportunities and is a "good citizen" in local, state and national communities.

.02 **Executive Director's Responsibilities.**

(a) The primary responsibility and accountability for implementing this AAP rests with the Executive Director. The Executive Director provides direction to subordinates as necessary to carry out all actions required to meet the Association's equal employment opportunity commitment. The Executive Director shall provide direction to management staff to ensure that CSEA

(1) Provides an organizational environment that promotes cultural diversity through promotion of mutual respect, acceptance, and teamwork among employees who come from diverse backgrounds relating to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

(2) Meets all legal requirements regarding the recruitment, hiring, promotion and retention of employees.

(3) Carries out the goals, action plans and an accountability system adopted by the Board of Directors for developing a work force that reflects the diversity of the California work force and the classified service.

(4) Proactively engages in education and training activities to promote cultural diversity and eliminate discrimination in employment and in the work environment.

(b) The Executive Director shall:

(1) Participate in the identification of problem areas.

(2) Be actively involved in the establishment of goals, objectives and timetables.

(3) Ensure the periodic audits of training programs and hiring and promotion patterns to remove impediments to attainment of goals, objectives and timetables.

(4) Engage in regular discussions with management, supervisors and employees to be certain that Association's policies are being followed.

(5) Review qualifications of employees to ensure that all employees are given full opportunity for transfers and promotions without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

(6) Take necessary steps to inform all supervisory personnel that their work performance is being evaluated on the basis of equal opportunity efforts and results, as well as by other criteria.

.03 **Human Resources Director or Assistant Director's Responsibilities**

As EEO Coordinator, the Director or Assistant Director of Human Resources is responsible for:

(a) Administration and coordination of the program, including goals and action plans.

(b) Identifying problem areas and assisting management in arriving at solutions.

(c) The design and implementation of appropriate reports that will measure the effectiveness of the program.

(d) Participation in compliance reviews if appropriate.

(e) Serving as liaison between CSEA and enforcement agencies, minority and women's organizations, organizations for the disabled, and community action groups concerned with employment opportunities for minorities, disabled persons, women, and other protected classes.

(f) Ensuring that all CSEA offices/departments are in compliance with the program; EEO posters are properly displayed; and all employees are encouraged to participate in all CSEA sponsored education, training, recreational and social activities without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

(g) Keeping management informed of latest known developments in the entire affirmative action area.

(h) Ensuring there is no harassment of employees placed as a result of affirmative action.

(i) Working with the Education and Training Department to ensure that education and training which promotes cultural diversity and eliminates discrimination in the work environment is incorporated into future management staff, EEO programs, employee orientation and other appropriate training programs.

(j) Periodically auditing training programs, hiring, promotion, and transfer practices to remove barriers to the attainment of goals and objectives established by CSEA.

(k) Reviewing CSEA's job qualifications and employment practices to ensure that all employees are given full opportunity for promotions and transfers without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

.04 **Responsibilities of Management**

(a) Compliance with the Association's policy on equal employment opportunities in all personnel actions under their jurisdiction and goals/objectives.

(b) Assisting in the identification of problem areas.

(c) Assisting in CSEA's involvement with local organizations for minorities, women, disabled persons, veterans, and community action groups and community service programs for other protected classes.

(d) Periodically reviewing and auditing training programs, hiring, promotion, and transfer patterns to remove barriers to attainment of goals and objectives established by CSEA.

(e) Ensuring that all employees are given full opportunities for transfers and promotions without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

(f) Preventing employee harassment in the workplace, and promoting a work climate in which all members of the organization will feel that they have an equal opportunity for job success and personal satisfaction.

(g) Counseling their employees to ensure compliance with CSEA policies.

(h) Ensuring that all CSEA employees are afforded a full opportunity and are encouraged to participate in all CSEA-sponsored educational, training, recreational and social activities without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

.4 **Control Guidelines**

.01 Identification of problems will be made by department, division, location, and job classification. An in-depth analysis will be made of the following, with particular emphasis on categories in which minorities, disabled persons, women and other protected classes are likely to be under-utilized (management, field operations, office and clerical, etc.).

(a) Workforce Composition (race, gender or sexual preference, age, etc.).

(b) Applicant Flow Composition (race, gender or sexual preference, age, etc.).

(c) Selection process including position requirement, job specifications, application forms, interview procedures, referral procedures, final selection process, and similar factors. (Emphasis on determining that jobs are not classified in terms of "suitability" for a particular segment of the work force.)

(d) Transfer and promotion practices.

(e) Association sponsored activities and facilities.

(f) Seniority practices and procedures.

(g) All in-service training programs, formal and informal.

(h) Work force attitude.

(i) Technical phases of compliance, such as posters, notifications, retention of applications, etc.

(j) Support of Association policy of non-discrimination by Management and Bargaining Unit employees alike.

(k) Position Descriptions.

(l) Tests and Other Selection Techniques.

(m) Program Evaluation.

(n) Affected Class Analysis.

.02 If this analysis discloses violation of the AAP, necessary corrective action will be taken.

.5 **Establishment of Goals and Timetables**

.01 The goals and timetables established shall be attainable in terms of the Association's analysis of its deficiencies in its personnel practices and procedures. In establishing goals and objectives, the Association will consider results which can reasonably be expected from sincere effort to make the overall AAP work. In determining levels of goals, the following criteria will be considered:

(a) **Recruitment**

(1) The size and percentage of the labor force with regard to minorities, disabled persons, women and other protected classes in the area surrounding CSEA facilities.

(2) Availability of qualified candidates without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences having requisite skills for positions for which CSEA is recruiting.

(b) **Job Placement and Promotion**

(1) Availability of promotable employees without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences within the organization.

(2) Anticipated expansion and turnover within the staff.

(c) **Training**

The degree of training the Association can reasonably be expected to undertake as a means of making all job classifications available to all persons without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

.02 Goals will not be rigid, but reasonably attainable by means of applying every effort to make the program work.

.6 **Development and Execution of the Program**

.01 The Assistant Director, Human Resources, in cooperation with management and the union, will assure that job specifications for all positions are validated using job performance criteria. Special attention will be given to academic experience and skill requirements to ensure that the requirements in themselves do not constitute inadvertent discrimination.

.02 Approved position descriptions and job specifications will be made available to all departments involved in the recruiting, screening, selection, and promotion process.

.03 The total selection process will be evaluated continually to ensure freedom from bias and attainment of the AAP goals and objectives.

(a) All personnel involved in recruiting, screening, promotion, disciplinary and related processes will be carefully instructed and trained to ensure the elimination of bias.

(b) All selection criteria will be carefully validated.

.04 Suggested techniques to improve recruitment and increase the flow of minority, disabled, women and other protected class applicants will include:

(a) Public and private employment offices will be advised of CSEA's AAP and will be requested to refer all qualified candidates without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences for job openings.

(b) Contacting certain organizations, minority media, specialized employment agencies and others qualified and prepared to refer qualified candidates without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences. In addition, community leaders as individuals will be added to recruiting sources.

(c) Formal briefing sessions will be held, preferably on CSEA premises, with representatives from these recruiting sources. Plant tours, clear and concise explanations of current and future job openings, position descriptions, job specifications, explanation of the selection process, and Association literature will be an integral part of the briefing. Formal arrangements will be made for referral of applicants, follow-up with sources, and feed-back on disposition of applicants.

(d) Minority, disabled, women employees and other protected class employees will be actively encouraged to refer applicants.

(e) A special effort will be made to include minorities, disabled persons, women and other protected classes on the human resources staff.

(f) Minority, disabled women and other protected class employees will be made available for participation in Association community activities.

(g) Special employment and recruiting programs for minority groups, disabled persons women and other protected classes will be undertaken whenever possible. This would include recruiting at secondary schools and junior colleges with predominately minority or female enrollment; educational institutions which participate in the training of the disabled, summer jobs for underprivileged youth, male or female, etc.

(h) When the Association magazine or other literature pictorially presents work situations, the minority, disabled, women and other protected class members of the work force will be included.

(i) Help wanted advertising, when used, shall include the minority news media.

(j) CSEA will make reasonable accommodations to the known physical or mental disabilities and limitations of a qualified applicant or employee unless the accommodations would cause undue hardship on the operation of its business.

.05 The Association will ensure that all employees without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences are given equal opportunity for promotion and transfer, including:

(a) Open job posting program.

(b) Validating job classifications on job-performance-related criteria.

(c) When apparently qualified minority, disabled, women or other protected class employees are not promoted or fail to complete the probationary period when promoted, the supervisor shall be required to provide written justification to the Director or Assistant Director of Human Resources.

.06 Ensure that all employees without regard to age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences are actively encouraged to use Association facilities and to participate in any social and recreational activities offered by the Association.

.7 **Internal Audit and Reporting Systems**

.01 The Director or Assistant Director of Human Resources will monitor records of referrals, placements, transfers, promotions, and terminations at all levels to ensure non-discrimination, and keep the Executive Director advised of program effectiveness on a continuing basis. Recommendations to improve unsatisfactory performance will be submitted.

.02 Formal reports are transmitted to the Assistant Human Resources Director on a scheduled basis from each department and/or office relating the degree to which Association goals are attained and timetables met. Report results are reviewed with all levels of management.

.8 **Support of Action Program**

.01 Management staff will be encouraged to serve in community activities related to equal employment activities.

.02 The Association will publicize achievements of minority, disabled and women and other protected class employees in the staff newsletter and the Association's official publication.

.03 The Association will support, when appropriate, programs developed by organizations concerned with employment opportunities for minorities, disabled persons, women and other protected classes.

.9 **Affirmative Action Reports**

.01 **Annual Conference Report** — Human Resources will prepare and submit an Annual Report to Conference Delegates on the effectiveness of the Affirmative Action Program.

.02 **Board of Directors Report** — Human Resources will prepare and submit a quarterly report to the Board of Directors on the effectiveness of the Affirmative Action Program.

.10 The purpose of the Association's establishment and use of goals and objectives is to ensure that we meet our Affirmative Action Plan obligation. It is not intended and should not be used to discriminate against any applicant or employee because of age, gender or sexual orientation, race, ethnic origin, religion, disability, veteran's status, or other perceived differences.

.11 **Glossary of Terms**

AAP—Affirmative Action Program.

Affirmative Action—Outreach and positive recruitment programs set up internally and externally to increase employment opportunities for qualified minorities, disabled persons, women and other protected classes at all levels and in all areas of the work force.

DFEH—Department of Fair Employment and Housing is the State agency with jurisdiction and enforcement sanctions comparable to the EEOC.

Discrimination—Severe restriction of the right to equal employment opportunity for certain groups in our society.

EEOC—Equal Employment Opportunity Commission. Federal enforcement agency that receives and investigates job discrimination complaints, and upon finding charges to be justified, attempts through conciliation, to reach an agreement eliminating all aspects of discrimination revealed by the investigation. If conciliation fails, they have the power to go directly to court to enforce the law.

Employment Practices—Hiring, firing, promotion, compensation, and all other terms, privileges and conditions of employment.

Enforcement Agencies—Those agencies designated by Federal and State Governments to compel employers to adhere to laws and orders requiring equal employment opportunity and affirmative action, such as the EEOC, OFCC and DFEH.

Equal Employment Opportunity—The right of all persons to work and advance on the basis of merit, ability and potential.

Goals and Timetables—Setting short-term or long-term goals to assure compliance with the law in eliminating employment discrimination and the effects of past discrimination and reasonable time frames to reach these goals.

Labor Force—All persons sixteen years of age and over and classified as either employed or unemployed. (Available for and actively seeking work.)

Minority—Belonging to or regarded in the community as belonging to a minority group: i.e., Black, Hispanic, Native American, Asian/Pacific Islander.

Non-Minority—Anyone who does not belong to the following minority groups: Black, Hispanic, Native American, Asian/Pacific Islander.

OFCC—Office of Federal Contract Compliance. Federal compliance agency that monitors compliance with Executive Order No. 11246 issued by the President in 1965, requiring Affirmative Action Programs by all Federal contractors and subcontractors, and requires that firms with contracts over $50,000 and fifty or more employees develop and implement written programs.

Relevant Labor Market—The geographic area from which you reasonably can be expected to recruit workers.

Title VII—Section of the Civil Rights Act of 1964 prohibiting discrimination because of "race, color, religion, sex, or national origin" in any term, condition, or privilege of employment. As amended by the Equal Employment Opportunity Act of 1972, it now covers: 1) All educational institutions, public and private; 2) All private employers of fifteen or more persons; 3) State and local governments, public and private employment agencies; 4) Labor unions with fifteen or more members; and 5) Joint labor management committees for apprenticeship and training.

Under-Utilization—Having fewer minorities or women in a particular job category than would reasonably be expected by their presence in the relevant labor market.

804 COLLECTIVE BARGAINING CONTRACTS C-IX,1

Revised August 2023

.1 **Policy Statement.** Having entered into a collective bargaining agreement with its employees, and assuming that employer-employee relations will continue to be governed by (a) collective bargaining agreement(s), the Board recognizes the necessity of orderly implementation of the contract.

The Board, therefore, delegates to the Executive Director the duty, obligation, and authority to fully implement the provisions of such contract(s) on behalf of the employer. The Executive Director may delegate such functions as the Executive Director deems desirable to other management personnel.

.2 **Information to the Board**

.01 **Employment, Promotion, Transfer, etc.**

The Board recognizes that most procedures are governed by provisions of the contract, but in order to be kept apprised of personnel movement, and to provide an official recording of actions taken, directs that all personnel changes be reported to it.

.02 **Disciplinary Action**

(a) Disciplinary actions taken by management will not be reported to the Board until all grievance procedures have been exhausted. They will then be reported to the Board to provide for recording of the action in Board minutes.

(b) As soon as possible after a matter has been referred, in accordance with contract provisions, to binding arbitration, the Executive Director shall provide the Board with data showing the nature of the dispute and such other data as may be necessary to provide the Board with full information. The data will be submitted as confidential and shall be maintained as such.

.3 **Information from the Union**

.01 The Board having delegated implementation authority to the Executive Director or designee(s) expressly directs that all communications etc., from the union be referred to the Executive Director or designee(s). The Board will not accept requests from the union to hear matters subject to the contract provisions nor will it hear such matters. To do so would undermine the integrity of the bargaining agreement procedures.

.4 **Negotiations**

.01 When the union is ready to commence negotiations on a new contract or to renegotiate provisions of an existing contract (as opposed to renegotiating an existing provision of a current contract—which is to be negotiated with management), it may, but is not required, to present its demands to the Board of Directors. If presented, the Board will hear the presentation and make inquiry regarding provisions of the proposed contract. At the conclusion of the presentation, the proposals will be taken under advisement and will thereafter be subject to good faith bargaining between the CSEA bargaining team and the union's negotiators. The Board will not hear any further arguments or discussions by the union's representatives during contract negotiations. The employer's negotiators will keep it apprised of the status of negotiations.

.5 **Complaints of Mismanagement.** If the Union believes it has legitimate complaints against management which are not subject to the provisions of the bargaining agreement, it may submit its complaints to the Board subject to the following procedure: **C-IX,3(k) P-802.2**

.01 If the complaint(s) relates to the Executive Director, it shall be submitted to the Association President with a copy to the Executive Director. The President shall determine the disposition to be made of the complaint.

.02 If the complaint(s) relates to a management employee other than the Executive Director, it shall be submitted to the Executive Director with a copy to the Association President. The President and the Executive Director shall determine the Association disposition to be made of the complaint.

.03 If the President and/or the Executive Director determine that the matter should be heard by the Board, it will be heard in Executive Session.

In adopting this policy, the Board recognizes the necessity of insuring that an orderly process exists, consistent with the bargaining agreement, for the resolution of employer/employee problems. It also wishes to emphasize that under collective bargaining, the "employer" is the Board of Directors and its management team. The two elements of the "employer" are to be considered as one and any efforts by the union to indicate otherwise are without merit and can lead only to disruption of proper employer/employee relations.

900
MEMBER AWARDS, RECOGNITION, AND PROGRAMS

901 LIFE MEMBERSHIP AND HONOR ROLL AWARDS C-II,4 B-XI

Revised August 2023

The Association's Constitution and Bylaws establishes the two highest awards for service that CSEA can bestow upon outstanding persons. These are the Association Life Membership and Honor Roll Awards.

.1 **Privileges Accorded Award Recipients**

.01 **Association Life Membership.** Full membership privileges are accorded to recipients of Association Life Membership. These include a voice and vote at any Conference and exempt the holder from paying per capita dues in the Association, but not regular chapter dues (unless the chapter has also awarded the member a chapter honorary life membership.) Award recipients of the Association Life Membership shall have their Conference related expenses paid as follows:

(a) Actual and necessary round trip travel expenses in accordance with Policy 114.1.04;

(b) Actual and necessary housing expenses; and

(c) Per diem allowance in accordance with Policy 113.

.02 **Honor Roll.** Voice at Annual Conference. Honor Roll award recipients shall have their Conference related expenses paid as follows:

(a) Actual and necessary round trip travel expenses in accordance with Policy 114.1.04; and

(b) Actual and necessary housing expenses.

.2 **Eligibility for a Life Membership or Honor Roll Awards**

.01 **Life Membership Award**

(a) The basis for granting a Life Member award shall be outstanding service on a statewide basis.

(b) Awarded **only** to a member or a former member of the Association. The nominee may be awarded the honor posthumously.

(c) As this is the highest honor the Association can bestow on a member, recipients of this honor should truly reflect the highest degree of dedication and commitment to the purposes and ideals of the Association. Nominees must have provided outstanding service to the Association as a whole.

(d) The service must be such that it **clearly sets the nominee apart from other members**, and the nomination form must clearly describe the service provided and the benefit derived for the Association.

(e) The following shall not be eligible for consideration of Life Membership:

(1) Any member found guilty by final determination of charges or complaints under Association policy; and

(2) Current or former Association employees. A member who becomes an Association employee shall only be eligible based on their service as a member.

.02 **Honor Roll**

(a) The basis for granting placement on the Honor Roll shall be outstanding service.

(b) The nominee need not be a member of the Association. The nominee may be awarded the honor posthumously.

(c) This is the second highest honor the Association can bestow. Nominees must have provided valuable service to the Association; i.e., **longstanding and exemplary service, or having performed a service for or on behalf of the Association that has resulted in a valuable benefit or recognition for the Association on an Area wide basis.**

(d) The service upon which the award is based, including the benefit or recognition derived for the Association, must be clearly described on the nomination form.

(e) The following shall not be eligible for consideration of Honor Roll:

(1) Any member found guilty by final determination of charges or complaints under Association policy; and

(2) Current or former Association employees. A member who becomes an Association employee shall only be eligible based on their service as a member.

.3 **Life Membership & Honor Roll Awards Committee**

.01 **Committee Members.** The Committee, appointed by the President, will consist of five members, two of whom must be Life Members and three who must be "Active" members.

.02 **Terms.** In order to assure committee expertise and consistency in the selection standards and procedures for these awards, rotating terms for the committee members are established as follows:

(a) Terms for the two Life Members on the Committee shall be for two years and three years respectively.

(b) Terms for the three "Active" members shall be for one year, two years, and three years respectively.

(c) Two alternates, one Life Member and one "Active" member alternate designated from among the outgoing committee members, to be immediately available to attend meetings in the event of an absence of a committee member in their respective categories.

(d) Vacancies shall be filled by the respective alternate for the remainder of the term.

.03 **Chairperson**

(a) The most senior Life Member in terms of service on the Committee shall serve as Chairperson; the least senior serving as Co-Chairperson.

(b) The Chairperson shall receive the eligible nominations from the Executive Director and coordinate the efforts of the Life Membership & Honor Roll Awards Committee.

(c) Prior to any deliberations by the Committee, the Chair shall review the appropriate Policy and Constitution & Bylaws sections with the Committee members. The Chair shall stress the criteria for granting these awards and will make sure the Committee members understand that the basis for granting the Life Membership award is outstanding service on a statewide basis and granting the Honor Roll award is for valuable service on an Area wide basis.

(d) Before deliberations on each eligible nomination, the Chair will excuse from the meeting any Committee member who feels, for whatever reason, the member is unable to be objective about the nominee.

(e) The Chairperson shall cause an article to be published in the February issue of the official publication. The article shall include pertinent facts about the awards.

(f) The Chairperson shall cause a second article to be published in the Annual Conference edition of the official publication in accordance with Article XI, Section 1(g) and Section 2(h) of the Association's Bylaws.

.4 **Procedure for Nominations**

.01 The screening procedure has been established to ensure that these awards are accorded only to those persons eligible and who have clearly rendered the requisite service to CSEA, thereby maintaining the highest standards for these awards.

.02 Nominations for a Life Membership or Honor Roll Award may be made by any Chapter through the Chapter President, by any Retiree Unit Council through the Council President, by the Retiree Unit Executive Board, or by the Board of Directors.

.03 **Nomination Forms**

(a) All nominations for a Life Membership or Honor Roll Award, whether submitted by a Chapter, Retiree Unit Council, the Retiree Unit Executive Board, or the Board of Directors, must be submitted to the Executive Director on the official Nominating Form. All nominations shall be submitted along with the meeting minutes from the meeting at which the nomination was approved.

(b) Nomination forms may be obtained on the CSEA website.

(c) Nomination forms together with relevant meeting minutes must be returned, postmarked no later than midnight, March 1. All such nomination materials must be sent to:

Executive Director
Life Membership & Honor Roll Awards
California School Employees Association
2045 Lundy Avenue
San Jose, CA 95131

(d) Nominations postmarked after midnight, March 1, will be returned, without action, to the nominating party. These nominations may be resubmitted for consideration after the next Annual Conference.

(e) All nominations shall be recorded and filed in the Headquarters Office until after the March 1 deadline. As soon as possible after that date, all nominations shall be forwarded to the Committee Chairperson at the direction of the President.

(f) The Executive Director, or designee, shall review all nominations to confirm eligibility for consideration under Policy 901.2 and verify submission of the nomination form and meeting minutes under Policy 901.4. After such review the Executive Director shall:

(1) Forward all forms and meeting minutes for eligible nominees to the Life Membership & Honor Roll Awards Committee Chair; and

(2) Notify the ineligible nominees that their nomination will not be forwarded to the Life Member & Honor Roll Awards Committee.

.5 **Consideration of Nominations**

.01 Prior to the Committee's deliberations, the Chair shall submit the names of all eligible nominees to the Board for appropriate input. The Committee is charged with the responsibility of critically reviewing each eligible nomination.

.02 The Life Membership & Honor Roll Awards Committee shall review all eligible nominations only as relates to Life Membership and Honor Roll Awards. The content of nomination forms and the deliberations of the committee shall be kept confidential among committee members.

.03 In view of the fact that these awards are the highest awards CSEA bestows on a member, if the Committee feels no nominee presented truly meets the criteria for either award, the Committee shall be permitted to forego recommending nominations for Conference delegate action.

.04 Should the Committee determine there is insufficient justification for awarding a Life Membership to a nominee, but feels that an Honor Roll award would be justified, the Committee may revise the nomination accordingly. Conversely, if the Committee determines that there is sufficient justification for awarding a Life Membership to an Honor roll nominee, the Committee may revise the nomination accordingly.

(a) If the Committee revises a nomination as permitted under this policy, the Committee shall advise the nominating party in writing of the Committee's decision

(b) The Committee shall notify the nominating party and those nominees recommended for conference delegate action.

.6 **Action by Conference Delegates**

Delegate action will be in accordance with Article II, Section 4, of the Association's Constitution, and Article XI, Section 2(d) of the Bylaws.

.7 **Rejection of a Nomination**

.01 If the Committee rejects a nominee the nominating party may, if it wishes, resubmit the nomination the following year.

.02 Letters of notification shall include the following statement:

''Rejection at this time does not preclude resubmission of the nominee (in accordance with Association Policy 901.4) at a future date; but if resubmitted, the nomination should provide greater justification for approval than was contained in the original nomination.''

.8 **Presentation of Life Membership Certificate**

Any member who is awarded a Life Membership and who is in attendance at the Conference at which the award has been approved by delegate action will, during that Conference, be presented an appropriately inscribed certificate and permanent Life Membership Card attesting to the member's Life Membership. The certificate and card will be presented by the Association President at an appropriate time when the awardee can be presented to the delegate assembly. If the awardee is not in attendance, the Association President will designate a person to act as proxy to receive the certificate and card on behalf of the awardee.

.9 **Presentation of Honor Roll Awards**

Any person who is awarded placement on the Honor Roll and who is in attendance at the Annual Conference at which the award has been approved by delegate action will, during the Conference, be presented an appropriately inscribed certificate and permanent Honor Roll Card attesting to this award. The certificate and card will be presented by the Association President at an appropriate time when the awardee can be presented to the delegate assembly. If the awardee is not in attendance, the Association President will designate a person to act as proxy to receive the certificate and card on behalf of the awardee.

902 MEMBER OF THE YEAR P-319

Revised August 2023

.1 The CSEA Member of the Year Awards Program is the most prestigious awards program next to the Life Member/Honor Roll distinctions. Recognizing five (5) members of the year, this program promotes a greater appreciation of the value, commitment, and dedication classified employees bring to the public education system, and to honor outstanding service to CSEA.

.2 **Number**

.01 The Awards Committee shall award five (5) Member of the Year Awards.

.02 The Awards Committee shall make it a priority to award members from different major job classifications.

.03 Any Active or Retired member in good standing may submit any number of nominations as deemed appropriate on the official form.

.3 **Qualifications**

.01 The candidate must be an Active member in good standing of a local CSEA Chapter.

.02 The candidate must be of good character with outstanding work performance.

.03 The candidate CANNOT have been a previous Member of the Year Award winner.

.4 **Award**

.01 The awards shall be printed in that year's Conference program. In addition, a presentation of the awards shall be made at CSEA's Annual Conference.

.02 The Member of the Year Awards shall be presented at Conference at a time designated by the Association President.

(a) If the winner is a delegate to the Conference, all expenses shall be borne by the chapter and/or delegate.

(b) If the winner is not a delegate to Conference, expenses shall be approved by the Association President as deemed necessary.

(c) If the winner is unable to be present, the awards will be presented to a representative of the winner's chapter.

.03 The winner's district shall be presented with an award, properly inscribed to keep on display at the district office.

The district superintendent/designee or other representative shall be extended an invitation to the Conference for presentation of the award.

.5 **Procedures**

.01 Nomination Forms will be distributed each year via a General Information Bulletin (GIB) and will be available on the CSEA website, with additional copies available upon request to the CSEA Headquarters Office.

.02 All information requested on the official nomination form must be provided, with all pages of the form returned intact. Failure to provide the requested information or submission of an incomplete nomination form will be cause for disqualification.

(a) Section 1 (Job Related Factors) should be completed by any individual who can provide a recommendation based on the candidate's job performance.

(b) Section 2 (Community Involvement) should be completed by a co-worker, supervisor/manager, or CSEA officer.

(c) Section 3 (Union Involvement) should be completed by an officer or member of the local Chapter in which the candidate is active.

(d) Section 4 (Outstanding Qualities) should be completed by the appropriate person, as determined by the nominating member.

.03 Official Nomination forms must be postmarked or received no later than midnight, March 1, and sent to the California School Employees Association, Attention: Awards Committee Chairperson, 2045 Lundy Avenue, San Jose, CA 95131.

.6 **Administration**

.01 The CSEA Awards Committee shall be responsible for program administration and shall judge the nominations.

.02 Candidates will be judged on the basis of work performance, including outstanding characteristics and/or achievements, and contributions to the betterment of CSEA.

.03 A uniform rating system will be established by the Committee and made available upon request.

903 RICHARD C. BARTLETT ACTIVIST OF THE YEAR P-319

Revised July 2018

The Richard C. Bartlett Activist of the Year Award is granted honoring the memory of CSEA's first executive director. Under his leadership and the activism he inspired, CSEA registered impressive legislative gains in retirement, wage parity, in-service training, job security, holidays, health insurance, organizational and representational rights and a host of other protections and benefits. The purpose of this award is to recognize a member who is a vigorous advocate for specific causes important to the mission and goals of CSEA.

.1 Nominees must have assisted in the building of the union, helped to put forward the face of CSEA into the community, attended mobilizing events or volunteered in campaigns, promoted the Victory Club, advanced the labor movement in general by participating in coalitions or other ally-building partnerships, or involved other rank and file members in union activities.

.2 Nominees must be an Active or Retired member in good standing and a member of the Victory Club.

.3 Nominations can be submitted by any chapter, regional representative, field office or member of the Board of Directors on the official form, postmarked or received no later than June 1, and sent to the California School Employees Association, Attention: Awards Committee Chairperson, 2045 Lundy Avenue, San Jose, CA 95131.

.4 The Activist of the Year shall be presented at Conference at a time designated by the Association President.

.01 Should any winner be a delegate to the Conference, all expenses shall be borne by the chapter and/or delegate.

.02 If the winner is not a delegate to Conference, expenses shall be approved by the Association President as deemed necessary.

.03 If the winner is not present to receive the award at the Conference, the Association shall make appropriate arrangements for presentation of the Award.

904 WILLIAM P. SCHWARTZ HUMANITARIAN OF THE YEAR P-319

Revised July 2018

The William P. Schwartz Humanitarian of the Year Award is granted honoring the memory of a founding father and life member who, in 1929 out of concern for his co-workers, introduced retirement legislation, forever enhancing the lives of future generations of classified employees. The purpose of this award is to recognize individuals who continue the legacy of unselfish concern and noble desire to improve the lives of CSEA members or the community.

.1 Nominees must have performed any significant act of a humanitarian nature, by demonstrating a generosity of spirit and dedication to the betterment of people in need (CSEA members in particular) by being involved in service which has enriched the lives of others and the welfare of humanity and society and by contributing above and beyond in the name of charity.

.2 Nominations can be submitted by any chapter, regional representative or member of the Board of Directors on the official form, postmarked or received no later than June 1, and sent to the California School Employees Association, Attention: Awards Committee Chairperson, 2045 Lundy Avenue, San Jose, CA 95131.

.3 Nominees must be an Active or Retired member of the Association in good standing.

.4 The Humanitarian of the Year Award shall be presented at Conference at a time designated by the Association President.

.01 Should any winner be a delegate to the Conference, all expenses shall be borne by the chapter and/or delegate.

.02 If the winner is not a delegate to Conference, expenses shall be approved by the Association President as deemed necessary.

.03 If the winner is not present to receive the award at the Conference, the Association shall make appropriate arrangements for presentation of the Award.

905 LAURENCE TWOAXE UNITY AWARD P-319

Adopted July 2018

The Laurence Twoaxe Unity Award is granted honoring the memory of a founding father who served as the Association's first elected President from 1927 to 1928. Understanding that unity in purpose and action is how great things are accomplished, he organized his co-workers and other likeminded individuals to start the classified labor movement. The purpose of this award is to recognize an exceptional member who strives for unity, brings members together as union brothers and sisters, and promotes camaraderie among members.

.1 Nominees must have actively promoted unity and comradery among members by organizing events or activities aimed at bringing members together to advance union solidarity.

.2 Nominees must be an Active or Active Retired member in good standing.

.3 Nominations can be submitted by any chapter, regional representative, field office or member of the Board of Directors on the official form, postmarked or received no later than June 1, and sent to the California School Employees Association, Attention: Awards Committee Chairperson, 2045 Lundy Avenue, San Jose, CA 95131.

.4 The Unity Award shall be presented at Conference at a time designated by the Association President.

.01 Should any awardee be a delegate to the Conference, all expenses shall be borne by the chapter and/or delegate.

.02 If the awardee is not a delegate to Conference, expenses shall be approved by the Association President as deemed necessary.

.03 If the awardee is not present to receive the award at the Conference, the Association shall make appropriate arrangements for presentation of the Award.

906 OUTSTANDING SERVICE AWARDS P-319

The Association recognizes that many people provide outstanding service to the students, members, chapter, Association, school district, or community.

.1 **Procedures for Nomination**

.01 Nominations for the recognition may be made by any Active or Retired member in good standing.

.02 Nominations for the award may be submitted at any time and shall be directed to California School Employees Association, Attention: Awards Committee Chairperson, 2045 Lundy Avenue, San Jose, CA 95131.

.03 The Awards Committee shall convene by any appropriate means to critically review and deliberate the recommendation(s).

.04 Recommendation(s) from the Committee for an Outstanding Service Award shall be forwarded to the Association President.

.05 If any nomination is not recommended by the Awards Committee, the committee shall notify the Association President and the member(s) who submitted the nomination.

.2 **Eligibility for Award**

.01 Any person shall be eligible for an Outstanding Service Award.

.02 The nominee should have performed a service for the students, members, chapter, Association, school district, or community which is clearly outstanding and far beyond what is normally expected.

.03 The nominating party shall be notified as soon as possible of any nomination(s) not meeting the criteria.

.3 **Nominating Form**

.01 Nominating forms will be distributed each year via a General Information Bulletin (GIB) and will be available on the CSEA website. The nominating form shall contain:

(a) The name and complete address of the nominee, and

(b) A complete and detailed statement outlining the services performed by the nominee which constitutes the basis for the nomination.

.4 **Final Action and Award Presentation**

.01 The item shall be held as confidential by both the Awards Committee and the Board of Directors until such time as official Board consideration of the recommendation(s). The item shall be considered in executive session. The Board shall give full consideration to the recommendation of the committee and take action on the nomination. Notification of the Board's action shall be presented at a subsequent meeting of the Board of Directors.

.02 If approved, an award will be prepared for the nominee and presented by either the Area Director (or designee) or Regional Representative at an appropriate event. In addition, the awardees shall be listed in the Conference program.

907 DEPENDENT SCHOLARSHIP AWARDS P-310

Revised August 2023

This program exists to provide scholarship opportunities to the dependents of CSEA members with the goal of lifting up CSEA members and their families through education.

.1 **Eligibility.**

.01 Applicants must be an IRS dependent of a CSEA member in good standing.

.02 Applicants must be enrolled on a full-time basis at the time that application for scholarship is made and plan to continue for the Fall term (or equivalent) immediately following receipt of the scholarship.

.03 Applicants must have a minimum cumulative grade point average of 3.0, including all schoolwork to date taken at their current educational institution level at the time of application.

.2 **Funding**. Within this policy, the number of scholarships provided in each awards category shall be determined by utilizing a percentage of the Scholarship Committee awards budget. The number provided shall be a whole number that is up to, but not to exceed, the proportion of the budget associated with each category below.

.01 **First Year Scholarships.** The amount of these scholarships shall be $1000 each. Thirty-three percent (33%) of the Scholarship Committee awards budget shall be allocated to these scholarships.

.02 **Renewal Scholarships.** The amount of these scholarships shall be $1000 each. Ten percent (10%) of the Scholarship Committee awards budget shall be allocated to these scholarships.

.03 **Community College Scholarships**. The amount of these scholarships shall be $1000 each. Five percent (5%) of the Scholarship Committee awards budget shall be allocated to these scholarships.

.04 **College, University, Trade, or Vocational School Education Scholarships.** The amount of these scholarships shall be $1000 each. Five percent (5%) of the Scholarship Committee awards budget shall be allocated to these scholarships.

.3 **First Year Scholarships.**

.01 There shall be a First Year Scholarships category. In addition to 907.1, applicants for these scholarships are limited to graduating high school seniors or equivalent (i.e., private school, privately tutored, or accredited correspondence school), and must be planning to enter an accredited college (including community colleges and accredited trade schools) as a full-time student by the Fall term following receipt of the scholarship.

(a) The Scholarship Committee shall ensure that these scholarships be awarded honoring the founders of CSEA, the current Association President, and all Past Presidents. A rotating list of honorees shall be maintained by the Scholarship Committee.

The bio of the person in whose honor the scholarship is given will be included with the scholarship certificate.

.02 **Basis of Awards.** An equal number of these First Year Scholarships shall be awarded based on the following point systems:

(a) Academic scholarships shall be awarded on the following point system:

- Scholastic Achievement (60 points maximum)
- Citizenship including leadership, character, and service (30 points maximum)
- Need (10 points maximum)

(b) Financial Need scholarships shall be awarded on the following point system:

- Need (75 points maximum)
- Scholastic Achievement (15 points maximum)
- Citizenship including leadership, character, and service (10 points maximum)

(c) Achievement scholarships shall be awarded on the following point system:

- Citizenship including leadership, character and service (60 points maximum)
- Scholastic Achievement (40 points maximum)

.4 **Renewal Scholarships.**

.01 There shall be a one-year Renewal Scholarships category. In addition to 907.1, applicants for these scholarships are limited to the First Year Scholarship awardees of the previous year.

.02 **Basis of Awards.** The one-year Renewal Scholarships shall be awarded based upon the following point system:

- Need (50 points maximum)
- Scholastic Achievement (35 points maximum)
- Citizenship including leadership, character, and service (15 points maximum)

.5 **Community College Scholarships.**

.01 There shall be a Community College Scholarships category.

.02 **Basis of Awards.** Community College Scholarships shall be awarded based upon the following point system:

- Need (40 points maximum)
- Scholastic Achievement (20 points maximum)
- Goals and Objectives (30 points maximum)
- Citizenship (10 points maximum)

.6 **College, University, Trade, or Vocational School Education Scholarships.**

.01 There shall be a College, University, Trade, or Vocational School Education Scholarships category.

.02 **Basis of Awards.** College, University, Trade, or Vocational Education School Scholarships shall be awarded based on the following point system:

- Need (40 points maximum)
- Goals and Objectives (30 points maximum)
- Scholastic Achievement (20 points maximum)
- Citizenship (10 points maximum)

.7 **Application Forms and Submission.** Application forms for First Year Scholarships, Community College Scholarships, and College, University, Trade, or Vocational School Education Scholarships shall be available on the CSEA website by November 1. The deadline for submission of applications and required supporting documentation is no later than midnight, February 1.

Application forms for the Renewal Scholarships shall be sent by the Headquarters Office to each of the First Year Scholarship award winners of the previous year in August. The deadline for returning Renewal Scholarship applications and requested information is a postmark date of no later than midnight, October 31.

.8 **Evaluation of Applications and Supporting Data.** Applying the established point system outlined under this policy, applications and supporting data shall be rated using the Association's approved evaluation forms.

.9 **Status of CSEA Member Parent/Guardian.** If a member is not deemed to be in good standing due to payroll error, the student shall not be penalized, and the award continued to be honored.

.10 **Payment.** Scholarship awards shall be paid in the month of September. Before payment of the scholarship can be made, the recipient must furnish proof of enrollment as a full-time student. A verification of enrollment form will be sent to each recipient for this purpose. If the recipient of an award fails to provide proof of enrollment, all monies will be forfeited and awarded to a designated alternate.

908 MEMBER CAREER GRANTS and MEMBER REIMBURSEMENT SUBSIDIES P-310

Revised July 2022

In addition to the regular Scholarship Program offered by the Association for the dependents of CSEA members, this program exists to provide financial assistance directly to CSEA members with the goal of empowering them to develop themselves and their careers through education.

.1 **Funding.** Within this policy, the number of grants provided in each award category shall be determined by utilizing a percentage of the Scholarship Committee awards budget. The number provided shall be a whole number that is up to, but not to exceed, the proportion of the budget associated with each category below.

.01 **Member Career Grants.** The amount of these grants shall be $1000 each. Twenty-five percent (25%) of the Scholarship Committee awards budget shall be allocated to these grants.

.02 **Renewal Member Career Grants.** The amount of these grants shall be $1000 each. Six percent (6%) of the Scholarship Committee awards budget shall be allocated to these grants.

.03 **Member Reimbursement Subsidies.** The amount of these subsidies shall be $250 each. There shall be a total of an amount determined through the budget process offered annually for these subsidies.

.04 **Member Student Loan Reducer Grants.** The amount of these grants shall be $500 each. Four percent (4%) of the Scholarship Committee awards budget shall be allocated to these grants.

.2 **Member Career Grants.**

.01 There shall be a Member Career Grants category.

(a) The Scholarship Committee shall ensure that these grants be awarded honoring the positions of the Association's Vice Presidents, Association Secretary, Area Director, Executive Director, Regional Representatives, Standing Committees, and the Retiree Unit.

.3 **Renewal Member Career Grants.**

.01 There shall be a Renewal Member Career Grants category.

(a) The Scholarship Committee shall ensure that these grants be awarded honoring all Life Members of the Association.

.4 **Eligibility for Member Career Grants and Renewal Member Career Grants.**

.01 Applicants must be members in good standing of CSEA.

.02 Applicants must either be enrolled in an accredited school of higher education (i.e., community colleges offering trade or vocational courses, other accredited trade or vocational schools, as well as four-year institutions) at the time application for the grant is made, or plan to enroll for the semester/quarter immediately following receipt of the grant. Applicants for Renewal Member Career Grants are limited to the Member Career Grant awardees of the previous year.

.03 Applicants must be working towards a definitive degree or a specific career goal.

.5 **Basis of Awards.**

.01 Member Grants shall be awarded on the following point system:

- Need (40 points maximum)
- Goals and Objectives (25 points maximum)
- Citizenship (15 points maximum)
- CSEA Activities (20 points maximum)

.02 Renewal Member Career Grants shall be awarded on the following point system:

- Need (50 points maximum)
- Essay (50 points maximum)

.03 Member Grants may be awarded for Exceptional Circumstances by consensus of the reviewing members of the Scholarship Committee, taking into consideration an applicant's extraordinary situation, hardship, and/or other challenges.

.6 **Applications.** Application forms shall be available on the CSEA website in June. The deadline for submission of applications and required supporting documentation shall be no later than midnight, October 31st for regular Member Grants, and not later than midnight, March 31st for Renewal Member Career Grants.

.7 **Evaluation of Applications and Supporting Data.** Applying the established point system outlined under this policy, applications and supporting data shall be rated by the Scholarship Committee using approved evaluation forms.

.8 Member Career Grant monies not awarded for lack of qualified applicants may be awarded at the discretion of the Scholarship Committee within the framework of the total scholarship/grant awards program.

.9 **Payment.** Payment shall be made to either the recipient or the school/college upon submission of proof of enrollment. A verification of enrollment form shall be sent to each recipient for this purpose. If the recipient fails to provide proof of enrollment, the monies will be forfeited and awarded to a designated alternate.

.10 **Member Reimbursement Subsidies.**

.01 In addition to the regular Member Career Grant program outlined above in 908.1-908.9,there shall be a “Member Reimbursement Subsidies” program with the intent to financially assist members with opportunities that connect our members to the union, the community, and/or to students. Examples of the types of programs considered would include, but are not limited to, attendance at CSEA’s Paraeducator Conference, CSEA’s Maintenance and Operations Academy, completion of citizenship process, obtaining a high school diploma, or GED, or other college or vocational courses.

.02 Subsidies will be divided equally throughout the year, half available from June 1 – November 30 and half available from December 1 – May 31. Money for the Member Reimbursement Subsidies not awarded in the first part of the fiscal year shall be carried over to the second part of the fiscal year.

.03 **Eligibility.**

(a) Applicants must be members in good standing of CSEA.

(b) Applicants must be working toward a specific opportunity or goal.

(c) Applicants may only receive the subsidy every other year.

(d) Members who are receiving financial assistance from their employers or chapters shall not be eligible for the program under this section.

.04 **Basis of Award.**

(a) Member Reimbursement Subsidies shall be awarded based on submission of the appropriate application form, a statement explaining their need and objective, and how it connects them to the union, the community, and/or to students, and a statement of projected expenses for the event/class.

(b) The applications and supporting data shall be reviewed by the Scholarship Committee using approved evaluation forms.

.05 **Applications.** Application forms shall be available on the CSEA website year-round and sent by the CSEA Headquarters/Field Office upon request. The deadline for returning application shall be postmarked no more than sixty (60) calendar days prior to the event/class and no more than fifteen (15) calendar days after the event/class. A General Information Bulletin announcing the program shall be sent out two times a year, in June and December.

.06 **Payment.** At the Scholarship Committee's discretion, payment may go directly to a vendor or be made to the recipient upon submission of proof of completion of the event/class and proof of expenses incurred by the member no later than thirty (30) days following the event/class.

.11 **Member Student Loan Reducer Grants.**

.01 There shall be a Member Student Loan Reducer Grants category. Applicable donations from Member Benefits providers may be added to this base amount to increase the number of grants offered.

.02 **Eligibility for Member Student Loan Reducer Grants.**

(a) Applicants must be members in good standing of CSEA.

(b) Applicants must have at least $10,000 in outstanding federal or private student loan debt. This debt must be for the applicant's own education.

(c) Applicants must be a graduate of a U.S. accredited college or university with a degree.

.03 **Basis of Award.** Member Student Loan Reducer Grants shall be awarded on the following point system:

- Need – 20 points (based on total dollar amount of outstanding debt)
- CSEA Activities – 20 points
- Essay – 60 points

.04 **Applications.** Application forms shall be available on the CSEA website in September each year. The deadline for returning applications and additional required documentation shall be a postmark of not later than midnight, February 15.

.05 **Evaluation of Applications and Supporting Data.** Applying the established point system outlined under this policy, applications and supporting information shall be rated by the Scholarship Committee using approved evaluation forms.

.06 **Payment.** Members shall not receive direct cash payments. Payment shall be made to the financial institution(s) servicing the members' student loan debt listed in the application.

909 COMMUNICATIONS AWARDS P-307

Revised January 2020

.1 **Purpose.** The Communication Awards Program is designed to improve Association communications by recognizing CSEA communicators for their outstanding print and electronic communications.

.2 **Awards.** The winning entries will be determined by the rating given by the judges. In each category, there will be at most one (1) winner. The Communications Committee reserves the right not to award any or all awards in a category if none meet the minimum standard established in Policy 909.3.04 below.

.01 **Names of Awards**

(a) **The Award of Excellence – Newsletter.** The Award of Excellence – Newsletter shall be awarded to the communicator whose newsletter receives the highest ranking based on the criteria listed in Policy 909.3.04 below.

(b) **The Award of Excellence – Social Media.** The Award of Excellence – Social Media shall be awarded to the communicator whose social media post receives the highest ranking based on the criteria listed in Policy 909.3.04 below.

(c) **The Award of Excellence – Web.** The Award of Excellence – Web shall be awarded to the webmaster whose web site received the highest ranking based on the criteria listed in Policy 909.3.04 below.

(d) **The Award of Excellence – Flyer.** The Award of Excellence – Flyer shall be awarded to the communicator whose flyer receives the highest ranking based on the criteria listed in Policy 909.3.04 below.

(e) **The Award of Excellence – Solidarity Campaign.** The Award of Excellence – Solidarity Campaign shall be awarded to the communicator whose entry receives the highest ranking based on the criteria listed in Policy 909.3.04 below.

(f) **The Awards of Distinction** shall be given to those communicators who receive the highest ranking in the following categories:

- Best Design (Newsletter and Flyer)
- Best News Article/Story (Any category except Solidarity Campaign)
- Best Use of Photography (Newsletter/Flyer and Social Media/Web)
- Best Column/Editorial (Any category except Solidarity Campaign)

.02 **Presentation of Awards**

A presentation announcing (honoring) Communication Awards of Excellence will be made at CSEA's Annual Conference.

(a) All Awards will be presented to recipients at a chapter, retiree council, regional, or local board meeting no later than December 31 by a Communications Committee member, Regional Representative or a member of the Board of Directors.

.3 **Procedures**

.01 Each entity may submit up to one (1) entry in each of the five Award of Excellence categories: Newsletter, Social Media, Web, Flyer and Solidarity Campaign. Additionally, each entity may submit up to one (1) entry for each of the Award of Distinction categories. An entity is defined as a chapter, region, or retiree council.

(a) Newsletter entries must be a newsletter published and dated between May (of the previous year) and April (of the current year).

(b) Social Media entries must be posted to the appropriate platform between May (of the previous year) and April (of the current year).

(c) Web entries must be registered as noted below to be eligible.

(1) Have a current Acceptance of Web Responsibility Form (F-7036) are on file with the Communications Department.

(2) Websites must be posted on the CSEA-provided web platform.

(d) Flyer entries must be a flyer published and distributed between May (of the previous year) and April (of the current year).

(e) Solidarity Campaign entries must be for a campaign between May (of the previous year) and April (of the current year).

.02 All entries must be submitted via the official competition webpage. The official call for entries will be provided no later than February 28 to all chapters, regions, and retiree councils.

.03 All entries must **be received by May 10**. All incomplete entry forms or omission of the required supplements as noted on the entry form will be cause for disqualification.

.04 **Criteria.**

(a) Entries for the Award of Excellence – Newsletter category will be evaluated based on three (3) criteria.

(1) Content

(2) Design

(3) Writing Skills

(b) Entries for the Award of Excellence – Web category will be evaluated based on four (4) criteria.

(1) Content

(2) Interactivity

(3) Photos

(4) Graphics

(c) Entries for the Award of Excellence – Flyer category will be evaluated based on two (2) criteria.

(1) Design

(2) Content

(d) Entries for the Award of Excellence – Social Media will be evaluated based on the following four (4) criteria:

(1) Design

(2) Content

(3) Interactivity

(4) Graphics

(e) Entries for the Award of Excellence – Solidarity Campaign will be evaluated based on the following five (5) entries.

(1) Chapter Member Involvement

(2) Marketing the Phrase

(3) Finding Volunteers

(4) Opportunities and Solutions

(5) Site Mapping

.05 **Judging.** The annual competition is judged by the Communications Committee using the established guidelines.

(a) All qualifying entries will be evaluated and the completed evaluation form will be returned to the submitting entity.

910 100 PERCENT MEMBERSHIP RECOGNITION

.1 On an annual basis, the Association will recognize individual chapters that have attained or maintained 100 percent membership.

.2 100 percent membership includes all classified employees, full or part-time, eligible for membership in the Chapter.

.3 The recognition shall be made on the basis of the membership in a chapter as of month end at any time during the fiscal year as verified by the appropriate Field Office.

.4 The recognition certificate will be prepared and forwarded to the appropriate Area Director or designee. The Area Director or Regional Representative shall make suitable arrangements to present or have the recognition presented to the Chapter President.

911 CSEA SERVICE RECOGNITION

Revised May 2023

This service recognition program has been established to recognize members for their valued service and loyalty to the Association, and to show appreciation for their dependability and share in the pride of long association.

.1 **Form of Recognition:** Service pins will be presented upon completion of the requisite years of service credit as specified below:

Years of Service	Description
5	Silver w/3 Rubies
10	Silver w/3 Sapphires
15	Silver w/3 Emeralds
20	Silver w/2 Diamonds & 1 Ruby
25	Silver w/2 Diamonds & 1 Sapphire
30	Silver w/2 Diamonds & 1 Emerald
35	Silver w/3 Diamonds
40	Gold w/4 Diamonds
45	Gold w/4 Diamonds & 1 Sapphire
50	Gold w/5 Diamonds

An initial service recognition will be presented upon completion of five (5) years of service credit. The member will receive an additional recognition upon completion of each five (5) years of service credit thereafter.

.2 **Service Credit Defined:**

.01 For purposes of calculating membership service:

(a) Partial service of six (6) months or more in any one year shall be counted as one (1) year's service; less shall not be counted.

(b) Service need not be continuous.

(c) Prior service as a staff employee shall be added to membership service and credited towards total years of service for purposes of these recognitions.

.02 Membership service requirement shall be based on the total combined number of years served in the following positions only:

(a) **Association level elected positions:**

(1) Board of Directors

(2) Alternate Area Directors

(3) Retiree Unit Executive Board

(b) **Association level positions appointed by the Association President:**

(1) Regional Representatives

(2) Standing Committees

(3) Political Action Coordinators

(4) CSEA Judicial Panel

(5) Special or Ad Hoc Committees

(6) Any other appointees such as Administrators, Taskforces, and Work Groups

(7) Retiree Unit Executive Board prior to June 1993

(c) **Regional appointments as mandated by Policy:**

(1) Assistant Regional Representatives

(2) Regional Secretaries

(3) Regional Communications Assistants after May 2023.

.3 **Presentation:** As symbols of the Association's appreciation, recognition is most meaningful when properly presented. The presentation of the service pin shall be dignified and sincere, with time, place, and method of presentation to be dictated by the circumstances, as follows:

.01 **Awards representing 20 years service or less**: To be presented to member with a letter from the Association President.

.02 **Awards representing 20 years of service or more:** To be presented by the Association President.

.4 **Implementation**

.01 All members serving in qualified positions shall be entered on a tracking system to be maintained at CSEA Headquarters office for purposes of determining eligibility to receive service credit.

.02 Upon appointment/election to a qualified position, member's name will be entered/checked on the tracking system to determine eligibility for service credit, which shall be automatically given, without application.

(a) Members newly added to the tracking system shall be required to complete a Service Credit form in order to receive credit for prior qualified service, unless such information is on the history file when the member's name is added.

.03 Members who may be eligible to receive recognition for prior service in qualified positions may request a CSEA Service Credit form at any time and submit request for consideration of recognition.

.5 **Replacement of Lost Pins:** Members who lose their service pins and wish to replace them may purchase them at the price paid by the Association. No service pins may be purchased for any other reason.

912 UNION STEWARD CERTIFICATION PROGRAM

Adopted July 2001 – Revised August 2023

.1 **Purpose.** The purpose of the Union Steward Certification Program is to provide an ongoing, comprehensive program with standard content that includes classroom and/or on-line training and practical experience in order to develop the skills of Union Stewards.

.2 **Delivery of Training**

.01 Each Field Office shall determine the delivery system based on the geography and needs of the chapters. The delivery format and schedule shall be determined at Field Office partnership meetings.

. 02 Participants may attend trainings offered by any Field Office.

.3 **Union Steward Training – Level 1**

.01 **Eligibility to Participate**

Participants must be Active (or Active Retired) members in good standing.

.02 **Training**

(a) **Objectives:** Level 1 participants will be able to explain the structure of CSEA to fellow members, including the role of a steward; understand the rights of a steward; and demonstrate the ability to perform the initial steps of a representational matter.

Each participant must complete the required skill/knowledge reinforcement activity(ies) in the participant's chapter and/or virtual steward experiences via the online tool provided to proceed to Union Steward Training Level 2.

.4 **Union Steward Training – Level 2**

.01 **Eligibility to Participate.** A participant must:

(a) Be an Active (or Active Retired) member in good standing.

(b) Have completed Union Steward Training Level 1, including the required skill/knowledge reinforcement activity(ies).

.02 **Training**

(a) **Objectives:** Level 2 participants will be able to effectively research, prepare, and present a grievance at the immediate-supervisory level.

Each participant must complete the required skill/knowledge reinforcement activity(ies) in the participant's chapter and/or virtual steward experiences via the online tool provided to proceed to Union Steward Training Level 3.

.5 **Union Steward Training – Level 3**

.01 **Eligibility to Participate.** A participant must:

(a) Be an Active (or Active Retired) member in good standing.

(b) Have completed Union Steward Training Level 1 and Level 2, including the required skill/knowledge reinforcement activities.

.02 **Training**

(a) **Objectives:** Level 3 participants will be introduced to the principles of group grievances and organizing members around issues; and will be able to effectively advocate on behalf of members during disciplinary meetings.

.6 **Steward Certification Program**

.01 **Eligibility.** In order to be certified as a Union Steward, a member must:

(a) Be an Active (or Active Retired) member in good standing.

(b) Have completed Levels 1, 2, and 3 of the Union Steward Training Program, including the required skill/knowledge reinforcement activities within a twenty-four (24) month period commencing with Level 1.

(c) Provide a copy of the chapter's constitution, as approved by the Association, which includes a Union Steward program.

.02 **Certification.** A certification form shall be signed by the Chapter President, Labor Relations Representative, and Field Director. The Field Office shall submit the certification form, along with a copy of the pertinent sections of the Association-approved chapter constitution to the Director, Field Operations.

If a Chapter President is unable or unwilling to sign a certification form even though the member has met all of the program requirements, the Regional Representative may sign (with the consent of the Association President) the form in the Chapter President's stead.

.03 **Steward Jacket.** The Field Office shall award a steward jacket to a successful participant at a CSEA function or an official event (e.g. a district governing board meeting, if possible. In addition, the Field Office will have the Steward's name embroidered on the jacket.

(a) A certified Steward may receive a replacement jacket after five (5) years, with CSEA and the Steward each paying one-half of the cost for the replacement jacket.

.04 **Obtaining a Union Steward position.** Receipt of a steward's jacket does not automatically make one a Chapter Union Steward. Rather designation of stewards is determined by each chapter according to its own constitution.

.7 **Union Steward Training – Level 4**

Each Field Office shall offer formal and informal skill reinforcement training (Level 4) to the Stewards who have completed Union Steward Training Level 3, including the required skill/knowledge reinforcement activities.

913 MEMBER INTERN PROGRAM

.1 Purpose

To provide a practical work assignment focused on providing a meaningful opportunity to develop employable skills to a diverse group of members who are interested in CSEA employment.

.2 Eligibility to Participate

Active members in good standing may submit a CSEA Member Internship Application. Members of the Association Board of Directors are ineligible to participate.

.3 Program Details

.01 Advertising/Notification

The Executive Director, or designee, shall ensure that the membership is properly notified of the program.

.02 Selection/Criteria

Applications of fully screened and interviewed applicants will be submitted to the Association President for final selection.

.03 Orientation

This program shall contain an orientation component. Attendance at the orientation session(s) is mandatory for member participants and staff mentors.

.04 Internship

(a) The length of the internship shall be determined by the Association President upon consultation with the Member Intern Committee.

(b) Throughout the period of the internship, an intern will be assigned to a staff person(s) to take on the role and responsibility of being a mentor and coach.

(c) If removal of an intern is recommended, the manager will immediately notify the appropriate department head who will immediately forward a written report with recommendations to the Association President and Executive Director.

(d) All program components will be detailed in the Member Intern Handbook. The Member Intern Handbook will be updated to reflect any changes to this policy.

914 MEMBER TRAINERS PROGRAM

A Member Trainers Program is established, consisting of a cadre of qualified and certified trainers to assist in presenting the Member Skills Enhancement Programs throughout the Association through CSEA seminars, forums and workshops. The Member Skills Enhancement Programs provide quality training and education for the rank-and-file membership throughout the Association which, along with the inherent personal and organizational skills the rank-and-file possesses, equips them with the tools necessary to move into positions of CSEA leadership.

.1 **Appointment:** Members of the Member Trainers Program shall be appointed by, and serve at the pleasure of, the Association President. Appointments shall be made from among "Active" members in good standing, and shall automatically be forfeited upon loss of said status.

Recommendations for the Member Trainers Program trainers should originate from the education Committee in consultation with the Education and Training Program staff. Final decision shall, however, rest with the Association President.

Appointments shall be submitted to the Board of Directors for information purposes.

.2 **Term.** The term shall be from the time of appointment to the conclusion of the next Annual Conference held in an odd-numbered year.

.3 **Letter of Interest.** To assist the Association President in making the appointments, members of the Member Trainers Program shall postmark or deliver a letter to the President by June 15 of each odd-numbered year, indicating their availability and interest in serving in the same or other positions.

915 MEMBER AUDITORS PROGRAM

Revised August 2023

A Member Auditors Program is established, consisting of a cadre of qualified chapter auditors, to perform chapter audits as assigned by the Association President and with the assistance of CSEA's Chief Financial Officer.

.1 **Eligibility.** "Active" members in good standing (including Retired members) may apply to serve as a member auditor. Members of the Board of Directors and Regional Representatives are not eligible for appointment.

.2 **Selection.** Applicants who have been certified as member auditors by CSEA's Chief Financial Officer, or designee, shall be submitted to the Association President for final selection.

.3 **Certification.** Selected applicants shall be trained in the fundamentals of chapter recordkeeping and auditing. Once the applicants complete the training program, they will be evaluated by the Chief Financial Officer, or designee, for certification as a member auditor.

Completion of the certification program does not guarantee appointment.

.4 **Term.** Term of office shall be from time of appointment to the conclusion of the next Annual Conference held in an odd-numbered year.

1000
MISCELLANEOUS

1002 HISTORICAL REPORT

Revised August 2023

.1 **Historical Library.** Items to be placed in the Historical Library at Headquarters shall first be reviewed by the Association President and/or Historical Committee as to their statewide relevance or value to the history of our Association.

.01 Bound volumes of the Association's official publication(s) shall be kept at the Association's Headquarters.

.2 **Video-archiving.** Life Members and Honor Roll members shall be interviewed and videotaped at the Annual Conference (or immediately following the conference) at which those members are awarded Life Membership or awarded placement on the Honor Roll. Other members and staff as selected by the Association President and/or the Historical Committee shall also be interviewed and videotaped. The videotaped interviews shall include the following questions: (1) How did you become involved in CSEA?; (2) What has been the relevance of CSEA in your life?; (3) What significant events have taken place during your time as a member?; (4) How do you feel about the union?

.01 Following each Annual Conference, Life Members and Honor Roll members shall be sent a biographical form to complete listing their service at the chapter, regional, and Association level.

.02 **Retiring Staff.** Any staff person who has served the Association for at least 30 years shall be interviewed and videotaped, and asked about the significant events in the staff person's tenure with CSEA as well as any historical perspective gained through any other union affiliation.

.3 Life Members, Honor Roll members, and Board members shall be sent a postcard to be kept with their important documents to be used in the event of their death so that their family members will be reminded to notify CSEA. The Association President shall assign a Board member to attend funeral services of past presidents, Life Members, and Honor Roll members.

.4 **Memorial Wall/Presentation at Conference.** At each Annual Conference, a tribute shall be paid to all members and staff who have passed away since the last conference. Special recognition shall be paid to:

.01 Past Association Presidents

.02 Life Members

.03 Honor Roll members

.04 Members currently serving in an Association office (including members of the Board of Directors, Standing committee chairpersons, members of the Retiree Unit Executive Board, and Regional Representatives)

.05 Active and retired staff members who had at least fifteen (15) years of service with CSEA.

1003 ASSOCIATION SURVEYS

Revised July 2009

.1 The Association shall conduct surveys among outside agencies as necessary to meet the research needs of the Association. Whenever the Association requests survey information from a public employer in which a CSEA chapter exists, it shall at the same time send a written copy of that request to the appropriate Chapter President, and Regional Representative.

.2 All internal surveys proposed to be conducted by the Association (or an agent of the Association) among the CSEA membership shall first be referred to the Board of Directors for review and consideration.

1005 SPECIAL RESTRICTED FUND

B-VII,3
B-VIII,3
P-121

Adopted December 1982 – Revised May 2006

.1 The provisions of this policy shall take effect January 1, 1983, in compliance with Article VII, Section 3(c) and 3(d) of the Association's Bylaws as enacted at the 1982 Annual Conference.

.2 The "Special Building Fund" as in existence December 31, 1982, shall be re-designated and henceforth reflected in all Association documents, accounting records, and fiscal ledgers as "Special Restricted Fund."

.3 Expenditures from the Special Restricted Fund must have prior approval of the Board of Directors.

1007 LEGAL ASSISTANCE FUND

Adopted April 1989 – Revised August 2023

.1 **Purpose:** As authorized by action of delegates to the 1988 Annual Conference, the Association hereby establishes a procedure whereby financial assistance will be provided to a CSEA member alleged to have committed a criminal act while operating within the normal course and scope of duties as an employee within a bargaining unit represented by CSEA.

.2 **Limitations for Use of Legal Assistance Fund:**

.01 Consideration for financial assistance from the Legal Assistance Fund shall be restricted to actions or conduct which may involve alleged criminal charges (which for purposes of this policy are generally defined as charges which could result in misdemeanor or felony violations and traffic violations which would result in the loss of the member's right to operate a school vehicle) or civil suit by an employer alleging threats of violence and seeking to bar the employee from coming to work, provided such actions or conduct occurred in the course and scope of the member's employment as an employee, and providing the member initially pleads "not guilty" to the charge, or if charges are not yet filed, the member denies having committed a criminal act or threatened violence, and the allegations against the member requesting assistance do not include an Association officer or chapter executive board having alleged that the requester engaged in criminal conduct (or threatened violence) against another CSEA member.

.02 The maximum amount of financial assistance to be provided for legal services shall be limited to the actual cost of the attorney's initial consultation or services arising out of or related to the initial consultation, or $2,500.00 per member per incident, whichever is the lesser amount.

The maximum amount of assistance for pre-charge legal services shall be $1,000 or the actual cost of the attorney's initial consultation or services arising out of such consultation, whichever is less.

.03 Applicants for assistance must have been CSEA members in good standing at the time the alleged incidence occurred.

.3 **Budget Allocation for Legal Assistance Fund:** The Board of Directors shall annually determine an amount to be set aside for the purpose of funding disbursements authorized pursuant to this Policy. The amount set aside shall be at the discretion of the Board as it shall determine to be fiscally prudent, considering the total financial needs of the Association, but shall not exceed $50,000.00 in any budget year, unless the Board allocates additional sums at a duly convened meeting upon proper notice.

.4 **Administration of Legal Assistance Fund:**

.01 Whenever a CSEA representative is advised or notified that a CSEA member is alleged to have committed a criminal act during the course and scope of duties, the CSEA representative shall contact the CSEA member immediately and advise the member to call the Legal Department Referral Service number at CSEA Headquarters for determination of eligibility for assistance and referral to a criminal attorney in the area where the conduct is alleged to have occurred.

.02 The Legal Referral Attorney, upon validating the claim based on the criteria set forth in .2.01 and .2.03 above, shall make arrangements for the CSEA member to be represented by an attorney of their choice or by an attorney in proximity to their residence and/or place of employment.

.03 The Legal Referral Attorney shall be responsible for advising the member and the attorney of the financial assistance available, including the monetary restrictions.

.04 All financial representations shall be confirmed in writing, with the member and the attorney each being provided with a copy of the confirmation letter.

.05 If, during the initial consultation between the attorney and the CSEA member, it is anticipated that a further course of action will be required for matters relating to the initial consultation, the CSEA Legal Department will confirm the arrangement and advise the member and the attorney that the maximum financial assistance available for the member is $2,500.00 (or $1,000 for pre-charge assistance). In no event shall CSEA be responsible for any legal services provided to a member by the attorney pursuant to the Legal Defense Fund in excess of the sum of $2,500.00 (or $1,000 for pre-charge assistance).

.06 The CSEA Legal Department Referral Unit shall be responsible for validating the claim, advising the member and the attorney of the financial arrangements, confirming the financial arrangements, initiating payment to the attorney through the CSEA Accounting Department.

.07 All billing statements furnished by the criminal attorney shall be in writing and shall be approved for payment by the Legal Department Referral Unit prior to presenting the statement to the CSEA Accounting Department.

1010 DOROTHY BJORK ASSISTANCE FUND

Revised August 2023

The Fund is dedicated to former Association President and life member, Dorothy Bjork, who was responsible for establishing Have a Heart Month in February back in the mid-1980's, recognizing the need to support our members and staff who have suffered financial setbacks beyond their control, and the need for the union to provide support to the extent possible to demonstrate our concern for their well-being.

.1 **Funding**

.01 The Dorothy Bjork Assistance Fund has been established to receive and disburse funds for emergency and humanitarian assistance and is a separate tax-exempt 501(c)(3) entity called the CSEA Assistance Fund. The tasks of the Assistance Fund Committee set forth in this Policy shall be handled by the Board of Directors of this new entity (CSEA Assistance Fund Board). The CSEA board and staff shall assist this entity in maintaining 501(c)(3) status so that donations to the Fund will be tax-deductible for those donors who itemize their deductions.

.02 The Board of Directors shall determine a maximum amount each fiscal year to be approved and disbursed from the General Fund budget to the Dorothy Bjork Assistance Fund. This shall be supplemented by voluntary contributions as listed in .03 below. If additional funds are needed, the Dorothy Bjork Assistance Fund Committee shall submit a board item to the CSEA Board of Directors at a monthly board meeting for approval of payment.

.03 **Contributions**

(a) The month of February of each year shall be declared "Have a Heart Month" for the purpose of encouraging chapter, member and staff donations to the Dorothy Bjork Assistance Fund.

Donations may be any or a combination of the following: (1) contributions from the chapter treasury upon approval of the chapter membership; (2) fundraising events; (3) donations from individual CSEA members and staff.

(b) Contributions may be solicited at the Annual Conference in such manner as may be approved by the Association President.

(c) In addition, when an emergency has been declared requiring expenditures from the Dorothy Bjork Assistance Fund, an emergency bulletin may be sent soliciting additional contributions to supplement the existing fund account and/or to replenish monies dispensed for the emergency, at the discretion of the Dorothy Bjork Assistance Fund Committee.

(d) All contributions made by chapter shall be payable to Dorothy Bjork Assistance Fund and shall be forwarded to the Executive Director and/or his designee, 2045 Lundy Avenue, San Jose, CA 95131.

(e) The Executive Director or designee shall cause all contributions to be properly recorded as to the contributor and amount, and shall acknowledge receipt.

(f) Disbursements from the Dorothy Bjork Assistance Fund account shall be restricted to approved claims.

(g) A report as to the status of the Dorothy Bjork Assistance Fund shall be submitted to the Board of Directors on a regular basis.

.2 Each year in September the CSEA Association President shall recommend to the CSEA Board of Directors members to serve on the Dorothy Bjork Assistance Fund Committee. The CSEA Board of Directors shall then appoint members to the Dorothy Bjork Assistance Fund Committee. Vacancies occurring prior to September shall be filled by the same appointment process. The Dorothy Bjork Assistance Fund Committee shall serve as the CSEA Assistance Fund Board and shall elect its officers each year. The Executive Director or designee shall serve as staff coordinator to the committee.

.3 **Humanitarian Assistance Program**

.01 **Purpose.** The Humanitarian Assistance Program may be used to provide financial assistance for eligible members and staff who have a financial crisis beyond their control.

.02 **Eligibility**

(a) Humanitarian assistance shall be restricted to CSEA members in good standing and any CSEA staff in a paid status.

Exception: In the event of the sudden, untimely death of a CSEA member in good standing, the surviving family shall be eligible to apply for assistance for the purpose of burial costs or other final disposition. Preference shall be granted to families without life insurance or other financial resources or CSEA Member Benefits programs available to them.

(b) The financial crisis has to be beyond the control of the applicant. Lack of summer employment does not constitute eligibility for assistance. Problems that arise because of a lapse of personal responsibility do not qualify for assistance.

(c) The applicant must not have previously received a grant under the Humanitarian Assistance Program and assistance shall be limited to one grant per applicant.

.03 **Application and Administration**

(a) Humanitarian assistance requests shall be submitted to the Executive Director or designee within thirty (30) days of the financial crisis. Documentation corroborating the financial crisis must accompany each written request, such as a death certificate or a landlord's rent notice.

(b) The Executive Director or designee shall examine each written request and interview by telephone or in person the eligible applicant(s). The Executive Director or designee shall report to the Dorothy Bjork Assistance Fund Committee regarding each request. The Dorothy Bjork Assistance Fund Committee shall determine eligibility based on the applicant's specific need as stated in the request and the availability of funds. However, in no event shall any assistance grant exceed $500.

(c) Members shall not receive direct cash payments. Funds shall be made payable to the appropriate vendor, such as a utility company, landlord, mortgage lender.

.4 **Emergency Assistance Program**

.01 **Purpose.** The Emergency Assistance Program may be used to assist eligible members and staff whose primary place of residence is uninhabitable or who must be evacuated in accordance with an official order as a result of a catastrophic event whether or not a disaster is declared and, to assist eligible organizations that are providing aid in areas that have been declared federal disaster areas as a result of a catastrophic event (e.g., fire, earthquake, or flood.)

.02 **Eligibility**

(a) **Individuals:** Emergency assistance shall be restricted to CSEA members in good standing and any CSEA staff in a paid status*:*

(1) Whose primary residence is deemed uninhabitable and partially or temporarily condemned by an official agency, or

(2) Who is ordered to evacuate a residence and suffers out of pocket expenses as a result of the evacuation.

(b) **Organizations:** The Assistance Fund Committee shall determine the organization (e.g., charities approved as non-profit by the Internal Revenue Service, union disaster funds) eligible for emergency assistance.

.03 **Application and Administration**

(a) Emergency assistance requests shall be submitted to the Dorothy Bjork Assistance Fund Committee within ninety (90) days of the catastrophic event.

In lieu of an official application form from the affected eligible person, emergency assistance may be requested via telephone or other communication to the Field Office or Association Headquarters as appropriate either from the affected eligible person, or from the Chapter President, Regional Representative, or staff person on behalf of the eligible person.

In lieu of an official request from the eligible organization(s), the Dorothy Bjork Assistance Fund Committee may consider a request from the CSEA Board of Directors.

(b) **Individuals:** The Executive Director or designee shall examine each request and interview by telephone or in person the eligible person. The Executive Director or designee shall report to the Dorothy Bjork Assistance Fund Committee regarding each request. The Dorothy Bjork Assistance Fund Committee shall determine eligibility based on the applicant's specific need as stated in the request and the availability of funds. However, in no event shall any assistance grant exceed $1,000.

Organizations: The Dorothy Bjork Assistance Fund Committee shall solicit input from the CSEA Board of Directors on the organization(s) to receive assistance and the donation to each organization. The Committee's determination shall be based on the scope of the declared disaster, the specific needs of the residents of the disaster area, and the availability of funds. However, in no event shall any eligible organization receive more than $5,000 for a disaster.

1012 APPOINTMENT TO JOINTLY MANAGED TRUSTS

Revised – August 2023

.1 **Purpose.** The purpose this policy is to develop a process for the selection of the Association's representatives on Jointly Managed Trusts, in accordance with CSEA Minimum Standards.

.2 **Duties and Responsibilities**

.01 Attend and participate in trust meetings and trainings.

.02 Prepare for each meeting by reading agendas, minutes and other resource material.

.03 Make every effort to ensure that relevant information and data regarding the trust fund is disseminated to applicable bargaining units.

.04 Make every effort to ensure that the CSEA Minimum Standards for the Jointly Managed Trust Funds are implemented.

.05 Act as a fiduciary:

Perform duties as delineated in the trust documents and bylaws.

(b) Be aware of laws governing conduct of trustees-fiduciary responsibilities.

(c) Ensure that the trust purchases a fiduciary liability policy.

(d) Trustees should purchase waiver-of-recourse provision, either as part of the policy or as a rider. This expense shall be reimbursed by CSEA.

.3 **Criteria**

.01 The Association President and the Executive Director shall give due consideration to needed technical expertise and other special requirements, and make every effort to appoint trustees who are clearly experienced in health and welfare benefits and demonstrates an understanding and support for the trust fund concept.

.02 Member trustees shall be current participants in the medical plan of the applicable trust (not applicable to trustees appointed prior to January 2004).

.03 A member trustee must be able to receive release time.

.4 **Appointment of Trustees**

.01 **Appointment of Member Trustees**

Member trustees and trustee alternates shall be appointed by, and serve at the pleasure of, the Association President. Appointments shall be made from among "Active" or "Active Retired" members in good standing, and shall automatically be forfeited upon loss of said status.

The Association President may solicit information from any or all of the following sources to facilitate selection:

- CSEA leadership
- CSEA chapters in the applicable trust
- Field Directors
- Other CSEA management or staff with expertise in Jointly Managed Trusts.

The final decision, however, shall rest with the Association President.

.02 **Appointment of Staff Trustees**

Staff trustee positions shall be appointed by the Executive Director.

.5 **Reasons for Trustee Removal**

.01 Member trustees may be removed at the Association President's discretion.

.02 Staff trustees shall be subject to removal at the Executive Director's discretion.

.6 **Vacancies.** If any member trustee is unable to complete the term, the Association President shall appoint a replacement. If any staff trustee is unable to complete the term, the Executive Director shall appoint a replacement.