

CONSTITUTION FOR AFSCME LOCAL 2620

ARTICLE I

NAME

The name of this organization shall be AFSCME Local 2620 of the American Federation of State, County and Municipal Employees (AFSCME), a member of the American Federation of Labor – Congress of Industrial Organizations (AFL-CIO).

ARTICLE II

AFFILIATIONS

Local 2620 shall be affiliated with the American Federation of State, County and Municipal Employees, AFL-CIO; California Public Employees Council 57; the California Labor Federation, AFL-CIO; and other appropriate central bodies of the AFL-CIO.

ARTICLE III

OBJECTIVES

The objectives of Local 2620 are:

1. To unite health and social service professionals in California state services into a single cohesive labor union for the purpose of collective effort and to improve the conditions of the workers with respect to wages, hours, professional status, work conditions, and other conditions of employment.
2. To foster cooperation and exchange of information between the Local and all organized groups representing people with disabilities in order to promote and facilitate the delivery of quality services.
3. To promote the welfare of the membership and to provide a voice in the determination of the terms and conditions of employment. We are committed to the process of collective bargaining as the most desirable, democratic and effective method to achieve this. Both as union members and as citizens, we shall also employ available legislative, social and political action.

4. To disseminate information among the workers regarding economic, social, political and other matters affecting their lives and welfare.
5. To do those things which may be necessary or proper to secure our rights and an environment which enhances the workers' ability to provide the best possible services to their clients.
6. To foster cooperation among affiliates of AFSCME and the AFL-CIO.
7. To cooperate with other labor organizations in particular and with other segments of our society in general towards the end that the material riches of American society be more justly distributed and that the moral promise of American life be realized.
8. To work with our brothers and sisters, both here and in other lands, towards the improvement of the conditions of life and work in all countries; towards the diminution of international tensions and a reduction in the use of armed force to resolve disputes; and towards a genuine interrelatedness of all humanity and the realization of each person's full potential.

ARTICLE IV

MEMBERSHIP RIGHTS AND PRIVILEGES

Section 1. All health and social services professional employees of the State of California, excluding supervisors who supervise employees in the unit, as well as other management and confidential employees who are exempt from collective bargaining are eligible for membership in the Local Union subject to the requirements of the International Union Constitution.

Staff employees of the Local or other affiliated bodies may join the Union and pay monthly dues consistent with the minimum prevailing dues structure of the Local. No member whose eligibility for membership is based upon employment in a position for which another organization is the exclusive representative with regard to wages, hours or other terms and conditions of employment shall be eligible to seek or hold office at any level of the Union.

Section 2. Members shall suffer no impairment of freedom of speech concerning the operations of this Union. Active discussion of Union affairs shall be encouraged and protected.

Section 3. Members shall have the right to full participation, through discussion and vote, in the decision-making processes of the Union, and to pertinent information needed for the exercise of this right. All members shall have an equal right to vote and each vote cast will be of equal weight.

Section 4. Members shall be entitled to a full reporting of any and all actions taken by the Officers or any committees that are formed by the Union Executive Board or the membership, including but not limited to the disclosure of information which prompted a particular action. Such accounting shall include but not be limited to monthly financial statements by the appropriate fiscal Officer and annual audits by Officers elected for the purpose pursuant to Article VI, Section 5.

Section 5. Any member of Local 2620 may request the main office (holding the membership records of the Local) provide the ability to communicate to Union members or the entire bargaining unit for the purposes consistent with Article III of the Local's Constitution or for Local elections in accordance with the International Union's Elections Code Section 1C. This method shall be by mailings to work sites and/or to the individual's last known address. The requesting member shall pay the expense of this communication in full.

Section 6. Members shall have an equal right to run for and hold office, subject only to constitutionally specified qualifications, uniformly applied.

Section 7. Members shall have the right to fair and democratic elections. This includes 30 days notice of nominations and elections, equal opportunity for competing candidates, and proper election procedures which shall be constitutionally specified.

ARTICLE V

OFFICERS

Section 1. Executive Officers shall consist of a President, a Vice-President (Northern), a Vice-President (Southern), a Secretary and a Treasurer. The Northern and Southern Vice-Presidents shall alternate as the performing Executive Vice-President, with the Northern Vice-President performing as the Executive Vice-President for the two-year term beginning in 2003.

Section 2. Executive Officers shall be elected for a two (2) year term beginning in 2001. This shall be done by mail ballot to all members of the Local. This term shall end with the installation of the incoming Officers.

Section 3. The Executive Officers shall be installed in office immediately upon acceptance of the Election Committee's general report at a joint Executive Committee meeting that shall be held in October of each election year. Any new Executive Officer shall be installed immediately following the report of the Election Committee at the next Executive Committee or Executive Board meeting.

Section 4. There shall be elected three (3) members who shall serve as Trustees. The Trustees shall be elected to two (2) year terms beginning in the year 2001, except for the year 2002 when a Trustee shall be elected for a one-year term.

Section 5. For the purposes of this Constitution, all elected representatives designated as “northern” shall have a work address which is north of an east-west line drawn across California which intersects the cities of Owenyo and Avila Beach, and the “southern” representative shall have a work address south of this line.

ARTICLE VI

DUTIES OF THE OFFICERS

Section 1. The President shall preside at all meetings of the membership and of the Executive Board. S/he shall appoint all standing and special committees of the Local, subject to the approval of the Executive Board, with the exception of Occupational Committees. S/he shall report periodically to the membership regarding the progress and standing of the Local and regarding his/her official acts.

Section 2. The Vice-Presidents shall assist the President in the work of his/her office and communicate regularly with the President. In the absence of the President or in his/her inability to serve, the Vice-President shall preside at all meetings and perform all duties otherwise performed by the President.

Section 3. The Secretary shall keep a record of the proceedings of all Executive Board meetings. S/he shall carry on the official correspondence of the Local, except as the Executive Board may direct otherwise. S/he shall perform such other duties as the Executive Board may require.

Section 4. The Treasurer shall receive and receipt for all monies of the Local Union. S/he shall deposit all monies received in the name of the Local in a bank or banks approved by the Executive Board. S/he shall prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the Local’s per capita tax each month and sent to the International Secretary-Treasurer. S/he shall keep an accurate record of receipts and disbursements and shall submit a monthly operating statement to the Executive Board and a monthly financial statement shall be distributed on a regular basis. S/he shall be responsible for transferring to his/her successor in office all financial records, retention of which is required by Article IX of the International Constitution. S/he shall act as custodian of all properties of the Local. S/he shall, at the expense of the Local and through the International Union, give a surety bond for an amount to be fixed by the Executive Board of the Local. S/he shall see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Constitution.

Section 5. The Trustees shall make or cause to be made at least annually an audit of the Local's finances and shall report the results to the membership.

Section 6. Duties of the Executive Officers of the Local are to carry out all the on-going business assigned to them by the Executive Board and shall act for the Board when it is not in session.

ARTICLE VII

THE EXECUTIVE BOARD

Section 1. Voting members of the Executive Board shall be: the Executive Officers as defined in Article V, Section 1; Standing Occupational Committee Chairpersons; Hospital Chief Stewards and Regional Chief Stewards. A Union member may only hold one of these positions. The Executive Board shall be elected for a two (2) year term by mail ballot to all members of the Local, beginning in the year 2001.

Section 2. The Executive Board shall be installed in office immediately following the report of the Election Committee at the November Board meeting and shall be the governing body of the Local. All matters affecting the policies, aims, and means of accomplishing the purposes of the Local not specifically provided for in the Constitution or by action of the membership at a regular or special meeting, shall be decided by the Executive Board. The Executive Board shall meet at the call of the President or a majority of the members of the Executive Board, and at least quarterly. A quorum for the Executive Board shall consist of not less than 50% of its members.

ARTICLE VIII

OCCUPATIONAL COMMITTEES

Section 1. An Occupational Committee shall function to develop, coordinate, articulate and implement the unique interests and activities common to work-related classifications. Membership on such committees shall be open to all members in good standing in each related work classification. The organizational structure and program of each Committee shall be determined by the Committee itself. Each committee shall submit a proposed budget to the Executive Board and shall operate within the fiscal constraints imposed by the approved budget. The Committees shall be encouraged to meet locally, regionally and statewide.

Section 2. New Occupational Committee(s) may be formed at the request of members in a given or related work classification(s). Such requests shall be submitted to the Executive Board for approval. In considering such requests, the Executive Board shall refer to the criteria stated in Section 1 of this Constitutional Amendment. The current Occupational Committees are Chaplains Occupational Committee, Licensing Program Analysts Occupational Committee, Pharmacists Occupational Committee, State Psychologists Occupational Committee, Rehabilitation Counselors Occupational Committee, Rehabilitation Therapists Occupational Committee and Social Workers Occupational Committee.

Section 3. Each Occupational Committee shall have a Chairperson who will represent the Committee as a voting member of the Executive Board. The Chairperson shall be elected by all Union members in the work-related classification(s) defined as the constituency of each Occupational Committee.

Section 4. Nothing in this article shall be construed as limiting the Executive Board's authority to establish interim committees or caucuses to deal with occupational needs.

ARTICLE IX

HOSPITAL CHIEF STEWARDS

Section 1. Each State Hospital, Developmental Center, and the Vacaville Area Facilities shall be entitled to elect a Chief Steward as a voting member of the Executive Board. This representative shall be elected pursuant to Article XI. The State Hospital, Developmental Center and the Vacaville Area Facilities Chief Steward shall act as organizer, communicator and representative for all members s/he represents.

ARTICLE X

REGIONAL CHIEF STEWARDS

Section 1. Chief Steward regions in existence are:

REGION I: Redwood Empire (Crescent City to Rohnert Park);

REGION II: Shasta (Oregon border to Chico);

REGION III: Sacramento/Stockton;

REGION IV: Vacaville Area Facilities;

REGION V: Bay Area (Vallejo to the Monterey Peninsula);

REGION VI: Central Valley (Merced to Tehachapi);

REGION VII: Central Coast (Paso Robles to Thousand Oaks);

REGION VIII: Los Angeles County;

REGION IX: Orange/Inland;

REGION X: San Diego County.

Section 2. The Regional Chief Steward shall be elected by all members in good standing whose work site is located within the defined region. Members represented by a state Hospital Chief Steward, Developmental Center Chief Steward or the Vacaville area Chief Steward per Article IX are not eligible to run or vote for this office. These elections shall be held pursuant to Article XI. The Regional Chief Steward shall be a voting member of the Executive Board and shall act as organizer, communicator and representative for those in his/her region. S/he will act as liaison for Local work site Stewards within the region.

Section 3. The Executive Board with a two-third affirmative vote may add additional Regional Chief Steward Board seats based on constituency needs and other administrative, operational or servicing considerations.

ARTICLE XI

NOMINATION AND ELECTION OF OFFICERS AND EXECUTIVE BOARD MEMBERS

Section 1. An Election Committee shall be appointed by the President and ratified by the Executive Board. The Election Committee, upon completion of their task, shall report election results to the membership.

Section 2. Not less than fifteen (15) days prior to the holding of nominations for Local Union office, notice of the nominations and elections shall be mailed to each member at the member's last known address.

Section 3. To be eligible for the office of President, Vice-Presidents, Treasurer or Secretary, a member must be in good standing for six (6) months immediately preceding the election. In the event that the Local's membership increases by fifty percent (50%) or more prior to an election, the six (6) month requirement shall stand suspended for that election.

Section 4. Nominations for all Officers and Executive Board members shall be opened in August of the election year, due and proper notice having been given to all members. Election of Officers shall be in September (Phase 1); election of Executive Board members shall be in October (Phase 2).

Section 5. Phase 1 and 2 elections shall be conducted by mail ballot mailed to each member at the member's last known address. For site-specific elections, balloting shall be held as determined by the Election Committee, either on site or by mail.

Section 6. Those elected shall be installed in office immediately upon the Local Union's acceptance of the Election Committee's general report on the election, per the AFSCME International Constitution, Appendix D, Section 2, Subsection J.

Section 7. Vacancies in the offices of the Vice-President, Secretary or Treasurer shall be filled for the remainder of the unexpired term by a vote of the Executive Board. In the event the office of the President falls vacant, the Vice-President performing as the Executive Vice-President shall become President for the remainder of the unexpired term.

Section 8. In the event of a vacancy in one of the Chief Steward Executive Board seats, the vacancy shall be filled for the remainder of the unexpired term by election of the membership of the Occupational Committee, hospital, or region in which the vacancy occurs.

Section 9. Vacancies in the office of Trustee shall be filled for the remainder of the term by a special election pursuant to Article XI, Sections 1 and 2 (membership).

Section 10. All matters concerning nominations and elections shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Constitution.

ARTICLE XII

MEETINGS

Section 1. The Executive Board shall convene a statewide Convention or general membership meeting no less than bi-annually. A quorum shall consist of ten percent (10%) of the membership per the most recently approved membership report.

Resolutions proposed at the general membership meeting or Convention shall be submitted in writing, at least 20 days in advance, to the Resolution Committee for review, after which they will submit a “pass” or “no pass” recommendation. No resolution may be introduced thereafter unless consent is given by a majority vote of the meeting or Convention.

Section 2. Special meetings of the membership shall be called at the petition of one-quarter (1/4) of all members or the majority of the Executive Board. A quorum shall consist of ten percent (10%) of the membership, per the most recently approved membership report.

Section 3. Each member of Local 2620 shall be entitled to written notification of each meeting of the general membership. Each such notice shall contain an agenda. Such notification shall be mailed at least thirty (30) days prior to the meeting.

Section 4. Meetings of the Executive Board shall be held at least bi-monthly, alternating in the north or south at a time and place designated by the President, or a majority of the members of the Board, pursuant to all other Sections of this Constitution.

Section 5. Meetings of the Executive Officers may be called by the President or by any three (3) Executive Officers. Three (3) Executive Officers shall constitute a quorum to conduct business at such meeting.

Section 6. Meetings shall be run under the auspices of Robert's Rules of Order, Revised, except as otherwise provided in this Constitution, and with the availability of a skilled sign language interpreter, if indicated.

Section 7. All meetings shall be conducted in a facility that is architecturally barrier-free.

Section 8. Customarily, the Executive Board meetings shall be held alternately in the North and South.

Section 9. Executive Board meetings and meetings of the Executive Officers shall be open to all members. It shall be the Local's practice to announce or give notice prior to such meetings. The minutes of these meetings shall be available upon request.

ARTICLE XIII

DUTIES AND FINANCE

Section 1. Application for membership shall be made available on a standard application form for membership in Local 2620. The form shall contain an authorization for payroll dues deduction, but not to preclude individual payment of dues, and no person may be admitted to membership unless s/he has returned the application forms or reasonable facsimile thereof, signed and dated, to the Treasurer. There shall be a place on such application to indicate the designated address.

Section 2. Membership dues shall be payable monthly in advance to the Local Treasurer and in any event shall be paid not later than the fifteenth day of the month in which they become due. Any member who fails to pay dues by the fifteenth day of the month in which they become due shall be considered delinquent and upon failure to pay dues for two successive months shall stand suspended. Any person who is paying his/her dues through a system of regular payroll deduction shall, for so long as s/he continues to pay through such deduction method, be considered in good standing. A member suspended under this Section may be reinstated to membership in the Local upon payment of all arrearages.

Section 3. The monthly membership dues of Local 2620 shall be .008 of each member's base gross salary. The Executive Board shall review the dues structure yearly, and change in the dues structure shall be voted on by the general membership as an amendment to the Constitution. Automatic dues increases, mandated by the International Constitution are not subject to this provision.

Section 4. Membership dues, and any other receipts which shall accrue to Local 2620, shall be placed in the Local treasury, which shall be kept in a bank approved by the Executive Board in which the Federal Deposit Insurance Corporation insures deposits.

Section 5. The per capita taxes of each Local 2620 member to each affiliate shall be paid promptly from the Local's treasury.

Section 6. The Executive Board shall authorize disbursements other than regular and routine disbursements, in advance. When the Executive Board is not in session, a majority of the Executive Officers may authorize disbursements, to be reviewed by the Executive Board at its next regularly scheduled meeting.

Section 7. The Treasurer shall provide a full statement of receipts, disbursements, assets, liabilities, and net worth at each meeting of the Executive Board.

Section 8. All disbursements, however, small, shall be paid by check, signed by any two of the following four Executive Officers: the President, the Executive Vice-President, the Treasurer, and/or the Secretary.

ARTICLE XIV

COLLECTIVE BARGAINING

Section 1. The Negotiating Team shall be composed of the Local's President and Vice-Presidents, and one representative from each Occupational Committee (chosen by the Committee). Designated alternates may be chosen by the same process and at the same time as the Negotiating Team. Other representatives, who are members of the Union, may be selected by the Executive Board and/or the Negotiating Team, as needed, to insure participation by each job classification or grouping uniquely affected by the contract negotiating process. Other consultants may be International, Council, or Local staff, selected by the Executive Board and/or the Negotiating Team, as needed, to offer special technical expertise/support. The purpose of the Negotiating Team is to develop a negotiating strategy, to carry on negotiations, and to report regularly the progress of negotiations to the Executive Board and the general membership. When a tentative agreement is reached, it shall be submitted to the Executive Board.

Section 2. The Executive Board shall expeditiously submit the tentative agreement to the general membership for ratification with a recommendation "to accept", "to reject", or "no comment". Ratification shall be by secret ballot, mailed to all members at their last known address. They may be returned by mail or submitted at a work site ballot box designated by the Executive Board. A majority vote of those voting is needed to ratify the proposed contract.

Section 3. A strike sanction requires a two-thirds (2/3) majority affirmative Executive Board vote. A three-quarters (3/4) majority affirmative vote of the general membership voting (by ballot procedure outlined in Article XIV, Section 2) is needed to give strike sanction to the Executive Board. The Executive Board shall review the strike sanction ballot results and shall, only with a three-quarters (3/4) majority affirmative vote, be authorized to begin a strike action.

Section 4. Job actions require a two-thirds (2/3) majority affirmative Executive Board vote.

ARTICLE XV

AUTHORITY

Section 1. Local 2620 shall be governed under provisions of the following documents. Any provision of any document which conflicts with a provision of a higher document shall be null and void.

1. AFSCME Constitution.
2. Local 2620 Constitution.

Section 2. All sovereign powers of Local 2620 shall be vested in regular and special meetings of the general membership. The Executive Board shall be the governing body of the Local except when meetings of the general membership are in session. The Executive Officers shall be the governing body of the Local except when meetings of the general membership or Executive Board are in session.

Section 3. Except to the extent specified in this Constitution, no Officer of the Local shall have the power to act as agent for or otherwise bind the Local Union in any way whatever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise act for the Local except to the extent specifically authorized by the President of the Local Union or by the Executive Board of the Local Union.

Section 4. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with the Constitution and special rules of the Local or of the American Federation of State, County and Municipal Employees.

Section 5. All judicial procedures shall be conducted in accordance with Article X of the International Constitution.

Section 6. All members of this Local shall receive a copy of this Constitution governing the Local and of any amendments which may be adopted at any later time.

ARTICLE XVI

AMENDMENTS

Section 1. This Constitution may be amended, revised or otherwise changed by a vote of a majority of the members voting on such proposed change. Such amendment, revision or change shall take effect only upon written approval of the International President.

Section 2. The Executive Board, by a majority vote, shall submit a proposed amendment to the membership. A proposed amendment to this Constitution may be made at a statewide Convention or a general membership meeting, a regular or special meeting of the Local or distributed by mail. An Executive Board recommendation shall accompany each proposed amendment.

A written copy of the proposed amendments and a mail ballot shall be sent to every member at their last known address. Amendments may be voted on at a statewide Convention or general membership meeting provided that a written copy of the proposed amendments be sent to the members no less than 30 days prior to the meeting.

ARTICLE XVII

DELEGATE ELECTIONS

Council or International Convention delegates shall be elected in a manner prescribed for the election of Local Officers pursuant to the International Constitution, Appendix D, Section 3. The President shall serve as a delegate to the Council and International Convention.

APPROVED BY:

GERALD W. McENTEE
International President

DATE: 7/16/04