

OREGON SCHOOL EMPLOYEES ASSOCIATION
Ashland Chapter #42

Constitution

ARTICLE I
NAME

This chapter of the Oregon School Employees Association, AFT Local 6732, shall be known as Ashland Chapter #42.

ARTICLE II
PURPOSE

The purpose of this chapter shall be to represent all employees in the classified bargaining unit on all matters relating to employee-employer relations, to promote the economic and social welfare of bargaining unit employees, to voluntarily assist the Oregon School Employees Association in its legislative efforts, to further the aims and purposes of all bargaining unit employees, and to promote an understanding and cooperative relationship with the administration of the Ashland School District.

ARTICLE III
MEMBERSHIP

All classified bargaining unit employees in the Ashland School District shall be eligible for active membership in the Association. There shall be no discrimination against any member or applicant for membership by reason of race, color, creed, religion, sex, national origin, political affiliation, age, marital status, disability, and sexual or affectional preference.

Section 1. Membership

- a) Active membership shall be effective upon the completion, dating, and signing of an official OSEA application form and the execution of a payroll deduction form, or cash payment of one month's Association and chapter dues. Upon meeting these requirements, a member shall be deemed "in good standing."
- b) Active members of this chapter must also be active members of the Association, as defined in the OSEA Constitution, Article III, Section 2.
- c) Every member in good standing shall have the right to vote and hold elected or appointed office, including committees and Conference delegate positions, to meet and assemble freely with other members, and to express any views or opinions on issues before the chapter or upon candidates in elections.

Section 2. Fair Share Fee Payers

- a) Employees who choose not to be active members of this chapter or the Association shall pay a "fair share" service fee in an amount equal to the dues required of active members.
- b) Fair share fee payers shall be entitled to full rights of representation in all matters related to the collective bargaining agreement between this chapter and the Ashland School District. They shall not have the right to vote or to participate in the affairs of this chapter or the Association unless otherwise provided herein or allowed by law.

ARTICLE IV DUES AND ASSESSMENTS

Section 1. Dues

- a) In addition to the per capita dues of the Association, the dues of this chapter shall be \$1.50 per month, payable by payroll deduction for each month in paid status.
- b) The chapter dues rate shall only be amended by a secret ballot two-thirds vote of the membership present and voting at a regular or special chapter meeting in accordance with Article XVI herein.
- c) Association per capita dues shall be determined by the elected delegates at the OSEA Annual Conference.

Section 2. Assessments

- a) No assessments shall be levied in this chapter other than those approved by three-fourths (3/4) of the chapter members in good standing present and voting at a regular or special chapter meeting by secret ballot, provided each member of this chapter has been notified in writing at least fifteen (15) days in advance of the nature of the proposal and the time, date, and location where the matter will be voted upon.
- b) Any assessment or obligation levied by the Association shall be added to the dues established herein, payable by payroll deduction, and shall be forwarded monthly to the Association.

Section 3. Fund Solicitation

No funds shall be solicited in the name of this chapter without authorization of the chapter Executive Board.

ARTICLE V OFFICERS

Section 1. Elected Officers

The elected officers of this chapter shall be President, Vice President, Secretary, Treasurer, and School Board Representative.

Section 2. Duties of Officers

- a) **The President shall:** Be the official spokesperson between the chapter and the employer; preside at all meetings of the chapter and Executive Board; fix the time, place, and date of meetings, except as otherwise provided herein or as directed by the membership; set the agenda for the chapter meetings; provide a notice to each member as to the time, date, and location of each chapter meeting, which shall include the agenda for such meeting; appoint all committees with the advice and consent of the Executive Board; serve on the Labor-Management Committee; serve as ex-officio member of all committees except the Elections Committee and Audit Committee; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of President.
- b) **The Vice President shall:** Perform all duties of the President in the event of the President's absence; may be required to serve on the Labor-Management Committee; perform all duties as assigned by the President or Executive Board; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of Vice President.
- c) **The Secretary shall:** Keep accurate records and minutes of all meetings of the chapter and Executive Board, including an accurate roll of members and officers in attendance; answer all correspondence of the chapter as directed; may be required to serve on the Labor-Management Committee; turn over all documents and records pertaining to the office to his/her successor; other such duties as pertain to the office of Secretary.
- d) **The Treasurer shall:** Keep all funds of the chapter and disperse same under the direction of the Executive Board and as required by the Constitution of this chapter and the Constitution and written policies of this Association; keep accurate records and render monthly financial reports to the membership and State Association; assist the Executive Board in the preparation of the chapter's annual budget; may be required to serve on the Labor-Management Committee; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of Treasurer.
- e) **The School Board Representative shall:** Attend the school board meetings each month; provide the Executive Board and chapter membership with a report of the school board meetings; may be required to serve on the Labor-Management Committee; assist the President when so required; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of School Board Representative.

ARTICLE VI EXECUTIVE BOARD

The elected officers, along with the Advisor if willing and able to serve, shall constitute the Executive Board of this chapter. The Executive Board shall have general supervision of the affairs of this chapter and shall transact the routine business as authorized and required herein. The Executive Board, however, shall not conduct any business that would require a vote of the membership.

The Advisor shall: Be a former officer of the chapter and an active member in good standing; be selected by the Executive Board as needed to serve on the Executive Board in an advisory capacity only without voting rights as a member of the board; and perform other duties as may be assigned by the President and/or the Executive Board.

ARTICLE VII TERM OF OFFICE AND ELECTION PROCEDURES

Section 1. Term of Office

- a) Term of office for President, Vice President, Secretary, and Treasurer shall be two (2) years or until their successors are elected. The President and Treasurer shall be elected in even-numbered years. The Vice President and Secretary shall be elected in odd-numbered years. The term of office for School Board Representative shall be one (1) year. Officers elected shall assume their duties May 1, regardless of the date of the installation ceremony.
- b) The Advisor shall serve until replaced by the Executive Board.
- c) The President, Vice President, Secretary, and Treasurer shall not serve in the same elected office for more than three (3) consecutive two-year terms. A person who has completed three (3) consecutive two-year terms shall not be permitted to again be a candidate for that office until two (2) years have passed since the completion of the last term.

Section 2. Eligibility to Hold Office

Officers shall be elected from among individuals who have been active members in good standing of this chapter for a minimum of six (6) months.

Section 3. Nomination to Office

- a) Only members in good standing may nominate candidates. Nominations to fill the officer positions shall be accepted from the floor at the March and April chapter meetings.
- b) Members in good standing may also submit a written nomination to the Elections Committee chairperson prior to the March and April chapter meetings. The Elections Committee chairperson will officially enter the names of the individuals into nomination at the March and April chapter meetings.

- c) Not less than fifteen (15) calendar days prior to the March chapter meeting, a notice of the pending nominations and election shall be sent to each member in good standing. The notice shall include the times, dates, and locations for nominations and balloting, and all other procedural instructions relating to the conduct of the nominations and election.

Section 4. Elections

- a) Nominations shall be closed at the April chapter meeting. In the event there is only one (1) nominee for an office, the nominee shall be declared elected and no balloting shall be required.
- b) When there is more than one (1) nominee for an office, balloting shall be conducted at the April chapter meeting. Election shall be by secret ballot vote. The Elections Committee shall have the responsibility for the conduct of the election. No nominated candidate shall be appointed to the Elections Committee by the Executive Board.
- c) The Elections Committee will validate and tabulate all ballots at the April chapter meeting. The chairperson of the Elections Committee will notify the membership of the results of the balloting at said meeting.
- d) It shall require a majority of votes cast for the office to be considered duly elected. Absentee and proxy votes shall not be allowed. In the event no candidate receives a majority of votes cast, a runoff election shall be conducted between the two (2) candidates receiving the most votes on the first ballot until one (1) candidate receives a majority.
- e) All ballots, tally sheets, notices, check-off lists, and other election materials shall be kept on file for at least one (1) year after the election.
- f) All officer election requirements and procedures shall be in accordance with OSEA Board Policy.

ARTICLE VIII FILLING OF VACANCIES AND REMOVAL FROM OFFICE

Section 1. Filling of Vacancies

- a) A vacancy in the office of President shall be filled by the Vice-President.
- b) For vacancies in the offices of Vice-President, Secretary, Treasurer, or School Board Representative, the Executive Board shall notify the membership in writing at least fifteen (15) days in advance of a designated chapter meeting of a special election to be held at said meeting. Such notice shall include the date, time, and location of the meeting.
- c) At the designated chapter meeting, nominations shall be accepted from the floor to fill the vacant office. If there is only one (1) nominee for the vacant office, such nominee shall be declared elected. If the office is contested, a secret ballot vote of members present shall be conducted. It shall require a majority vote to elect. In the event no candidate receives a majority of votes cast, a runoff election shall be conducted between

the two (2) candidates receiving the most votes on the first ballot until one (1) candidate receives a majority.

- d) If an officer vacancy occurs during the last six (6) months of a term, the Executive Board shall receive nominations and elect an active member in good standing to fill the vacancy for the remainder of the term. If an officer vacancy occurs during the last three (3) months of a term, the office may remain vacant for the remainder of the term.

Section 2. Recall or Removal from Office

- a) Any elected officer may be recalled from office upon two-thirds (2/3) secret ballot vote of the members in good standing present and voting at a meeting called for the purpose of a recall action.
- b) Recall may only be initiated by a signed petition of thirty percent (30%) of the members in good standing. The petition shall state the specific reasons for the proposed recall and shall be presented to the Executive Board and the officer subject to the recall action.
- c) Upon receipt of the petition, the Executive Board shall schedule a special meeting to be held not less than fifteen (15) days or more than thirty (30) days following its receipt, where the charged officer shall be afforded opportunity to rebut the charges and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members of the Executive Board, members in good standing of the chapter, representatives of the State Association, and such witnesses as may be pertinent to the action.
- d) A notice specifying the date, time, and location of the special meeting shall be issued to those eligible for attendance at least ten (10) days in advance of the meeting.
- e) If any chapter officer has been removed from office as a result of a recall action, s/he shall automatically forfeit the opportunity to serve in the position of Advisor.
- f) Elections to fill a vacancy as a result of a recall action shall be held in accordance with Section 1 above.

ARTICLE IX MEETINGS AND QUORUM

Section I. Regular Meetings

Quarterly meetings of the chapter shall be held during the months of August through June inclusive. The schedule of such meetings shall be established in June each year for the succeeding twelve (12) month period and such schedule shall be provided to the membership. Additional chapter meetings may be scheduled by the Executive Board.

Established meeting dates under this section may be changed by the Executive Board with not less than forty-eight (48) hours notice to the membership.

Section 2. Special Meetings

Special meetings of the chapter may be called by the Chapter President or Executive Board as deemed necessary, or shall be called upon petition to the Chapter President of twenty percent (20%) of the members in good standing.

Section 3. Meeting Notice

- a) Unless otherwise provided herein, notice of a regular or special meeting shall be provided to the membership at least five (5) days in advance of said meeting. The notice shall include the date, time, and location of the meeting, as well as the agenda or a summary of the business to be acted upon at the meeting.
- b) In an emergency situation, as determined by the Executive Board, notice of a special meeting may be provided to the membership less than five (5) days but not less than twenty-four (24) hours in advance.
- c) Issues brought forward not specified in a special meeting notice shall not be in order.

Section 4. Quorum

It shall require at least ten (10) members in good standing in attendance at any regular or special meeting for business to be acted upon.

Section 5. Executive Board Meetings

The Executive Board may conduct executive meetings on an as needed basis, however, it shall not take any action that would require a vote of the membership. Four (4) officers present at any Executive Board meeting shall constitute a quorum. In the event of a vacancy in the Executive Board, three (3) officers present shall constitute a quorum. The Chapter President must notify all Executive Board members at least forty-eight (48) hours prior to an Executive Board Meeting.

ARTICLE X COMMITTEES

Section 1. Standing Committees

The standing committees of this chapter shall be: Labor-Management, Elections, Scholarship, Auditing, and Negotiations. The duties of each standing committee are as follows:

- a) **The Labor-Management Committee shall:** Attempt to resolve matters concerning bargaining unit employee issues through problem-solving techniques. Handle all issues concerning bargaining unit members excluding individual disciplinary issues, active grievance actions, or issues subject to bargaining. The committee shall consist of the President and at least two (2) additional chapter officers as determined by the Executive Board, and the OSEA Field Representative. If a member of the committee has a conflict of interest on any issue being considered, that member will be excluded from

discussion/resolution on that issue. Members on the Labor-Management Committee shall only be eligible to serve during their term of office.

- b) **The Elections Committee shall:** Conduct, supervise and assist in the preparation, distribution, and counting of the ballots in all elections and contract ratifications, and certify the results to the Executive Board and the chapter membership. Ensure that all election procedures are conducted in accordance with the OSEA Constitution and Board Policy. No current chapter officer or candidate for office shall be appointed to the Elections Committee.
- c) **The Scholarship Committee shall:** Publicize the Chapter's scholarship program to the membership and seek applications each year for the Chapter scholarship(s). Applicants must be a graduating senior and the child/grandchild of a Chapter member in good standing to qualify. The committee will review all applications, verifying eligibility, and make final selection(s) of recipients, announcing said recipients at a Chapter meeting. Scholarship Committee members shall continue to serve until scholarships have been awarded/presented to the recipients.
- d) **The Auditing Committee shall:** Audit the books and records of the Treasurer 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.
- e) **The Negotiations Committee shall:** Consist of at least one (1) representative from each classification, whenever possible, the Executive Board, and the OSEA Field Representative, who shall be a non-voting member. Review the current contract with the membership and gather information from members to assist in the development of an initial proposal. Develop an initial bargaining proposal. Negotiate the contract and any modifications thereof, including re-openers and memorandums of understanding/agreement. Ensure any tentative agreements reached are voted upon by the membership.

Section 2. Special Committees

Special committees may be appointed as deemed necessary by the Executive Board or the membership to perform a specific task and shall be considered temporary in nature. The composition and duties of these committees shall be identified by the Executive Board at the time of appointment.

Section 3. Appointment

The President, with the advice and consent of the Executive Board, shall appoint and remove all standing and special committees, except as provided herein. Committee members shall serve at the pleasure of the Executive Board.

Section 4. Term

Unless otherwise provided herein, the term of service for all committees shall be from appointment through April 30.

Section 5. Quorum

A majority of committee members present at any committee meeting shall constitute a quorum. The committee chairperson must notify all committee members at least forty-eight (48) hours prior to a committee meeting.

ARTICLE XI WORKSITE ORGANIZERS JOB STEWARDS

Section 1. Worksite Organizers

- a) Each building or department shall have at least one (1) Worksite Organizer appointed by the President with the advice and consent of the Executive Board, given the employees at his/her worksite sustain the appointment. To be eligible for appointment, an OSEA member must successfully complete the Worksite Organizer Training conducted by OSEA within three (3) months of appointment.
- b) **The Worksite Organizer shall:** Welcome new employees; encourage new employees and non-members to become members; post and distribute information; provide union information to members; refer members to chapter and OSEA resources; help chart and update basic employee data annually and provide to chapter leadership and OSEA staff; regularly communicate with chapter leadership and OSEA staff about issues at the worksite; attend required trainings; is encouraged to attend chapter meetings.

Section 2. Job Stewards

- a) Chapter Job Stewards shall be appointed by the President with the advice and consent of the Executive Board. To be eligible for appointment, an OSEA member must successfully complete the Basic Steward Training conducted by OSEA.
- b) **The Job Steward shall:** Ensure employer compliance with the Collective Bargaining Agreement; investigate employee complaints and grievances; represent employees at investigatory meetings; represent employees at the informal and first formal stages of the grievance procedure, at a minimum; provide detailed reports to the Executive Board and Field Representative on their activities; work in conjunction with the President and Field Representative; attend job steward meetings; attend required training; attend chapter meetings as required.

ARTICLE XII ANNUAL CONFERENCE

Section 1. Eligibility

Conference delegates and alternates shall be elected from among the active members of this chapter who are in good standing. The Executive Board shall determine the actual number of delegate positions to be filled, not to exceed the maximum allowable under the OSEA Constitution, based on available funding and resources.

Section 2. Nominations

- a) Nominations to fill Conference delegate positions shall be accepted from the floor at the March and April chapter meetings. Only members in good standing may nominate candidates.
- b) Members in good standing may also submit a written nomination to the Elections Committee chairperson prior to the March and April chapter meetings. The Elections Committee chairperson will officially enter the names of the individuals into nomination at the March and April chapter meetings.
- c) Not less than fifteen (15) days prior to the March chapter meeting, a notice of the pending nominations and election shall be sent to each member in good standing. The notice shall include the times, dates, and locations for nominations and balloting, and all other procedural instructions relating to the conduct of the nominations and election.

Section 3. Elections

- a) Nominations shall be closed at the April chapter meeting. In the event the number of nominees equals, or is less than, the number of authorized Conference delegate positions, the nominees shall be declared elected and no balloting shall be required.
- b) When there are more nominees for Conference delegate than there are available positions, balloting shall be conducted at the April chapter meeting. Election shall be by secret ballot vote. The Elections Committee shall have the responsibility for the conduct of the election. No nominated candidate shall be appointed to the Elections Committee by the Executive Board.
- c) The Elections Committee will validate and tabulate all ballots at the April chapter meeting. The chairperson of the Elections Committee will notify the membership of the results of the balloting at said meeting.
- d) It shall require a plurality of votes cast for delegate positions to be considered duly elected. Absentee and proxy votes shall not be allowed. A plurality of votes is the number of votes cast for a candidate who receives more than any other but does not receive an absolute majority. In the event of a tie vote, election shall be determined by lot.
- e) Members not elected as delegates shall be designated as alternates and ranked in descending order based on the number of votes received. Alternates will be called upon to fill vacant delegate positions based on their ranking.
- f) All ballots, tally sheets, notices, check-off lists, and other election materials shall be kept on file for at least one (1) year after the election.
- g) All delegate election requirements and procedures shall be in accordance with OSEA Board Policy.

ARTICLE XIII CONTROL OF FUNDS

Section 1. Fiscal Year

The fiscal year of this Chapter shall be from July 1 through June 30.

Section 2. Receipt and Distribution of Funds

All funds received shall be deposited in the name of Ashland Chapter #42, OSEA, in such bank or other financial institution as approved by the Executive Board. No funds shall be dispersed without dual authorization of the President, Vice President, or Treasurer. In the event of a vacancy in the office of Treasurer, funds shall only be disbursed upon the signature of the President and Vice President.

Section 3. Annual Budget

The Executive Board shall prepare an annual budget for approval by the chapter membership prior to the end of each fiscal year, which shall include itemized estimated revenue and expenditures, and amounts to be set aside, when possible, as reserve funds.

Section 4. Annual Audit

The Executive Board shall have the chapter financial records audited each fiscal year by a special audit committee comprised of three (3) active members in good standing to help assure accountability to the membership in the handling of chapter funds. Such audit shall be made available to any chapter member and the OSEA State Association upon request. No member of the Executive Board shall serve on the Auditing Committee.

Section 5. Required Reports

The Executive Board shall ensure that any financial reports required by the OSEA State Association shall be completed and submitted in a timely manner.

ARTICLE XIV COLLECTIVE BARGAINING

Section 1. Initial Proposal

When bargaining a full contract or re-openers to an existing contract, the Negotiations Committee shall survey the membership for its recommendations in developing the initial proposal.

Section 2. Ratification of Full Contract or Re-openers

- a) When the Negotiations Team has reached a tentative agreement with the employer, copies of the agreement or a summary of the agreement shall be sent to each employee of the bargaining unit not less than five (5) working days prior to a meeting called for the purposes of explanation, answering of questions, and voting. The meeting notice shall specify the time, date, and place where the matter will be acted upon.

- b) The ratification meeting, as described above, shall be open to all employees in the bargaining unit. Non-members (fair share fee payers) shall have the right to participate in the discussion and debate but shall not have the right to make motions or vote. Copies of the tentative agreement shall be provided to all employees in attendance at the ratification meeting.
- c) The Elections Committee shall have the responsibility for the conduct of the ratification balloting. Voting shall be by secret ballot and only verified active members in good standing shall be allowed to vote. Absentee or proxy ballots shall not be allowed.
- d) The Elections Committee will validate and tabulate all ballots. It shall require a majority of OSEA members present and voting in the affirmative to ratify the agreement. The chairperson of the Negotiations Committee will notify the membership and the employer of the results of the balloting.

Section 3. Executed Agreement

Every contract, including re-openers and other modifications, shall be signed and dated by the appropriate representative(s) of this chapter and a staff representative of the Association. No contract, including re-openers and other modifications, shall be valid unless ratified by the membership in accordance with provisions set forth herein and OSEA Board Policy.

ARTICLE XV PARLIAMENTARY AUTHORITY

Except as provided by the Constitution of this chapter, *Robert's Rules of Order, Newly Revised* shall govern all proceedings of this chapter and committees.

ARTICLE XVI AMENDMENTS

Section 1. Motion to Amend – First Reading

A motion to amend the Constitution of this chapter may be made by any member in good standing at any regular or special meeting of the chapter, provided that the proposed amendment is submitted in writing. This submission shall constitute the first (1st) reading.

Section 2. Notice of Proposed Amendment and Action – Second Reading

- a) The Chapter President shall cause the proposed amendment to be placed on the agenda of the next regular chapter meeting, which shall be no less than twenty-one (21) days after the first reading, where the proposed amendment shall be read a second (2nd) time and acted upon.
- b) Written notification of the proposed amendment, including the date, time, and location of the meeting, as well as the complete text of the proposed changes, shall be provided to all members in good standing not less than fifteen (15) days prior to the meeting.

Section 3. Adoption

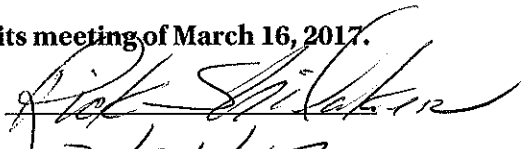
Two-thirds (2/3) of eligible members present and voting shall be required to adopt the proposed amendment. Any amendment or revision which includes any change in the chapter dues rate/structure or assessments shall require a secret ballot vote.

Section 4. State Association Review

All amendments and/or revisions to the Constitution shall be submitted to the OSEA Executive Director for review within ten (10) days following their adoption. Such amendments and/or revisions shall include the date of the revision/adoption. The Executive Director shall determine that the technical composition of the amendments and/or revisions is in compliance with the OSEA Constitution and/or Board Policy, and the law. The amendments and/or revisions shall not be in full force and effect until final approval of the State Association.

Adopted by vote of the Ashland Chapter 42 membership at its meeting of March 16, 2017.

Reviewed and approved by the OSEA Executive Director on


3/21/17

