

Constitution
of
Los Rios Classified Employees Association (as of 3-23-06)

Article I
Name

The name of this organization shall be Los Rios Classified Employees Association (LRCEA).

Article II
Objectives

The philosophy and purpose of the organization shall be as follows:

1. that community interest requires high standards of employee performance and the continual development and implementation of modern and progressive work practices to facilitate improved employee performance and efficiency.
2. that the well being of employees and efficient administration of the Los Rios Community College District are benefited by providing employees an opportunity to participate in the formulation and implementation of personnel policies and practices affecting the conditions of their employment.
3. that this participation of employees should be improved through the maintenance of constructive and cooperative relationships between employee organizations and management.
4. that one of the purposes of LRCEA is to represent members of the white collar bargaining unit of the Los Rios Community College District in their employer-employee relations.

Article III
Membership and Dues

Section 1. All classified employees of the Los Rios Community College District that are hired within classifications in the bargaining unit represented by LRCEA are eligible for membership in this Union.

Section 2. Application for membership shall be made on a standard application form. In addition, the application shall, be accompanied by a payroll deduction card for dues.

Section 3. The monthly membership dues of Los Rios Classified Employees Association (LRCEA) shall be \$156.00 per annum to be deducted in 12 payments (full-time) and 10 payments (part-time).

Section 4. The monthly membership dues shall be adjusted only by majority vote of the general membership present at a regular or special membership meeting.

Section 5. Membership dues shall be payable monthly in advance to LRCEA and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two consecutive months shall stand suspended and not participate in any benefit of membership. Provided, however, that any person who is paying dues through a system of regular payroll deduction shall, for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 6. A member suspended under the above section may be reinstated to membership in the Union on payment of all arrearages.

Article IV Meetings

Section 1. Regular meetings of the Los Rios Classified Employees Association (LRCEA) shall be held twice annually. There shall be no regular calendared summer General Membership meeting for the period July and August. A series of worksite meetings held with the general membership at each college campus and at the district office during a one-month period (30 consecutive days) may be, considered as a regular general membership meeting for all purposes associated with this Constitution. (amended 5-11-05)

Section 2. Special meetings may be called by the Union President, the Union Executive Board, or by petition filed with the President signed by 20% of the members of the Union. Worksite meetings may be scheduled by, the Union President or Executive Board at any time the college district is in regular session during the year. Regardless of any other provision of this Constitution, a series of worksite meetings held with the general membership at each college campus and at the district office during a one-month period (30 consecutive days) may be, considered as a special general membership meeting for all purposes associated with this Constitution. (amended 5-11-05)

Section 3. The quorum for general membership meetings of this Union shall be eighteen (18) members in good standing, and in the case of a series of worksite meetings held pursuant to Sections 1 and/or 2 immediately above the quorum shall be, 18 members in good standing on a cumulative basis attending the particular series of worksite meetings within the one-month period. (amended 5-11-05)

Section 4. The Executive Board, consisting of elected officers and representatives shall, meet once a month at a time and place to be fixed by them to conduct the business of the Union between membership meetings.

Section 5. For all purposes pertaining to this Constitution the term "college campus" means each college of the Los Rios Community College District, i.e., American River College, Cosumnes River College, Folsom Lake College, Sacramento City College, and includes all satellite work locations assigned to each such college; the term "district office" means the headquarters office of the Los Rios Community College District and includes all satellite work locations assigned to the district office, and if and when the Los Rios Community College District creates any new college campus this Constitution shall be automatically amended without any action required by the general membership, to include that new college campus and all satellite work locations assigned thereto. (amended 5-11-05)

Article V
Officers, Nominations, and Elections

Section 1. The Officers of this Union shall be a President, a Vice-President, a Secretary, a Treasurer. There shall be two (2) Representatives from each college campus and from the district office. These Officers and Representatives constitute the Union Executive Board. Officers and Representatives may be elected to consecutive terms.

The general membership shall elect a Vice President, a Treasurer, and one Representative at each college campus and at the district office in even-numbered years, and a President, a Secretary, and one Representative at each college campus and at the district office in odd-numbered years. The term of an Officer and of a Representative shall be for two (2) years.

Section 2. Nominations shall be made at regular or special meetings of the Union. At least fifteen days advance notice shall be given to the membership prior to the nominations meeting. A nomination committee shall, be appointed by the President, subject to the approval of the Executive Board, to make nominations. However, nominations shall, be permitted from the floor at the nominations meeting. All regular elections shall be held in April. Following the nominating procedure the nominees shall, be afforded the opportunity to decline, and the names of any persons so declining shall not appear on the ballot.

Section 3. To be eligible for Officer or Representative a member must be a regular employee of the Los Rios Community College District for at least one (1) year, and a member in good standing of LRCEA. However, no retired member shall be a candidate for office.

Section 4. Officers and Representatives shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. At least fifteen days advance notice shall be given the membership prior to hold of the election.

- a. The candidate receiving the majority of votes cast for an office shall be elected. A majority shall be defined as 50% plus one of all valid ballots cast for that officer or representative. Should 50% of the valid ballots cast result in a fraction of a whole number, the fraction shall be rounded off as follows: If the fraction is less than .5, it shall be rounded down to the next whole number; if the fraction is .5 or more, it shall be rounded up to the next whole number. In the even one of the candidates receives a majority of votes there shall, be no run-off election and the candidate receiving the majority of votes cast shall be elected.
- b. If all candidates for an Officer or Representative have less than a majority vote, as defined above, the two candidates with the highest number of votes shall participate in a run-off election.
- c. The run-off election shall occur at least 15 days after the first election.
- d. Balloting in the run-off election shall be by secret ballot at the worksites. Insofar as possible, the election committee for the run-off election shall be the same as the election committee for the first election. Ballots will be counted by the election committee or its member's designee(s) in each election at the close of balloting on the election day. All ballot counts are open to observation by LRCEA members.
- e. The candidate with the highest number of valid ballots cast in the run-off election shall be elected and shall take the oath of office at a special meeting of the LRCEA Executive Board to be held the day after the run-off election.

Section 5. Vacancies in any office shall be filled by a majority vote of the Executive Board as soon as possible and for the duration of the vacant term.

Section 6. Every Officer and Representative shall, upon assuming office, subscribe to the following "Obligations of an Officer and Representative": I promise

to abide by the Constitution of the Los Rios Classified Employees Association. I further promise to carry out all duties assigned to me and to do my best to represent the members of Los Rios Classified Employees Association and uphold and promote the principles of union democracy. I provide to deliver to my successor in office all books, papers and other property of this Union, which are in my possession at the close of my official term.

Section 7. Any Executive Board member (Officer or Representative) absent from two Executive Board meetings and/or General Membership meetings and/or lunchtime meetings/general membership meetings within his or her Representative jurisdiction, during his or her term as an Officer or Representative, due to unexcused absence, is automatically resigned from the Executive Board and his or her Office or Representative position upon the occasion of the second unexcused absence. For purposes of this Constitution "excused absence" means absence due to being required to be at work by Los Rios Community College District (District) during the meeting, or absence for which the Officer or Representative is on paid leave of absence from the District when the meeting is held, or a family emergency the Officer or Representative could not have reasonably foreseen prior to the necessity of the absence, or a catastrophic event such as an earthquake, fire, flood, or other natural disaster personally affecting the Officer or Representative, his or her family and/or personal property. Other absences are unexcused unless otherwise determined by the Executive Board. (amended - series of lunchtime/general membership meetings - 3-13-06 through 3-20-06)

Section 8. Board Members and Officers are entitled to reasonable mileage reimbursement for Union business, subject to approval of the Executive Board.

Section 9. The Executive Board shall have the power to determine per diem and travel allowance for any member performing Union duties.

Article Vi
Duties of Officers and Executive Board

Section 1. The President shall:

- a. preside at all meetings of the Union and of the Executive Board.
- b. be a member of all committees except election committees.
- c. countersign all checks drawn against funds of the Union.
- d. appoint all standing committees and all special committees of the Union, subject to approval of the Executive Board.
- e. report periodically to the membership regarding the progress and standing of the Union and regarding the President's official acts.

Section 2. The Vice-President shall:

- a. assist the President in the work of the President's office.
- b. in either the absence of the President or in the inability of the President to serve, preside at meetings and perform all duties otherwise performed by the President.
- c. upon the resignation of the President, become the President for the remainder of the term.
- d. upon approval of the Union Executive Board, be authorized to act as co-signer of checks drawn on the Union funds in place of either the President or the Treasurer.

Section 3. The Secretary shall:

- a. keep a record of the proceedings of all membership meetings and of all Executive Board meetings.
- b. carry on the official correspondence of the Union except as the Executive Board may direct otherwise.
- c. perform such other duties as the Executive Board may require.

Section 4. The Treasurer shall:

- a. receive and receipt for all monies of the Union.
- b. deposit all money so received in the name of the Union in a financial institution selected by the Executive Board, and money so deposited shall be withdrawn only by check signed by the President and the Treasurer, or Vice-President if approved by the Executive Board.
- c. prepare and sign checks for such purposes as are required by the Constitution or are authorized by the membership or the Executive Board.
- d. keep an accurate records of receipts and disbursements and shall once each month, submit to the Executive Board a monthly operating statement of the financial transactions of the Union for the previous month.
- e. act as custodian of all properties of the Union.
- f. cause to be made an annual audit of the finances of the Union by a disinterested party approved by the Executive Board and shall report to the membership on the results of such audit.

Section 5. Each Representative shall: (amended - series of lunchtime/general membership meetings - 3-13-06 through 3-20-06)

- a. be assigned a scope of responsibility by the President, subject to approval by the Executive Board, that includes representation of employees pursuant to the Educational Employment Relations Act within the jurisdiction of the Representative, and/or cover the scope of responsibility assigned another Representative in the same or a different jurisdiction when the other Representative is unable to get off work from the District, is on paid leave of absence from the District, is unable to serve and a replacement Representative has not been appointed, or when the position is vacant;
- b. attend all meetings and other proceedings required by this Constitution and/or assigned by the President or Executive Board;

c. participate in all activities assigned by the President or Executive Board, including but not limited to committee assignments;

d. provide assistance to officers, consultants, lawyers, financial advisors, and other employed by LRCEA for professional advice and assistance;

e. perform other duties/responsibilities assigned by the President or Executive Board.

Section 6. The Executive Board shall be the governing body of the Union except when meetings of the Union are in session. All matters affecting policies, aims and means of accomplishing the purpose of the Union not specifically provided for in this Constitution or by action of the membership in a regular or special meeting shall be decided by the Executive Board. The Executive Board shall meet at the call of the President or of a majority of the members of the Executive Board. A report of all actions taken by the Executive Board shall be made to the membership at the next following meeting. A quorum of the Executive Board shall consist of a majority of its members excluding vacancies.

Section 7. Budget. The Executive Board shall cause an annual budget to be prepared for LRCEA, with such budget including the estimated income, expenses and investments for the next LRCEA fiscal year. The annual budget shall be brought before the general membership for a vote at a regular or special meeting prior to the end of the current LRCEA fiscal year. The Executive Board shall have authority to expend LRCEA funds pursuant to the constraints of the adopted annual budget for the fiscal year for which it applies. Modification of the LRCEA annual budget during a fiscal year shall require such modification be brought before the general membership for a vote at a regular or special meeting during the fiscal year in which the modification is intended. (amended May 15, 1996).

Article VII
Committee

Committees shall be, appointed by the President with the approval of the Executive Board. Each committee so appointed shall consist of a minimum of one member from each college campus and from the district office.

The chairperson for each committee shall make such reports to the Executive Board and membership, as the Executive Board requires.

Article VIII
Work Stoppages

Any work stoppage, including but not limited to a strike, by LRCEA members shall be approved by at least two-thirds vote of LRCEA members eligible to vote. Said vote shall be conducted by secret ballot at a special membership meeting called for the purpose of discussing and voting on a proposed work stoppage.

Article IX
Amendments

The Constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change.

Proposed amendments to this Constitution must be made at a regular or special meeting of the Union, adequate and proper notice having been given to the membership prior to the date on which the meeting(s) is/are called. A written copy of the proposed amendments, revisions and/or other changes shall be furnished to every eligible voter at the meeting at which the proposal is presented, discussed and vote taken. A majority of those members voting on the proposal at a regular or special meeting (or series of worksite meetings held during a one-month period - cumulative vote) shall determine the outcome of the vote. (amended 5-11-05)

In the case of a tie vote on such a proposal, members eligible to vote shall vote again on the proposal until the tie is broken. (amended 5-11-05)

Article X
Miscellaneous Provisions

Section 1. Except to the extent specified in this Constitution, no officer or representative of the Union shall have the power to act as agent for or otherwise bind the Union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the Union except to the extent specifically authorized in writing by the President or by the Executive Board of the Union.

Section 2. 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 this Constitution and special rules of the LRCEA.

Section 3. The Executive Board shall have authority to adopt and implement policies to implement provisions of this Constitution, consistent with such provisions (Amended May 15, 1996).

Article XI
Trials and Appeals

Section 1. Officers, representatives and members of LRCEA may be charged with:

- a. Violation of any provision of this Constitution;
- b. Violation of the oath of office;
- c. Gross disloyalty or conduct unbecoming a member;
- d. The wrongful taking or retaining of any money, books, papers, or any other property belonging to LRCEA; or the wrongful destruction, mutilation or erasure of any books, records, bills, receipts, vouchers or other property of LRCEA;
- e. Working as a strikebreaker;
- f. The bringing of false charges against a member or officer without good faith or with malicious intent.

Charges must be specific and in writing.

Section 2. (a) Charges against any member, officer or representative shall be filed with the Secretary of LRCEA, who shall serve a copy thereof on the accused member, officer or representative, personally or by registered or certified mail, directed to the last known address of the accused, at least ten days before the hearing upon the charges.

(b) The Executive Board of LRCEA shall act as the trial body. The accused may appear in person and with witnesses to answer the charges and shall be afforded a full and fair hearing. He or she may select a member of LRCEA or an attorney to represent him or her in the presentation of the defense. If the accused is unable or unwilling to be present at any hearing provided for herein, his or her defense may be presented in writing. If default of appearance or defense, the trial body shall, proceed with the hearing regardless of the absence of the accused.

(c) If the charges, or any portion thereof, are sustained, then the Executive Board shall render judgment and impose disciplinary action as provided for in this Constitution. If the charges are not sustained, they shall be dismissed.

(d) In all hearings on charges, if the member filing the charges is a member of the Executive Board, he or she may appear and be heard in support of the charges, but shall be ineligible to participate in the consideration of or the decision on such charges.

Section 3. Disciplinary action imposed upon members, officers or representatives found guilty of charges, or any part thereof, shall relate to the rights and duties of membership and may, as the case requires, consist of reprimands, suspensions, expulsions, removal from office, deprivation of privileges or benefits or commands to do or perform, or refrain from doing or performing specific acts.

Section 4. Appeals from any decision of the Executive Board with respect to charges may be taken to the next regular or special meeting of the membership. Any appeal

shall be filed with the Secretary within five calendar days of the decision of the Executive Board. During the pendency of such appeal, the decision appealed shall remain in full force. The membership shall consider the appeal in the same manner as that provided for at the Executive Board level. The action of the membership on all appeals shall be final and binding.

Section 5. Subject to the provisions of applicable statutes, every member, officer and representative of LRCEA against whom charges have been preferred and disciplinary action taken as a result thereof, or who claims to be aggrieved as a result of adverse rulings or decisions rendered against him or her, agrees as a condition of membership and the continuation of membership, to exhaust all remedies provided for in this Constitution and further agrees not to file or prosecute any action in any court, tribunal or other agency until those specific remedies have been exhausted.

Article XII Affiliation

Any question of affiliation with another labor organization shall be approved by at least two-thirds vote of LRCEA members eligible to vote. Said vote shall be conducted by secret ballot at the worksites.

Article XIII Political Action (Amended May 15, 1996)

Section 1. LRCEA may involve itself in support of or opposition to legislative, regulatory, and initiative issues that affect wages, hours, and working conditions of employees it represents.

Section 2. No officer, board member, representative, member, employee represented by LRCEA, or employee of LRCEA by act or intent shall, take any action in an official or unofficial capacity as a representative of LRCEA that implies support or opposition by LRCEA to the political candidacy of any person or persons.

Section 3. The President shall, when legislative, regulatory, and/or initiative issues arise affecting LRCEA,

appoint a committee, which shall make a written recommendation regarding the particular issue(s) to the Executive Board, prior to the Executive Board taking action to support or oppose the issue(s).

Pursuant to amendments made to this Constitution effective March 20, 2006, the LRCEA Executive Board reviewed and approved this LRCEA Constitution for publication at its meeting of March 23, 2006:

Vicki Byers, LRCEA President

Date Signed

Wenda Vander Werf, LRCEA Secretary

Date Signed