

Service Employees International Union, Virginia 512

Constitution and Bylaws

Preamble

In the belief that in unity there is strength, this Union was formed. We are dedicated to providing quality service to our members and quality services to the people of Virginia; and we are united, educated and empowered to achieve equality and a real voice for working families.

EEO Policy Statement

The Service Employees International Union, Virginia 512 stands unequivocally opposed to discrimination. This includes harassment because of race, creed, color, gender, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age, ethnic background, religious beliefs, or disability.

Article 1

Name

Section 1 The name of this organization shall be Service Employees International Union, Virginia 512, hereinafter referred to as Virginia 512.

Section 2 The members of this association, officials and representatives, shall recognize, observe and be bound by the provisions of the Constitution and Bylaws of the Service Employees International Union (hereinafter “the International” or “International Union”) and the Constitution and Bylaws of Virginia 512.

Article 2

Jurisdiction

Section 1 Virginia 512 shall have such jurisdiction as granted and approved by the International Union, in accordance with the International Union Constitution and Bylaws.

Section 2 Any Public Employee or Long Term Care Provider, employed or retired, in the Commonwealth of Virginia shall be eligible for active membership in Virginia 512. Any paid official or agent of Virginia

512, the International or affiliate bodies shall also be eligible for active membership.

Section 3 Virginia 512 shall be divided into Chapters by employer. New Chapters may be formed after a review and vote of the Executive Board. After approving a new Chapter, the head of the new chapter, elected by the membership of the new chapter, shall be added to the Virginia 512 Executive Board.

Article 3

Membership

Section 1 Active: Any person of good moral character, who at the time of application is engaged in, or retired from, service within the jurisdiction of Virginia 512, as given in Article 2, will be eligible for active Virginia 512 membership. Such persons who pay the prescribed regular dues shall be considered active members, and may vote, hold office, and be entitled to all other rights and privileges of Virginia 512 membership.

Section 2 Associate: Persons not employed or retired from service within Virginia 512's jurisdiction may be eligible to become associate members. Such membership may be revoked for cause. Such associate members will not be eligible to hold office or vote in Virginia 512 affairs or elections. Associate members shall be entitled to all other rights and privileges as active members.

Section 3 Honorary: For meritorious service to Virginia 512 or for distinguished public service, persons may be elected honorary members by majority vote of the membership or by resolution of the Executive Board. Such membership may be revoked for cause. Such honorary members will not be eligible to hold office or vote in Virginia 512 affairs or elections. Honorary members shall be entitled to all other rights and privileges as active members.

Section 4 Maintenance of Good Standing: A member shall be considered in good standing if he/she has fulfilled the requirements for membership and has not voluntarily withdrawn, become ineligible for continued membership or been suspended or expelled from membership in Virginia 512.

Section 5 Delinquent Members: Members who fail to pay their monthly dues or assessments after being provided 90 (ninety) days notice shall be notified by the Secretary/Treasurer that they are delinquent and will be automatically suspended and lose their good standing if

payment is not made within 15 (fifteen) days following such notification. Delinquent members are not entitled to voice or vote in Virginia 512.

Section 6 Retired Members: Retired members pay dues on a monthly basis and shall have equal voice and vote. Retired members who pay the same dues as working active members are eligible to hold office.

Section 7 (a) A member in good standing may be expelled only after written charges of “conduct prejudicial to the good of Virginia 512” have been investigated by a special committee appointed by the President in accordance with the procedures outlined in Article XVII of the International Constitution. This committee will consist of three members in good standing who are not members of the Executive Board. The member charged shall have a full opportunity for defense and is entitled to due process in presenting his/her case to the special committee. The special committee shall report its findings and recommendations to the membership, and any punishment enacted, not to exceed expulsion, will be imposed by a two-thirds vote at a regular meeting.

(b) The Executive Board shall have jurisdiction to hear complaints, by individual members regarding alleged violations of members’ rights or this Constitution and Bylaws, including Chapter election protests.

In the event that the individual members are not satisfied with the ruling of the Executive Board, they may appeal within fifteen (15) days of the decision by either petitioning the International President, pursuant to the International Constitution, or by petitioning Virginia 512’s membership, to be considered at the next regular meeting.

Section 8 Active membership is open to Union Staff. Staff who are active union members have the right to:

- (a) Submit resolutions to the Executive Board, vote on dues increases and other union governance issues, including economic and social policy positions and any other issues that affect their work or standing.
- (b) Serve as a representative, with full voting rights on all issues, to any labor board, conference, convention, or other function, if elected by the membership or designated to do so by the Board, in accordance with applicable law.

(c) Nominate, run for, vote and serve as Officers in statewide Virginia 512 elections.

Section 9 Virginia 512 shall not dissolve, disband, disaffiliate or secede while there are seven (7) or more dissenting members desiring to continue its existence. In the event Virginia 512 dissolves, disbands, disaffiliates or secedes, the funds, assets, properties (both real and personal), books and records of Virginia 512 shall become the property of the International Union. No net earnings will inure to the benefit of any individual member.

Article 4

Meetings

Section 1 Regular meetings of the membership of Virginia 512 shall be held annually.

Section 2 Special meetings may be called by a vote of a majority of the Executive Board. Notification of special meetings shall be sent out to the membership electronically at least seven (7) days in advance. The notice shall state the business to be considered at such meeting and no other business other than that stated shall be conducted.

Section 3 Quorum: The quorum for any meeting of Virginia 512's membership, either regular or special, shall be at least ten percent (10%) of the total voting members or twenty-five (25) members, whichever is less.

Section 4 Right of Members: Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules set forth in the manual known as Robert's Rules of Order or as otherwise determined by the Executive Board.

Article 5

Elections

Section 1 The Officers of Virginia 512 shall consist of a President and Secretary/Treasurer, who shall hold office for three (3) years and until the election and installation of their successors takes place. In

addition, each Chapter shall elect one (1) head of the Chapter to hold office as an Executive Board Member for a term of three (3) years.

Section 2 Eligibility: Any member in continuous good standing for at least one (1) year immediately preceding nominations shall be eligible to be a candidate for office in Virginia 512. Every candidate shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidate's own expense. "A candidate for office" includes any candidate for membership in the Executive Board. There shall be no discrimination in favor or against any candidate with regard to the use of membership lists.

Section 3 Method of Nomination and Election: Elections for Virginia 512's Executive Board shall be conducted by a secret ballot vote of the membership.

Elections of Officers shall be by mail ballot, and shall be overseen by the Election Committee, appointed by the President and subject to approval by the Executive Board. All active members shall be mailed a notice of elections and nomination form to his/her last known address. The Election Committee shall determine the deadline for receiving nomination forms, which shall be at least twenty (20) days and no more than thirty (30) days after nomination forms are mailed.

All duly nominated candidates shall be invited to submit campaign statements, including a personal photograph, not to exceed 400 words in length, for a Voter's Guide, which shall be published by Virginia 512 and approved by the Election Committee. Additional copies shall also be made available for distribution to the membership at no charge.

All active members in good standing shall be mailed a secret ballot to his/her last known address. The Election Committee shall determine the deadline for receiving ballots, which shall be at least twenty (20) days and no more than thirty (30) days after ballots are mailed. The ballot shall include the date(s), time(s), and location of the counting of the ballots.

The Election Committee will oversee certifying all voter-returned ballots, tabulating the votes, reporting the results to the President, and delivering all returned ballots to the Secretary/Treasurer. The Election Committee will tabulate the ballots within one (1) day after the deadline to receive ballots. Each candidate and one (1)

representative will be allowed to monitor the tabulation of the ballots, and the Secretary/Treasurer shall be required to be present. The candidate receiving the majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, there shall be a run-off between the two candidates who received the most votes. Ties shall be resolved by seniority within the SEIU.

Section 4 Election Committee: In the event that a poll of the membership is to be taken, the President shall appoint an Election Committee, which shall be responsible for the distributing and tabulating of such poll.

Section 5 The ballots for each election shall be preserved by the Secretary/Treasurer for one (1) year.

Section 6 Installation and Term of Office: The elected Virginia 512 Officers shall be installed on the Friday immediately following the tabulation of the ballots. When an Office becomes vacant, the President shall appoint a qualified member within thirty (30) days of the vacancy, to serve out the remainder of the term of office. Vacancy is defined by reason of death, resignation or removal of the incumbent.

Section 7 If the slate of candidates nominated for any Board election is unopposed, then the nominated candidates will be declared winners by acclamation. No write-in candidates shall be allowed in the balloting.

Section 8 The following safeguards apply to all Virginia 512 elections:

- (1) Virginia 512 shall not discriminate in favor of or against any candidate.
- (2) No funds of Virginia 512, or any other local or international union, or any employer may be used to support the candidacy of any member for union elective office.
- (3) No candidate may solicit or accept financial support, or any other direct or indirect support, from any non-member of the International Union.
- (4) The Election Committee shall designate further rules or guidelines as it sees fit to ensure a free and fair election.

Section 9 Challenges and objections to union-wide elections must be submitted in writing to the Election Committee within seven (7) days of the tabulation of election results, with a statement of supporting reasons that includes specific facts and any documentation. The

Election Committee shall have the authority to request and hear evidence at its discretion and to render a decision regarding the objections. The Election Committee's decision may be appealed to the International President, pursuant to the International's Constitution and Bylaws.

Section 10 The officials of Virginia 512 elected in conformity with these bylaws and applicable statutes shall be considered eligible delegates to the quadrennial International Convention. The President shall serve as head delegate or designate another qualified delegate to act in that capacity. Eligible Executive Board Members shall serve as delegates in the following order: President; Secretary/Treasurer; Board Members who represent Chapters, in order of seniority within the SEIU. The Executive Board shall budget to send at least one member from each Chapter to the International Convention.

Article 6

Duties of Officers and Executive Board

Section 1 It shall be the duty of the President to preside at all meetings of Virginia 512 and at meetings of the Executive Board. The President shall be the executive head of Virginia 512. The President shall appoint members to committees and have general supervision of the Executive Board, chairs of committees, and union staff. The President shall have the final authority to decide questions of parliamentary rules and to interpret the Constitution and Bylaws for Virginia 512.

Section 2 The Secretary/Treasurer shall have custody of all documents, records, books and papers belonging to Virginia 512, except as may be otherwise provided by this Constitution and Bylaws. The Secretary/Treasurer shall maintain the official list of members in good standing, which shall be kept accurately and updated on a regular basis. The Secretary/Treasurer shall maintain records and discharge other duties on behalf of Virginia 512 as required by applicable law. In the President's absence, including in the case of vacancy, the Secretary/Treasurer shall carry out the President's duties.

Section 3 The Executive Board shall consist of the President, the Secretary/Treasurer and Board Members. It shall be the duty of the Executive Board to exercise general supervision and control of the

invested funds and property of Virginia 512. It shall have the authority to act in the name of Virginia 512 during intervals between meetings, in furtherance of Virginia 512's purpose and subject to direction by the membership at regular meetings. It shall provide for an annual audit of the Secretary/Treasurer's books. It shall meet at the call of the President at least three times per year, or at the call of a majority of its members. A majority shall constitute a quorum. In the event that a Chapter's elected Board Member is unable to attend a meeting, the Board Member may designate another Chapter member to attend the meeting and to participate and vote by proxy.

ARTICLE 7

Chapters

- Section 1** Chapters are the primary focus of activity, representation and action in Virginia 512. The jurisdiction, compositions and authority of Chapters are defined in Articles 2 and 3 of this Constitution and Bylaws.
- Section 2** The President may appoint or supervise the election of a temporary steering committee to act on behalf of any group of members who are organizing and seek to become a permanent chapter of Virginia 512.
- Section 3** New Chapters shall be formed and given titles by the Executive Board, upon recommendation by the President. Their Bylaws must be approved by the President, and must be consistent with the Constitutions and Bylaws of both Virginia 512 and the International Union.
- Section 4** Each Chapter shall keep a copy of the minutes of each Chapter meeting. Minutes must be available upon request of the Executive Board or the membership.

ARTICLE 8

Amendments

- Section 1** This Constitution and Bylaws may be amended by a two-thirds vote at a meeting of the membership, provided that each member in good standing is sent a notice of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be

taken. No amendment to this Constitution and Bylaws should be in effect until it has been approved by the International Union. This Constitution and Bylaws shall at all times be subordinate to the Constitution and Bylaws of the International Union as it may be amended from time to time.