

VAPCA
Constitution and Bylaws

Preamble

In the belief that in unity there is strength, this union was formed. We are dedicated to providing service to our members by providing a unified voice to ensure that all employees receive fair and equal treatment while performing their jobs.

EEO Policy Statement

The *Virginia Association of Personal Care Assistants*) stand unequivocally opposed to discrimination. This includes harassment because of race, gender, sexual orientation, ethnic background, religious beliefs, or ability.

Mission and Purpose

Our Mission is to build a worker's organization dedicated to being a powerful force to Change workers' lives and fight for social and economic justice.

Our purpose is to advance the concerns and issues facing homecare workers that Promote better and fair working conditions for our members and all working people. It is Our objective to build a strong and more effective labor movement by organizing Unorganized workers and building an effective political voice for homecare and working People.

Article 1

Name

Section 1 The name of this organization shall be Virginia Association of Personal Care Assistants of the Services Employees International Union, Virginia 512, herein referred to as VAPCA.

Section 2 The members of this association, officers, representatives, shall recognize, observe and be bound by the provision of the Constitution and By-Laws of the VAPCA, Service Employees International Union Virginia 512, herein referred to as the SEIU VA 512 and the Service Employees International Union. In case of conflict, the order of precedence which shall be as hereinafter listed:

1. Service Employees International Union Constitution and Bylaws
2. Service Employees VA 512 Constitution and Bylaws
3. VAPCA Constitution and Bylaws

Members of VAPCA all be entitled to full and equal rights, privileges and obligations of membership in SEIU VA 512, including, but not limited to, the right to hold office, serve on committees, vote in Chapter, SEIU VA 512 and Service Employees International Union elections and acquire and use existing and future member benefits, in

accordance with the SEIU VA 512 Constitution and Bylaws and those of the Service Employees International Union.

Article 2

Jurisdiction

Jurisdiction shall be as follows: All persons employed, or retired as a personal care assistant. In the State of Virginia, shall be in the following classification:

Personal care assistants employed through the Department of Medical Assistant Services, Department of Aging and Rehabilitative Services and private employers.

Article 3

Membership Rights and Responsibilities

Section 1 Member Rights

The Right to voice diverse opinions and be respected.

The right to an honest accounting of the expenditures of members' dues.

The right to lead in the Union, to have members' concerns heard and resolved, and to choose leaders in a fair and democratic process.

The right to harness the power of many in pursuit of the best possible standards for workers.

Section 2 Member Responsibilities

The responsibility to build a workers' organization to organize workers, expand our political voice, and to stand up for others.

The responsibility to make our voice heard and to respect the voice of others.

The responsibility to contribute to the support of the Union.

The responsibility to treat all workers fairly.

The responsibility to participate in a conservative manner in the Union.

Section 3 New members must be a member in good standing for 1 year in order to participate in certification classes. i.e. (First Aid, CPR)

Section 4 Active: Any person of good moral character, who at the time of giving application is engaged in service within the jurisdiction of this Association, as given in Article 2, will be eligible for active membership.

Section 5 Friend Supporters of homecare are eligible to join and be honorary members. Such membership may be revoked for cause. Friends are not eligible to vote in SEIU VA 512 elections.

Section 6 Maintenance of Good Standing: Membership in good standing includes any person who has fulfilled the requirements for membership in this association and who has not voluntarily withdrawn, become ineligible for continued membership or been suspended or expelled for membership in the VAPCA

Section 7 Delinquent Members: Members who fail to pay their monthly dues or assessments after being provided sixty (60) days' notice shall be notified that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within thirty (30) days following the notice. Delinquent members are not entitled to voice or vote in VAPCA

Section 6 A member not in good standing may be expelled only after written charges of "conduct prejudicial to the good of VAPCA has been investigated by a special committee appointed by the Chairman. This committee will consist of 3 (three) members in good standing and are not members of the Executive Board. The member charged shall bear full opportunity for defense and is entitled to due process in presenting his 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 a two- thirds vote at a regular meeting.

Article 4

Meetings

Section 1 Regular meetings of the VAPCA shall be held on the second Monday of each month.

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

Article 5

Officers

Section 1

The officers of the VAPCA shall consist of a Chair, Vice Chair, Secretary, and four (4) Directors members, who shall hold office for three (3) years and until the election and installation of their successors take place.

The Chair, Vice Chair and Secretary shall be considered the principal officers, and they shall be elected and serve for three (3) year term. The four (4) Directors shall be elected and serve alternating two (2) year terms.

Section 2

Eligibility: Any member in good standing shall be eligible to be a candidate for office. Every candidate shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidates own expense for

election purposes only. "A candidate for office" includes a 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: All members in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time, and place at which nominations shall be made and the date at which elections will take place. Nominations for officers shall be held at the General Membership Meeting in May and elections shall be handled by the elections Committee, appointed by the SEIU VA President. The Elections Committee will certify all voter-returned ballots, tabulate the votes, report the results to the SEIU VA President, and deliver all returned ballots to the Secretary-Treasurer of SEIU VA 512. The Election Committee will tabulate the ballots within one (1) day of the cutoff date. Each candidate and one (1) representative will be allowed to monitor the tabulations of the ballots as will the Secretary-Treasurer of SEIU VA 512 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 VAPCA wins.

Section 4 Elections Committee: In the event that a poll of the membership is to be taken, the SEIU VA 512 President shall appoint an Elections 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 SEIU VA 512 Secretary-Treasurer for one (1) year.

Section 6 Installation and Term of Office: The elected officers shall be installed at the next membership meeting following the tabulation of votes. When an Office becomes vacant, the vacancies shall be filled by general election of the membership within sixty (60) days after the date the office is vacated. Vacancy is defined by reason of death, resignation or removal of the incumbent. No election is required to fill the vacancy if it occurs within sixty (60) days before the next regularly scheduled election.

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

Article 6

Duties of Officers

Section 1 It shall be the duty of the Chairman to preside at all meetings of the VAPCA and at meetings of the Executive Board. The Chairman shall be the executive head of the VAPCA. The Chairman shall appoint members to committees and have general supervision of the other officers and chairs of committees. The Chairman shall have the

final authority, subject only to internal appeal, to decide questions of parliamentary rules and questions involving interpretations of the Constitution and Bylaws for VAPCA.

Section 2 The Vice Chairman shall assist the Chairman in such a manner as the Chairman may determine. The Vice Chairman, in the absence of the Chairman, shall preside at meetings of VAPCA and of the Executive Board.

Section 3 The Secretary shall have custody of all minutes, calendar, agendas and papers belonging to VAPCA, except as may be otherwise provided by this Constitution and By-Laws. The Secretary will coordinate with the SEIU VA512 staff for website information, emails and scheduling. The Secretary shall discharge on behalf of VAPCA such duties as may be imposed by applicable law and shall cause to be maintained by VAPCA such records, as the law requires to be kept of reports filed by it.

Section 4 The Executive Board shall consist of the Chair, Vice-Chair, Secretary and four members of the Board of Directors. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the VAPCA. It shall have the authority to act in the name of VAPCA during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the VAPCA. It shall meet at the call of the Chair or on call signed by a majority of its members. If any Executive Board member or officer of this VAPCA misses three (3) Executive Board meetings in any fiscal year, unless excused at the time of the meeting, he/she shall automatically be relieved of that position. That position shall be filled in accordance with the By-Laws.

Section 4 It shall be the duty of the Executive Board to exercise general supervision of the VAPCA. It shall have the authority to act in the name of the VAPCA during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the VAPCA. It shall meet at the call of the Chairman or on call signed by a majority of its members. A majority shall constitute a quorum. If any Board member of the VAPCA misses three (3) Executive Board meetings in any fiscal year, unless excused at the time of the meeting, he/she shall automatically be relieved of that position. That position shall be filled in accordance with the By-Laws.

ARTICLE 7

Initiation Fees, Dues and Assessments

Section 1 There is no initiation fee required.

Section 2 Monthly membership dues shall be that certified by the Secretary-Treasurer of the SEIU VA 512. Monthly membership dues for an active member shall be \$ \$15.60 per month or \$7.20 per pay period for 26 pay periods.

Section 3 Assessments may be made only in the following manner: Each member in good standing shall be notified in writing at least thirty (30) days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

Section 4 Increases in rates of initiation fees, reinstatement fees, dues or assessments shall require notice of such proposed increase to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for such increase is to occur. The proposed increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

Section 5 Reinstatement fees shall be ten (\$15.60) dollars plus an amount equal to the regular monthly dues for the period of time the former member was not a part of the organization. Beyond this amount, no other assessment or fines will be imposed.

Section 6 Officers and members responsible for the collection of dues shall disburse or use these funds only for lawful purposes and to the benefit of the organization. Dues collected by the VAPCA will not be used for political purposes. All political activities will be coordinated through a separate committee on political education.

Section 7 The VAPCA shall not dissolve, disband, disaffiliate or secede while there are seven members thereof desiring to continue its existence. In the event the VAPCA dissolve, disband, disaffiliate or secedes; the funds, assets, properties, books and records of the VAPCA shall be donated to SEIU VA 512 or SEIU. No net earnings will inure to the benefit of any individual member.

ARTICLE 8

Amendments

Section 1 This Constitution and By-Laws made under its provisions, may be amended by a two-thirds vote, at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least thirty (30) days in advance of the meeting at which the vote will be taken.