The State Employees' Association Of New Hampshire, Inc.

Service Employees International Union Local 1984, CTW, CLC

C #2
Subject: One Member, One Vote

Submitted by: Board of Directors

Category: Constitutional Amendment

Whereas, the Association currently operates under a representative governance structure, with councilors representing 20 members each, elected via the chapters; and

Whereas, Councilors currently elect the Association's Officers and Directors, and vote on other Association business at Council meetings and the Annual Convention; and

Whereas, if the proposed Constitutional Amendment passes that would allow bargaining units to exist without being connected to one or more chapters, the current method of electing councilors would no longer work; and

Whereas, a one member – one vote system, though very different than our past practice, would allow members to vote directly on Association business at Council meetings and Conventions, is not an unusual practice in other labor unions, and might increase member participation.

Therefore, be it resolved that Councilor form of representative governance be dropped in favor of a one member – one vote system of governance by making the changes as follows:

Modify Article IV – REVENUE AND EXPENSES, (3) – CONVENTION EXPENSES, as follows:

<u>Convention expenses shall be paid for by the Association.</u>

~~(a) The Association shall bear all authorized Convention expenses for all registered delegates and authorized alternates, as well as for candidates listed on the ballot for officer or board of director positions.~~

~~(b) The Board of Directors shall provide information about any optional, non-covered costs for those identified in (a), as well as costs for all other members, vendors and guests.~~

Modify Article V – CHAPTERS, (1) (b) – RETIRED MEMBERS CHAPTER, as follows:

(1) The Board of Directors shall be empowered to create such chapter or chapters of retired members as it shall deem proper.

~~(2) Each Retired Members Chapter shall elect the number of councilors to which it is entitled under Article V "Chapters", Section 8 "Council Membership".~~

(~~3~~2) Any retiree chapter shall have the authority to set its own dues, which shall be collected and maintained by the SEA. Any spending of retiree chapter funds must be authorized by the retiree chapter in accordance with its by-laws.

Modify Article V – CHAPTERS, (6) – ELECTION PROCEDURES, (b), as follows:

(b) The secretary of each chapter shall send the names of the officers ~~and councilors~~ elected to the Vice President of Member Development and/or designated SEA Staff of the Association within ten (10) business days following their meeting, unless otherwise reported out by the Organization Committee.

Modify Article V – CHAPTERS, (7) – OFFICERS, (a), as follows:

(a) The officers of each chapter shall be a president, vice president, secretary**,** treasurer (or a combined secretary/treasurer), and such other officers, not to exceed two (2), as the chapter deems necessary to efficiently conduct chapter business. Officers shall be elected from the chapter membership for a term not to exceed three years. Officers so elected shall be installed at the annual meeting. All such officers ~~and councilors~~ may succeed themselves. The Secretary/Treasurer or Treasurer shall hold no other chapter officer positions.

Modify Article V – CHAPTERS, old (10), new (9) – COUNCIL MEMBERSHIP, as follows:

Delete the entire Section 8, and renumber the sections that follow.

Modify Article V – CHAPTERS, old (12), new (11) –ALTERNATIVE LOCAL GOVERNANCE PILOT PROJECT, as follows:

Delete the entire letter e. Councilors part, and re-letter the parts that follow.

Modify Article VII – BOARD OF DIRECTORS, Section 5 – POWERS AND DUTIES, (h), as follows:

(a) The Board of Directors shall prior to the Annual Convention, approve a budget covering the new fiscal year of the Association. A copy of said approved budget covering the new fiscal year may be submitted to all <u>members in good standing</u> ~~councilors, chapter presidents, and Convention delegates~~ twenty (20) days prior to the convention. Any changes in, or additions to, the budgeted accounts must be approved by the Board of Directors.

Modify Article VIII – CONVENTIONS, Section 1 – FORMATION, as follows:

(a) The Convention of the Association shall be formed by ~~the delegates from the chapters,~~ the Officers of the Association, the Directors of the Association, the immediate past president of the Association, the immediate past treasurer of the Association, ~~and~~ Chairpersons who are required by the Constitution to submit committee reports to the Convention, and the membership in good standing at large.

(b) Special Convention

(1) A special convention may be called by a majority vote of the Board of Directors acting on a motion which shall state the reason(s) for the call and name the date of the proposed convention which shall not be sooner than thirty (30) days following the date of said action.

(2) A special convention may be called by petition of one-third (1/3) or more of the total number of chapters and bargaining units that have not adopted a chapter. ~~Such petition must be approved by a majority vote of each chapter at a regularly called meeting, and a copy signed by the secretary of each chapter must be filed with the president of the Association.~~ Said petition shall state the reason for the call and name the date of the proposed convention which shall not be sooner than thirty (30) days following the date of the filing.

(3) When a special convention is ordered, the President of the Association shall issue to all members ~~chapters~~ the call, which shall contain a true copy of the demand.

(4) The scope of a special convention shall be limited to the purpose(s) stated in the petition or minutes of the Board of Directors.

Modify Article VIII – CONVENTIONS, Section 3 – DELEGATES, as follows:

Delegates ~~and alternates~~ to the Convention shall be members in good standing of the Association. In order to attend and fully participate as a delegate at Convention, members may be subject to reasonable preregistration requirements. ~~and their respective chapters. Delegates shall be duly elected chapter presidents and councilors or a designated duly-elected alternate councilor.~~

Modify Article VIII – CONVENTIONS, Section 4 – DELEGATE REGISTRATION FEE, as follows:

Delete Section 4 and renumber the following sections.

Modify Article VIII – CONVENTIONS, Section 5 (old), 4 (new) – ELECTION OF OFFICERS AND DIRECTORS, as follows:

(a) Eligibility. No member shall be eligible to be an Officer or a Director in the Association unless he/she has been a member in good standing of the Association for at least one (1) year immediately preceeding his/her election.

~~(b) On the first day of the Annual Convention, nominations shall be made for the Officers for a two (2) year term.~~

~~(c) On the first day of the Annual Convention, nominations shall be made for the necessary Directors for a three (3) year term.~~

(b) All Officers and Directors may succeed themselves.

(c) Election procedure.

(1) No fewer than sixty (60) days prior to the start of the Convention, the SEA shall provide nomination and self-nomination forms to all eligible members, including those who are scheduled to become eligible for SEA officer positions by the start date of Convention for any and all SEA officer and Board positions being elected.

(2) Any member seeking to run for an SEA officer or Board position or to nominate another member must submit their nomination or self-nomination form to the SEA no fewer than 30 days prior to the start of Convention in order to be considered as a candidate. Any eligible member that timely fulfills and submits their self-nomination form to the SEA shall have their name placed on the ballot for election during the Convention so long as they remain a member in good standing at the time of election. ~~The name of any member seeking election shall not appear on the ballot unless a declaration of candidacy has been filed with the Association no later than thirty (30) days before said meeting is to convene.~~

(3) ~~(2)~~ The presiding officer of the meeting shall name a monitor of the election and shall appoint sufficient tellers for each polling place.

~~(3) Officers and Directors must be nominated from the floor to be included on the ballot. Write-ins after nominations are closed are invalid.~~

(4) All nominated candidates shall have the opportunity, and shall be strongly encouraged, to address the convention prior to the start of balloting.

(5) ~~(4)~~If the election is contested, nominated candidates shall be elected by secret ballot on a majority vote of the delegates present and voting on the last day of the meeting, in accordance with the following steps.

- The polls shall be open on the last day of the meeting.
- Voting delegates shall have their membership confirmed against the lists compiled by the credentials committee of the meeting.
- When a majority vote is not obtained, the candidate receiving the lowest number of votes shall be dropped until a majority is obtained.
- ~~Only Officers and Directors who are also elected as a Chapter President, Councilor or Alternate Councilor at a Chapter level may vote for Officers and Directors.~~

(6) ~~(5)~~If the election is uncontested and all nominated candidates agree, the presiding officer shall declare the nominees elected by acclamation.

(d) ~~(f)~~All Officers and Directors shall be installed by the presiding officer of the meeting at which they are elected.

(e) As may be required to implement the above procedures or to resolve any conflict with applicable law, the Board of Directors shall be authorized to adopt election procedures to carryout the functions of a proper election. Any such policies will be presented for adoption or for other appropriate action at the next regularly scheduled convention or council meeting.

Modify Article IX – OFFICERS AND THEIR DUTIES, Section 3 – FIRST VICE PRESIDENT, (f) as follows:

(f) Upon application of any member in good standing who has been dismissed from service, the Office of General Counsel shall investigate the facts in such cases and take such action on behalf of the Association as he/she deems advisable. The General Council~~sel~~ will share appropriate information with the First Vice President. The First Vice President shall report same to the Board of Directors.

Modify Article X – DUTIES OF COMMITTEES, Section 1 – STANDING COMMITTEES, (a)(3) as follows:

(3) Constitution, Bylaws, and Resolution Committee: To assist the Board of Directors in approving unit or chapter bylaws by making a study of them and reporting its findings to the Board of Directors. It shall study the Constitution of the Association and present such amendments to the Convention as it deems expedient. It shall study all other proposed amendments and report its findings thereon to the Convention. It shall prepare the "Rules of Order" for the Annual Convention. It shall act as an advisory group when called upon by the Council and/or units/chapters ~~chapters~~ working to aid in preparing bylaws and rules of order. It shall insure the Constitution is updated if it has been amended by the Convention. It shall study all resolutions presented to the Convention and submit its recommendations. It may hold meetings prior to the Convention to obtain information on the resolutions to be presented. It shall submit resolutions to the Convention, in the prescribed manner on the first day of the Convention that may be necessary for the good and welfare of the Association.

Modify Article X – DUTIES OF COMMITTEES, Section 1 – STANDING COMMITTEES, (a)(11) as follows:

(3) Organization Committee: To study, prepare and carry out such activities as will build up the membership of this organization. The Organization Committee will be responsible for all aspects of chapter formation, dissolution, chapter elections and the monitoring of chapter compliance with constitutional chapter meeting requirements and issues of unit governance. The Organization Committee is responsible for reviewing associate membership applications and passing them to the Board of Directors with a recommendation of accept or rejection of the applicant. Chaired by the Vice President of Member Development (Article IX, Section 4).

Modify Article X – DUTIES OF COMMITTEES, Section 1 – STANDING COMMITTEES, (c) as follows:

(c) With the exception of the ~~Resolutions and~~ Constitution, ~~and~~Bylaws and Resolutions Committee~~s~~, which reports also to the Convention, no Standing Committee shall undertake any project until approved by the Board of Directors. All expenses incurred by the Chairperson of these Committees in reporting to the Convention, unless sent by their chapters as delegates, shall be borne by the Association.

Modify Article XI – AMENDMENTS TO THE CONSTITUTION, Section 2 – EMERGENCY AMENDMENTS as

follows:

(a) In the case of extreme emergency, additional amendments may be brought in on the first day of the Annual Convention, provided that three-quarters (3/4) of the delegates present vote submission of the proposed amendments.

(b) A 2/3 vote of the Convention shall be required to favorably act upon the emergency amendment. If passed, c~~C~~opies of the amendments ~~thus presented to the Convention, if favorably acted upon by the Convention, a two-thirds (2/3) vote shall be necessary for favorable action,~~ shall be sent to ~~each chapter~~ all members in good standing.

(c) All members shall be sent a ballot not more than fifteen (15) days following the Convention, which must be returned ~~Each chapter shall,~~ within sixty (60) days following the Convention~~, discuss and vote on these proposed changes~~.

(d) The results of the votes shall then be recorded with the Secretary of the Association.

(e) A simple majority ~~two-thirds (2/3) favorable vote of the membership voting shall be necessary for adoption~~ shall be ~~necessary for adoption~~ required to overturn the adoption of the emergency amendment.

~~(f) Any chapter failing to record its vote within sixty (60) days shall lose its franchise right on that particular amendment.~~

RECOMMENDATION – Ought To Pass

_____ moved that the Amendment be:

[ ] Passed [ ] Defeated [ ] Tabled until _____

COMMENT: COMMITTEE EXPLAIN –