



# **POLICY FILE**

**November 19-20, 2016**



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## DIVISION 1: POLICY-MAKING AUTHORITY

### 101.00 ESTABLISHMENT

#### 101.01 CSUEU

The California State Employees Association (CSEA or Association) Board of Directors under its authority as contained in CSEA Bylaws establishes division councils or affiliates for each division within the Association to act on behalf of the Association, its officers, members, chapters, DLC's, and regions, along occupational lines in matters pertaining to the scope of representation under the State Employer-Employee Relations Act (SEERA) or Higher Education Employer-Employee Relations Act (HEERA). These divisions or affiliates are:

- (a) Union of California State Workers (UCSW) Inc. Local 1000 to represent rank and file employees in bargaining units represented by the Association within the state civil service system;
- (b) California State University Employees Union (CSUEU) Inc. to represent rank and file employees in bargaining units represented by the Association within the California State University system, the California Maritime Academy, members of the Association in the University of California system and Hastings College of the Law;
- (c) Association of California State Supervisors (ACSS) Inc. to represent active-employed members who are exempt from bargaining units by virtue of their supervisory positions or status as exempt employees;
- (d) CSEA Retired Division (RD) Inc. to represent the Association members who are retired from state service and their survivors.

#### 102.00 POLICY (BD 83/10/2)

- (a) CSUEU policy shall not be in conflict with state Association Bylaws. (BD 83/10/2)
- (b) CSUEU policy is subject to change by the Board of Directors. (BD 83/10/2)

#### 103.00 POLICY FILE STRUCTURE

##### 103.01 Policy File and Bylaws Adoption Citations

Historical citations prior to July 2016 are motion number/year/meeting number. Subsequent citations are dates only, formatted as month/year/day, e.g. Jun/2015/27. (BD 1/08/3) (BD 21/03/08) (BD 31/08/4) (BD July/2016/10)

### 103.02 Authority Citation

Each provision in the Policy File commanding a number distinction must contain a parenthesized authority citation and CSUEU Headquarters office shall provide authority citation with the date the Board of Directors approved it.

### 103.03 Format of Amendment

Amendments to the Bylaws or Policy File shall be in a form which indicates proposed deletions to existing language in ~~strikeout~~ type and proposed additions to existing language in underline type. If a proposed amendment is to delete an entire section, a statement to that effect is all that is necessary.

### 103.04 Review of Policy File

The Policy File shall be reviewed annually.

### 103.05 Deleted Policy File Sections

Any section of the Policy File that is completely eliminated by action of the Board of Directors shall be retained with the citation number to eliminate it. The eliminated section with the citation number is to be removed from the Policy File and maintained at CSUEU Headquarters.

## DIVISION 2: MEMBERSHIP

### 201.00 ELIGIBILITY

Eligibility for membership is defined in Article 3 of the CSUEU Bylaws.

#### 201.01 Organizing and recruitment objectives

It is the objective of the CSUEU membership program to organize and recruit every person eligible for membership. The CSUEU will accomplish this using any means of communication and effective organizing and recruitment campaigns.

#### 201.02 Membership Lists

CSUEU shall provide member and non/member lists to the Chapters on a regular basis. Such lists shall be used only for organizational activities. Any member given access to such lists shall sign an appropriate use form. (BD 32/08/4)

### 202.00 DUES AND FEES

Membership dues shall be set through the CSUEU budgetary process, in accordance with CSEA and CSUEU Bylaws and Policy File. Other fees may be set by the Board of Directors.

#### 202.01 Membership Dues Reduction (BD 5/13/3)

A member may have his/her monthly dues reduced to a base amount of \$8.00 per month based upon the following:

- (a) The member requests the reduction in writing no less than 45 days before the effective date of the reduction;
- (b) The request is based upon one of the following reasons:
  - (1) Loss of the income of another wage-earner in the household through death, illness, loss of job, or permanent separation from the member's spouse or domestic partner.
  - (2) Declaration of bankruptcy.
  - (3) Catastrophic illness of a member, dependent or elder in the care of the member.
- (c) Such a dues reduction shall be no more than six months for any single request. A member may request a new reduction after the expiration of the previous reduction. The procedure for requesting such a reduction shall be a written letter directed to the CSUEU Finance Committee/Dues Reduction Request, CSUEU Headquarters, Sacramento, California 95814. It should be accompanied by any appropriate documentation for the request but nothing in this policy shall force a member against his/her will to disclose confidential records. The Finance Committee shall act on the request within 15 days. The committee shall respond to the member in writing, stating the action of the committee, the effective date of any reduction if approved, and its duration and if the request is denied, the basis for the denial. (BD / / )
- (d) The actions of the committee shall be final.

## 203.00 CANCELLATION OF MEMBERSHIP

- (a) An individual may cancel his or her membership by sending a withdrawal letter with an original signature to CSUEU, 1108 "O" Street, 5th floor, Sacramento, CA 95814. The following are not acceptable requests: fax, e-mail, verbal, and written requests with more than one person's name requesting cancellation. (BD 32/08/4)
- (b) Cancellation is possible under two (2) conditions:
  - (1) Delineated in the MOU (Memorandum of Understanding Between the Board of Trustees of the California State University and the California State University Employees Union); or (BD 32/08/4)
  - (2) Movement out of a CSUEU represented unit. (BD 32/08/4)

### 203.01 Receipt of Cancellation

Immediately upon receipt of the cancellation, the CSUEU, through the CSEA Member Benefits Division, shall send a letter to the member informing him/her of the loss of benefits and requesting their reason for the cancellation. A new membership application shall be sent with each letter.

## 204.00 REINSTATEMENT

- (a) Members reinstated after at least one month of non-receipt of dues shall have the status of new members.
- (b) A member withdrawing notice of cancellation prior to the loss of dues to the CSUEU shall retain his/her prior membership status.

## 205.00 MEMBERSHIP STATUS WHILE OFF PAYROLL

When a member is off the payroll because of his/her status as an intermittent employee, layoff or involuntary termination, they are eligible for CSEA benefits and representation provided that they maintain their membership dues and/or fees.

## 206.00 MEMBERSHIP CARDS

### 206.01 Issuance

The Association shall prepare and issue membership cards. The cost of membership cards and their distribution shall be borne by the CSUEU.

### 206.02 Card Size

The membership card shall be a single card suitable to fit in a standard insert card holder.

### 206.03 Listed Information

The CSUEU membership card shall list the member's name, address, member ID number, bargaining unit, and chapter. The back of the card shall list the Weingarten Statement, important mailing and web addresses and phone numbers. The membership card shall contain the "union" bug - i.e., union made. (CSUDC 3/01/1)



## 207.00 ASSOCIATE MEMBER

Associate membership in the CSUEU is limited to those persons who:

- (a) Are on leave of absence from state service who elect not to be active members; (BD 32/08/4)
- (b) Were members while in state service, have separated from state service, and who are recommended by a chapter for membership; or (BD 32/08/4)
- (c) University employees who are not eligible for retired membership and are not part of an existing union.

## 208.00 UNIVERSITY OF CALIFORNIA MEMBERS

- (a) The CSUEU recognizes a community of interest between employees in the California State University, the University of California and Hastings College of the Law. The CSUEU will maintain a representation program for members in the UC and HCL, and shall, through its programs, endeavor to benefit those members. (BD 32/08/4)
- (b) The UC and HCL members shall have a statewide chapter and may petition the Board of Directors for additional chapters. (BD 32/08/4)

## 209.00 AUXILIARY MEMBERS

The CSUEU recognizes a community of interest between employees in the California State University and the California State University's foundations and auxiliaries. The CSUEU will maintain a representation program for members in the California State University's foundations and auxiliaries, and shall, through its programs, endeavor to benefit those members. (BD 39/09/3)

## 210.00 CONSTITUENCY GROUPS (BD 30/11/14)

### 210.01 Definition (BD 30/11/14)

A constituency group is any group of members with a common interest or goal not otherwise recognized the CSUEU Bylaws and/or Policy File. Constituency groups, as CSUEU members, shall abide by the CSUEU Bylaws and Policy File. Constituency groups shall be self-funded, however this shall not prohibit accommodation at de minimus cos. (BD 30/11/14) (BD 59/11/21)

### 210.02 Purpose and Goal (BD 30/11/14)

The purpose and goal of constituency groups is to encourage membership networking. (BD 30/11/14)

### 210.03 Approval (BD 30/11/14)

Constituency groups must petition the Board of Directors for recognition and approval to use CSUEU branding. The petition should include information regarding group membership (number of current and potential members), types of activities, purpose, goals and objectives. The Board of Directors may grant or deny the petition. If recognition is established, the

Board may, with or without cause, withdraw such recognition at any time. (BD 30/11/14)  
(BD 59/11/21)

#### 210.04 Reporting

The constituency group shall designate a liaison to the CSUEU Board of Directors. The liaison shall notify the CSUEU president at least one week in advance, or as soon as practicable, of any planned activities. Constituency groups shall provide a report to the first regular Board of Director's meeting of the calendar year. Reports should include, but not be limited to, group membership counts, meetings, activities, goals and objectives. (BD 59/11/21)

## DIVISION 3: CSUEU PURPOSE AND STRUCTURE

### 301.00 PURPOSE

#### 301.01 CSUEU Members

The purpose of the CSUEU is to represent and further the interest of those employees eligible for membership.

#### 301.02 CSUEU

The CSUEU Board of Directors shall consist of the President, the Vice President for Organizing, the Vice President for Finance, the Vice President for Representation, the Chair and Vice-chair of the Bargaining Unit 2, 5, 7 and 9 Councils, and the Chapter Presidents. (CSUDC 5/01/1) (BD 33/08/4) (BD 36/15/13) (BD 10/16/2)

#### 301.03 Duties of the CSUEU Board of Directors

The CSUEU Board of Directors is the highest policy-making body of the Corporation. (BD 33/08/4)

#### 301.04 Non-CSU Employee Members (BD 33/08/4)

- (a) CSUEU members in the University of California shall elect one member as a liaison to the CSUEU Board of Directors. The UC member shall have a vote on all matters affecting the membership status of UC members. The UC member shall be without a vote on any other matter. (BD 33/08/4)
- (b) CSUEU Auxiliaries Employees may have one representative as a liaison to the CSUEU Board of Directors. The CSUEU Auxiliaries representative member shall have a vote on all matters affecting the membership status of CSUEU Auxiliaries Employees members. The CSUEU Auxiliaries Employees representative member shall be without a vote on any other matter. (BD 33/08/4)

### 302.00 DUTIES OF CSUEU BOARD OF DIRECTORS OFFICERS

The executive officers of the CSUEU and the Board of Directors are the President, Vice President for Organizing, Vice President for Finance and Vice President for Representation. The Executive Officers' duties are enumerated in the CSUEU's Bylaws. (BD 32/09/2)

### 303.00 BARGAINING UNIT COUNCILS

#### 303.01 Bargaining Unit Council Representation

- (a) Health Care Support Bargaining Unit Council (BUC) 2 Members - Employees in the PERB-recognized Health Care Support Bargaining Unit 2, and not designated as supervisory, management or confidential shall be represented by this council.
- (b) Operations Support Bargaining Unit Council (BUC) 5 Members - Employees in the PERB-recognized Operations Support Bargaining Unit 5 and not

designated as supervisory, management or confidential shall be represented by this council.

- (c) Clerical and Administrative Support Services Bargaining Unit Council (BUC) 7 - Members Employees in the PERB-recognized Clerical and Administrative Support Services Bargaining Unit 7, and not designated as supervisory, management or confidential shall be represented by this council.
- (d) Technical Support Bargaining Unit Council (BUC) 9 Members - Employees in the PERB-recognized Technical Support Bargaining Unit 9 and not designated as supervisory, management or confidential shall be represented by this council.

### 303.02 Bargaining Unit Council Structure – Units 2, 5, 7, 9 (BD 33/08/4) (BD 10/16/2)

Each council shall consist of eight seats, elected at-large by the elected Chapter Campus Bargaining Unit Representatives of their respective bargaining units. Two seats shall be designated for election of the Chair and the Vice-Chair of the Bargaining Unit Council.

### 303.03 Responsibilities of the Bargaining Unit Councils (BD 33/08/4) (BD 10/16/2)

- (a) The Bargaining Unit Councils are solely responsible for the formulation of initial Bargaining proposals and the selection of the bargaining committee for full contract negotiations and scheduled re-openers of the contract.
- (b) Between negotiations, the council shall advise and work with the chair in the performance of his/her duties.

### 303.04 Bargaining Committee and Meet and Confer Committee (BD 33/08/4) (BD 10/16/2))

Bargaining Committees and Meet and Confer Committees shall be chaired by the Vice President for Representation or his/her designee. A Bargaining Committee shall be composed of eight members selected by the Bargaining Unit Council, or collectively Councils that are to be involved in the bargaining.

- (a) Statewide meet and confers shall have a committee of a similar composition as a Bargaining Committee.
- (b) Campus meet and confers shall allow for the chapter president and chief steward or their designee to be on the committee with a corresponding reduction of bargaining unit representatives.

## 304.00 DUTIES OF BARGAINING UNIT COUNCIL CHAIRS AND VICE-CHAIRS

### 304.01 Bargaining Unit Council Chair Duties (BD 3/11/3) (BD 10/16/2)

The Chair shall: (BD 3/11/3) (BD 10/16/2)

- (a) Be responsible for all matters affecting his/her membership concerning wages, hours and working conditions; (BD 3/11/3)
- (b) Consult with the Bargaining Unit Council; (BD 3/11/3)
- (c) Chair all meetings of the Bargaining Unit Council; (BD 3/11/3)
- (d) Appoint and supervise the bargaining council between full contract negotiations and re-openers, when meet and confers are called for; (BD 3/11/3)

- (e) Coordinate the training of the bargaining councils; (BD 3/11/3)
- (f) Develop bargaining proposals in matters concerning wages, hours and working conditions, including discussions with the employer on such subjects, including the review of classifications; and (BD 3/11/3)
- (g) Serve on the Board of Directors. (BD 3/11/3)

304.02 Bargaining Unit Council Vice-Chair Duties (BD10/16/2)

The Vice-Chair shall: (BD 3/11/3) (BD 10/16/2)

- (a) Assist the Chair in the performance of his/her duties; (BD 3/11/3)
- (b) Replace the Chair in the event of a temporary or permanent vacancy; and (BD 3/11/3)
- (c) Serve on the Board of Directors. (BD 3/11/3)

305.00 ASSOCIATED BARGAINING UNITS (BD 10/16/2)

- (a) English Language Program (Bargaining Unit 13 and 14 members) – CSU employees in the PERB-recognized English Language Program Instructors at California State Universities and not designated as supervisory, management, or confidential.
- (b) Each of these units will be represented by a Chair and Vice Chair.
- (c) The Bargaining Unit Chair and Vice Chair are responsible for all matters affecting his/her membership concerning wages, hours and working conditions and solely responsible for the formulation of initial Bargaining proposals and the selection of the bargaining committee for full contract negotiations and scheduled re-openers of the contract.
- (d) Campus meet and confers shall allow for the chapter president and chief steward or their designee to be on the committee.

306.00 PRESIDENTS' FORUM (BD 40/09/3) (BD \_\_/11/14)

306.01 Purpose and Goal (BD 40/09/3)

The purpose of the Forum is to enable Chapter Presidents to network with each other on issues at the Chapter level; e.g., ideas or programs that have been successful and/or those that have not. The primary goal of the Forum is to encourage internal organizational communication among Chapters. (BD 40/09/3) (BD \_\_/11/14)

306.02 Structure (BD 40/09/3)

The Presidents' Forum shall be comprised of all campus Chapter Presidents. In their absence, the Chapter Vice-President or designee may attend. The CSUEU President shall serve as the Presidents' Forum Coordinator. (BD 40/09/3) (BD \_\_/11/14)

306.03 Meetings (BD 40/09/3)

The Presidents' Forum shall meet as part of every regularly scheduled Board of Directors meeting. Meetings shall be open and informal. (BD 40/09/3) (BD \_\_/11/14)

## 307.00 CHAPTERS

### 307.01 Description

The basic membership group of the CSUEU is the chapter.

### 307.02 Definition of Chapter

- (a) A chapter is an autonomous organization of members with a community of interest, which holds an un-revoked charter signed by the President and the Vice President for Finance, issued by authority of the Board of Directors.
- (b) All chapter actions and policies in conflict with CSUEU or Association Bylaws or Policy Files shall be void.

### 307.03 Charter

A charter is an instrument issued at the discretion of the Board of Directors officially establishing a Chapter, establishing parameters of membership by community of interests to be served, designating its location and authorizing it to operate as a lawful agent of the CSUEU.

### 307.04 Petition for Charter

Persons who are eligible to or hold active membership in the CSUEU may petition the Board of Directors for the issuance of a charter declaring in their petition the community of interests to be served, their acceptance of the CSUEU Bylaws and Policy File, and their desire to function as a lawful agent of the Association.

### 307.05 Filing of Bylaws

A chapter shall file with the Vice President for Organizing and the Chair of the Policy File Committee a duly authenticated copy of their Bylaws and each amendment when adopted.  
(BD 40/09/3)

### 307.06 Conflict with CSUEU Policy File

A chapter's Bylaws may not conflict with Association or CSUEU Policy or Bylaws. To the extent that any such provision is in conflict, the Policy File Committee shall propose the necessary amendments to bring them into conformance, and shall file them with the President and the Chapter President for action. In the interim, the appropriate section(s) of the Chapter Bylaws template in Appendix B shall supersede the conflicting chapter bylaws provisions.  
(BD 40/09/3)

### 307.07 Revocation of Charter

The charter of any chapter may, for good cause after notice and with the opportunity to be heard, be revoked by the Board of Directors. Revocation is appealable to the CSUEU President.

### 307.08 Discipline of Elected Chapter Officers and Representatives

Each chapter is required to have a procedure for the discipline and/or removal of their elected officers and representatives, subject to appeal to the Board of Directors.

### 307.09 Chapter Duties

Each chapter shall endeavor to accomplish the following goals:

- (a) Increase membership. (BD 60/11/21)
- (b) Educate the membership on the history and accomplishments of CSUEU.
- (c) Faithfully hold in stewardship the dues and other interests of the membership.
- (d) Participate in CSUEU Board of Directors meetings and all appropriate training meetings.
- (e) Support the bargaining programs of the Bargaining Unit Councils.
- (f) Communicate regularly with its membership.
- (g) Adopt and maintain Chapter Bylaws.
- (h) Maintain a full executive committee, by either election or appointment. (BD 60/11/21)

### 308.00 HEARING OFFICER POOL

CSUEU shall maintain a pool of certified hearing officers. The President will endeavor to maintain at least eight (8) pool members representing chapters in Northern and Southern geographical regions. Certified stewards may request hearing officer training. Such requests shall be in writing and submitted to the President. (BD 60/12/13) (BD 4/13/3)

This panel functions under the guidance of a chair person appointed by the President. The panel shall conduct investigations and hearings and make recommendations to the Board of Directors pursuant to applicable CSUEU Policy. (BD 4/13/3)

### 309.00 STAFF (BD 4/13/3)

- (a) CSEA staff are not eligible for office in the Association or the CSUEU. Staff shall assist officers in the performance of their duties and contribute their knowledge and expertise (as requested) during policy discussions.
- (b) The CSUEU Executive Director is defined as the chief management staff assigned to direct the staff operations of the CSUEU. (BD 33/08/4)

## DIVISION 4: MEETINGS

### 401.00 APPROVAL OF MEETINGS

- (a) All meetings shall be called at the direction of the President.
- (b) All meetings of the Board of Directors, Committees, and Bargaining Unit Councils at CSUEU expense require the prior approval of the President. Each request for a meeting must be accompanied by an agenda in order to be approved. Any denial shall be in writing and appealable to the Board of Directors. Such appeal shall be voted on by the Board of Directors within five (5) days.

### 401.01 Meetings

- (a) Except as noted below, meetings or hearings at which official actions are taken, including but not limited to, meetings or hearings of the Board of Directors, Executive Officer Committee, committees, units, councils, and sub-groups thereof shall be open to all members of the Association.
- (b) CSUEU shall publish an online calendar of statewide meetings on its website, which shall be updated regularly. (BD 78/10/2)
- (c) Bodies of the CSUEU may conduct business by telephone conference call, video conferencing, e-mail and/or fax, as appropriate. Meetings may be held by conference call or video conferencing. (BD 34/11/14)
- (d) The Board of Directors, Bargaining Unit Councils, Presidents' Forum or CSUEU committees may utilize staff assigned by the Executive Director in order to implement their responsibilities. (BD 41/09/3) (BD 34/11/14)
- (e) The CSUEU Bylaws, Policy File, and Robert's Rules of Order, in that order, shall govern the conduct of all meetings. (BD 41/09/3) (BD 34/11/14)

### 401.02 Closed Session Mandatory

Bodies of the CSUEU must meet in closed session to consider the following:

- (a) Litigation matters;
- (b) Matters involving privileged relations such as attorney-client or doctor-patient; and
- (c) Personnel matters, including the employment, suspension or dismissal of a CSUEU employee. (BD 34/08/4)

### 401.03 Closed Session Optional

Bodies of the CSUEU may meet in closed session to consider the following:

- (a) Discussion of bargaining strategy;
- (b) Member grievance appeals and disciplinary actions; (BD 34/08/4)
- (c) Representation appeals;
- (d) Confidential financial information; (BD 2/10/1)
- (e) Negotiation, modification or termination of contracts; and (BD 2/10/1)
- (f) Legislative matters. (BD 2/10/1)



#### 401.04 Holding Closed Sessions

- (a) Attendance at closed sessions shall be limited to: the elected or appointed member(s) of the appropriate CSUEU body holding the meeting; members of the Board of Directors; and staff and other individuals who have pertinent information and whose presence is determined to be necessary by the presiding officer, subject to disaffirmation by the body.
- (b) Closed sessions, when held as a part of regular meetings, should be scheduled for an announced time certain. Announcement of the closed session and its purpose must be made to the members in attendance, if held during a regular meeting. All Board of Directors and Bargaining Unit Council closed sessions must be reported in the minutes of the next regular meeting and shall include a list of actions taken.
- (c) Closed sessions shall be exempt from the provisions that require advance notice of agendas and supporting materials. However, if practicable, the agenda shall be provided seven (7) days in advance of the meeting.
- (d) (BD 6/14/5)
- (e) A meeting, except a Chapter's Steward Council, shall conduct business in closed session or return to open session only by motion passed by a majority of the body. The body may not suspend this rule.
- (f) A Chapter's Steward Council shall always meet in closed session and shall discuss only items listed in sections 401.02 and 401.03, above.

#### 401.05 Reporting and Minutes of Closed Sessions

- (a) All closed sessions must be reported in the minutes of the next regular meeting and shall include a list of actions taken.
- (b) The minutes or record of closed sessions shall indicate when and for what purpose the closed sessions were held and shall further state that no other matters were considered.

#### 402.00 AGENDAS

##### 402.01 CSUEU Meetings (BD 11/12/4)

- (a) All meetings of the CSUEU shall have an agenda. For Board of Directors and Bargaining Unit Council meetings, the agendas and supporting documents shall be transmitted to the members of that body not less than twenty (20) days prior to that meeting. For all other statewide meetings, the agendas and supporting documents shall be transmitted to the members of that body not less than fourteen (14) days prior to that meeting. All matters appearing on the agenda that are not disposed of shall appear on the next agenda as items of unfinished business.
- (b) Supporting documents that are delayed shall be identified in the agenda, and in any case shall be distributed at least ten (10) days prior to the meeting.

##### 402.02 Board of Directors (BD 11/12/4)

- (a) Only members and members-elect of the Board of Directors, standing committees or the Executive Committee, as a body, may submit agenda items. (BD 11/12/4)

- (b) Any member may request a member of the Board of Directors to submit an agenda item to the Board of Directors. Members may approach their chapter Executive Board regarding submission of agenda items. (BD 11/12/4)
- (c) All items for the printed action agenda, except those from actions of the Executive Committee, shall be submitted to the President at least 20 days prior to each meeting of the Board of Directors and shall be accompanied by factual supporting data. (BD 11/12/4) (BD 16/15/2)
- (d) Items submitted, from any source other than the Executive Committee, as a body, for the action agenda after the 30-day limit as provided in subsection (a) above, shall be referred to the Board Executive Committee. Supporting data to demonstrate the emergency nature shall accompany each item. (BD 11/12/4)
- (e) Items that propose to expend funds not otherwise budgeted must identify a funding source. (BD 11/12/4)
- (f) The minutes of the Executive Committee meetings shall be an informational item on the agenda at the Board of Directors meeting. (BD 11/12/4)
- (g) The President may refer or defer items submitted for the action agenda. Such referred or deferred items shall become informational items on the agenda. By majority vote, the Board of Directors may place informational items on the action agenda. (BD 11/12/4)

#### 403.00 EMERGENCY ACTIONS

##### 403.01 Executive Officer Committee

- (a) In a situation deemed an emergency by the President, the Executive Officer Committee may take action by two thirds (2/3) written consent. This may be done by electronic mail or fax, with a signed hard copy follow up. Action by written consent shall meet the requirements set forth in applicable law. Written consent and electronic mail can be used under the following circumstances:
  - (1) Meetings shall be of an emergency nature that could not be handled in a timely fashion by a regular meeting;
  - (2) All members of the committee have been notified of the meeting;
  - (3) Any actions are reported at the next regularly scheduled meeting of the Board of Directors; and
  - (4) Written minutes are created to document the emergency action and are made available to any member upon request.
- (b) Electronic communication may be used in order to compile and share information, create reports and provide consensus as a committee to accomplish a task in a timely manner when expense and coordination of a meeting is prohibitive.

#### 404.00 FREQUENCY OF MEETINGS

- (a) CSUEU Board of Directors, Bargaining Unit Councils and Standing Committees shall meet no less than semiannually.

- (b) Chapter Executive Committees shall meet monthly.
- (c) Meetings of the entire chapter membership shall be held no less than once quarterly on an annual basis.

#### 405.00 CHAPTER PARTICIPATION IN BOARD OF DIRECTORS

- (a) Chapter Presidents shall be responsible for attending meetings of the Board of Directors. In the absence of the President, an alternate shall attend in accordance with the CSUEU Bylaws. The CSUEU shall reimburse the Chapter for the attendance of at least one representative. (BD 36/15/13)
- (b) If the Board of Directors conducts mandatory training for a chapter officer or representative, attendance shall be reimbursed.

#### 406.00 TRAVEL ACCIDENT INSURANCE

When on official CSUEU business, members of the CSUEU Board of Directors, Statewide Committee Members, Council Members, Stewards, Chapter Officers, Delegates to the General Council and CSUEU staff shall be covered by a master travel accident policy. The face amount, terms and conditions shall be determined by the CSEA Board of Directors and shall be the same for all persons covered.

## DIVISION 5: FINANCES

### 501.00 FINANCE COMMITTEE (BD 32/09/2)

The Finance Committee is responsible for the preparation, review, and revision of the CSUEU budget. (*See*, Division 12: Committees.) (BD 32/09/2) (BD 13/15/2)

### 502.00 BUDGET (BD 32/09/2) (BD 13/15/2)

The CSUEU budget shall determine the revenue and expenditures of the CSUEU. It shall reflect the actual dues and/or fee rate for all members and fee payers, as well as the travel reimbursement rate. All CSUEU expenditures shall be assigned to an appropriate category in the CSUEU budget.

### 502.01 Review (BD 35/08/4) (BD 32/09/2) (BD 13/15/2)

The Board of Directors shall review the status of the CSUEU budget at every regular meeting, including emergency changes made to the budget by the Executive Officer Committee, and make amendments to the budget as necessary.

### 503.00 DUES (BD 32/09/2)

- (a) At the regular session of each General Council, the CSUEU Delegates shall adopt the CSUEU dues and fees. The dues and fees shall include all per capita payments. Dues and fees shall be adopted before the CSUEU budget. In between sessions of the General Council the dues and fees established in the prior budget shall remain in effect unless changed by a two-thirds (2/3) vote of CSUEU General Council delegates present and voting.
- (b) The Board of Directors and/or Bargaining Unit Councils may augment the dues and fees established in the CSUEU budget, subject to the following conditions:
  - (1) Bargaining Unit Councils may modify the dues and fees of their members only;
  - (2) The augmentation shall be for a stated purpose with a specified duration of not more than one (1) year;
  - (3) All affected members shall be notified at least thirty (30) days before the effective date of the augmentation;
  - (4) Such augmentation shall be by two-thirds (2/3) vote of the Board of Directors or Bargaining Unit Council; and
  - (5) The dues and fees established by the CSUEU are not refundable.

### 504.00 LOCAL REPRESENTATION (BD 32/09/2)

- (a) The CSUEU Budget shall contain a line item specifying the amount of money rebated to the Chapters for local representation. Chapter funds must be used for purposes consistent with the goals of CSUEU. (BD 13/15/2)
- (b) The rate of rebate from the CSUEU Treasury to the chapters will be one dollar (\$1.00) per member and fee payer each month, but no less than \$400.00 as a base as of July 30, 2006. (CSUDC 41/01/03)

505.00 CHAPTER BUDGETS (BD 32/09/2)

505.01 Responsibilities and Reporting (BD 32/09/2)

The Chapter Treasurer shall be responsible for submitting a chapter budget on an annual basis, due thirty (30) days from the beginning of the calendar year. (BD 13/15/2)

505.02 Chapter Audits (BD 32/09/2)

- (a) CSUEU Headquarters shall conduct an annual financial audit/review by March 15. At least once every three years a financial audit shall be conducted of each chapter by an independent certified public accounting firm approved by the Vice President for Finance. (BD 13/15/2)
  - (1) Chapters may be scheduled for an audit using the following criteria:
    - (A) At the request of a member of the chapter with concurrence of the Vice President for Finance; or
    - (B) For cause as determined by the Vice President for Finance; or (BD 13/15/2)
    - (C) Routinely by geographic area or on a random basis.
  - (2) A Chapter may be audited based on matters identified in past audit reports.
  - (3) The CSUEU may require, at its discretion, additional audits/reviews of chapters at any time.
  - (4) All chapter officers shall cooperate and provide full disclosure of all financial transactions to the auditor.
- (b) Chapter Audit Reporting
  - (1) Audit/review reports shall state whether the financial statements are consistent with CSUEU policies and guidelines and the Chapter Bylaws.
  - (2) The audit/review report shall contain an expression of opinion concerning actions taken by the chapter regarding exceptions noted in previous audit/review reports.
  - (3) Explanatory notation of variations or discrepancies from CSUEU policies shall be noted in the audit/review report. Additional notes may be appropriate for clarifying audit/review findings.
  - (4) The audit report shall also comment on the adequacy of financial internal controls, such as:

- (A) All checks shall require two authorized signatures.
- (B) Separation of duties requires that the person authorizing the expenditures be a different person from the one who disburses funds.
- (C) Checks shall not be pre-signed.
- (D) Checks shall never be made payable to “cash.”
- (E) All cash advances shall be supported by written requests stating the reason(s) for the advance and identified as an advance for which the proper supporting documents are thereafter to be submitted and accounted for within 30 days of the event necessitating the advance.
- (F) Chapters are responsible for instituting and maintaining adequate internal control procedures to provide reasonable assurance against irregularities and improprieties, and adherence to the CSUEU’s Bylaws and Policies (auditing is not a substitution for an internal control system).
  - (5) Copies of the audit/review report shall be provided to the Vice President for Finance in accordance with the date specified above. (BD 13/15/2)
  - (6) The audit/review reports, along with the auditor’s working papers, shall be retained by CSEA Chapter Finance. (BD 13/15/2)
- (c) Qualifications of Chapter Auditors/Reviewers (BD 13/15/2)
  - (1) The Vice President for Finance, or his/her designee, may review potential auditors and develop a list of auditors to audit/review chapters. Names of additional prospective auditors may be submitted by members or chapters to Vice President for Finance for consideration. (BD 13/15/2)
- (A) Association Headquarters staff may be made available on a limited basis.
- (B) Use of a member auditor shall not preclude audits conducted by the staff or a CPA firm, at the direction of the Vice President for Finance.
- (d) Disposition of Chapter Audit Funds

In addition to any other actions taken by the Vice President for Finance, if the auditor gives a qualified or negative opinion regarding the chapter’s financial operations and records, and if immediate corrective action is not taken, the Vice President for Finance may direct that the chapter’s financial operation be placed in trusteeship for a period up to one year. He/she may further direct that the chapter’s financial operations be under the supervision for a second year.

#### 505.03 Chapter Financial Records (BD 32/09/2)

- (a) Mandatory training shall be provided jointly to all Chapter Presidents, Vice-Presidents, Secretaries and Treasurers within six months of their election. (BD 13/15/2)
- (b) All financial records of the chapters shall be retained for a period of five (5) years from the close of the fiscal year.
- (c) Chapter records shall consist of:
  - (1) Bank statements/canceled checks for all accounts;
  - (2) All supporting documents (i.e., invoices, expenditure request forms, receipts) for checks issued and deposits made for all accounts;

- (3) All minutes of chapter meetings and executive committee meetings;
  - (4) Copies of chapter budgets;
  - (5) Copies of financial quarterly reports;
  - (6) Check stubs and check registers;
  - (7) Bank reconciliations;
  - (8) Form 990 or 990T - federal tax exemption forms, if filed;
  - (9) List of all outstanding unpaid bills at the end of the audit period;
  - (10) Cash receipts and disbursement register (CSEA forms) or similar records.
- (d) Security and custody of the financial records and all assets of the chapter shall be the responsibility of the Chapter Secretary or Treasurer and shall be placed in a secure environment, and shall be made available for inspection by Chapter Officers of the respective chapter or by CSUEU Officers or their designee within ten days from a written inspection request. Chapter financial records maintained by CSEA or CSUEU shall be made available for inspection by Chapter Officers of the respective chapter or by CSUEU Officers or their designee within ten days from a written inspection request. All communications to a chapter from CSEA or CSUEU regarding their finances shall be sent to the Chapter President, Vice President, Secretary and Treasurer. (BD 13/15/2)

#### 505.04 Forfeitures (BD 32/09/2)

Chapters shall be notified by the Vice President for Finance or designee at least one month prior to forfeiture of any funds.

- (a) Failure to comply with the budget rules set forth in the Chapter Treasurer's Handbook of the CSUEU may result in forfeiture of monthly dues until the deficiency is corrected. Such forfeitures may be refundable upon review and recommendation of the Finance Committee.(CSUBOD 16/02/7) (BD 13/15/2)
- (b) A chapter treasury, including all reserve accounts, shall not exceed five-thousand dollars (\$5,000.00) in cash assets. If a chapter treasury exceeds this amount, monthly dues shall be forfeited until the treasury balance is below this limit.
- (c) A chapter with cause for exceeding the maximum cash assets may apply for an exemption, in writing, to the Vice President for Finance.

#### 506.00 CSUEU GRANTS (BD 32/09/2)

- (a) The CSUEU shall provide funding for chapter grants.
- (b) The amounts of each grant shall depend upon substantiated need and availability of funds in the CSUEU budget.
- (c) Grant funds must be used for purposes consistent with the goals of the CSUEU.

#### 506.01 Grant Administration (BD 32/09/2)

Chapter requests for grants shall be submitted to the Vice President for Finance on a grant request form that shall be supplied by the CSUEU. The Vice President for Finance will consult with the CSUEU Finance Committee and shall approve, amend, or deny the grant request. The decision of the CSUEU Finance Committee shall be reported at the next Board of Directors meeting as part of their report. (BD 13/15/2)

- (a) Failure to adhere to 506.00 (c) or the expenditure of grant funds on anything not authorized under the grant may result in revocation of all or part of the grant. The Board of Directors acting to revoke all or part of a grant may authorize the CSEA controller to recover grant money through deductions from the monthly chapter disbursement. (BD 32/09/2)

#### 506.02 Procedures (BD 32/09/2)

Requests for chapter grants shall include:

- (a) An explanation of the need for the grant;
- (b) An itemized list of proposed expenditures for which the grant funds will be used;
- (c) A copy of the chapter's budget, including projected income;
- (d) A copy of the chapter's latest financial statement, including chapter reserves, savings account and assets; and
- (e) Campus activities directly benefiting CSUEU represented employees.

#### 507.00 REIMBURSEMENT (BD 32/09/2)

The following persons shall be eligible for expenses in connection with official business of the CSUEU:

- (a) Members of the General Council;
- (b) Members of the Board of Directors and the Bargaining Unit Councils;
- (c) Members of Statewide Committees;
- (d) Other members of the CSUEU assigned by the President to perform duties for the CSUEU;
- (e) Invited guests of the Board of Directors.

#### 508.00 REIMBURSEMENT FOR CHAPTER PARTICIPATION AT BOARD OF DIRECTORS MEETINGS (BD 32/09/2)

Individuals required by the CSUEU Policy File to attend Board of Directors meetings as chapter representatives shall be required to file expense claims for necessary expenses within thirty (30) days of the event. The Vice President for Finance shall make provisions for travel advances and/or direct billing of expenses based upon request and hardship.

#### 509.00 PROCESSING OF EXPENSE CLAIMS (BD 32/09/2) (BD 8/10/2)

##### 509.01 Necessary Expenses (BD 32/09/2)

The most economical use of CSUEU funds, consistent with the convenience of the claimant and the schedule for the meeting, is the standard to be used in determining whether expenses claimed are necessary. Expenses may include travel, lodging and meals, and other expenses



as authorized by the Vice President of Finance or his/her designee. (BD 35/08/4)  
(BD 13/15/2)

#### 509.02 Expense Reimbursement Rate (BD 32/09/2)

- (a) The Board of Directors shall establish the travel reimbursement rates and policies, and review them annually. The policy shall be printed and attached to the reimbursement claim form.
- (b) Reimbursement for expenses over the established rate shall be paid only with the approval of the CSUEU Executive Director. (BD 35/08/4)

#### 509.03 Administration of Travel Advances (BD 32/09/2)

Travel advances must be requested by submitting the appropriate CSUEU form. Requests must be in writing and authorized by the Vice President of Finance or his/her designee. Travel expense claims (including all advances, less expenses), must be submitted within 30 days of travel. (BD 35/08/4) (BD 13/15/2)

#### 509.04 Eligibility (BD 32/09/2)

- (a) Travel advances will only be authorized to members in good standing.
- (b) Members funded to attend events must remain for the duration of the event unless prior arrangements have been made with the President.
- (c) Absent extenuating circumstances, members who fail to timely cancel travel reservations that result in a charge or penalty will be responsible for said charges. All appeals shall be directed to the Vice President of Finance. (BD 79/10/2)

#### 510.00 INVESTMENT POLICY (BD 32/09/2)

##### 510.01 General Portfolio Parameters (BD 32/09/2)

The Executive Officer Committee of the CSUEU Board of Directors shall determine the amount of cash that each acceptable bank will manage for CSUEU. In general, the portfolio parameters will apply to all cash managers; however, the bank that manages the excess cash used in daily operations will maintain liquidity parameters specified by CSUEU.

- (a) No single issuer or guarantor (other than the United States Treasury and Federal agencies) may represent more than 10% of the total value of holdings of each cash manager's portfolio.
- (b) The total portfolio will be invested to provide, in the form of maturity proceeds, of a minimum of 10% of the portfolio on 24-hours notice.
- (c) The Executive Officer Committee of the CSUEU Board of Directors shall coordinate with each portfolio manager.

##### 510.02 Acceptable Investments (BD 32/09/2)

- (a) U.S. Government and Government-sponsored Securities that are direct obligations of the U.S. Government;

- (b) Government-sponsored agency securities as follows: Government National Mortgage Association (GNMA) and /or Federal National Mortgage Association (FNMA);
- (c) Obligations of Major U.S. Bankers limited to Certificates of Deposit and/or Time Deposits; and
- (d) Money Market Funds limited to one (1) year until maturity.

## DIVISION 6: CSUEU PROCEDURES

### 601.00 ELECTIONS

#### 601.01 Electorate

- (a) Chapter Officers and Chapter Bargaining Unit Representative

Chapter Officers, General Council Delegates and Alternates are elected by the active members within their chapter.

Chapter Bargaining Unit Representatives (CBUR) are elected by the active members of their chapter from their respective bargaining unit.

- (b) CSUEU

The President, Vice President for Organizing, Vice President for Finance and Vice President for Representation shall be elected in accordance with CSUEU bylaws.

- (c) Statewide Bargaining Unit Councils (BUC)

Statewide Bargaining Unit Council (BUC) officers and members are elected by the Chapter Bargaining Unit Representatives (CBUR) of their respective units.

#### 601.02 Eligibility for Office

- (a) CSUEU Statewide (BD 5/11/3)

Any active member in good standing shall be eligible for the offices of President, Vice President for Organizing, Vice President for Finance, and Vice President for Representation. (BD 5/11/3)

- (b) Bargaining Unit Council (BD 5/11/3)(BD 39/12/9)

- (1) Chapter Bargaining Unit Representatives (CBUR) with certified steward status shall be eligible for election to the offices of Chair and Vice-Chair of their respective statewide Bargaining Unit Council (BUC). (BD 39/12/9)

Chapter Bargaining Unit Representatives (CBUR) shall be eligible for election as at-large members of their respective statewide Bargaining Unit Council (BUC). (BD 39/12/9)

- (c) Chapters (BD 5/11/3)

Any active member in good standing shall be eligible for the offices of Chapter President/General Council Delegate, Vice President, Treasurer, Secretary, Organizing Chair, Chapter Bargaining Unit Representative (CBUR), or General Council Delegate/Alternates. (BD 5/11/3)

#### 601.03 Terms of Office (BD 14/13/5)

- (a) The term of office of all Directors, Chapter Officers, Chapter Bargaining Unit Representatives (CBUR) and General Council Delegates/Alternates shall be for three (3) years, in accordance with CSEA General Council. Such terms shall commence upon announcement of the election results, with the

exception of General Council Delegates/Alternates-Elect, who are sworn in at General Council. (BD 36/08/4) (BD 42/09/3) (BD 3/10/1) (BD 7/14/5)

- (b) The term of office of Bargaining Unit Council members shall be for three (3) years or shall end when the BUC member is no longer a chapter BUR of that Bargaining Unit. However, Bargaining Unit Chairs and Vice Chairs who are not re-elected as chapter Bargaining Unit Reps may serve the remaining of their terms(s). (BD 7/14/5) (BD 44/14/23)

#### 601.04 Time of Election

Board of Directors, Bargaining Unit Council Chapter Officers and General Council Delegate elections shall be held every third year beginning in 2012. When the last day for performance of any act required by this election code falls on a Saturday, Sunday or holiday, such act may be performed on the next business day with the same effect as if it had been performed on the day appointed. (BD 36/08/4) (BD 42/09/3)

#### 601.05 Nominations

- (a) Chapter
  - (1) By October 15 prior to an election year, each Chapter President shall activate a Chapter Nominations Committee that shall serve for nominations to the offices of Chapter President/General Council Delegate, Chapter Vice President, Chapter Secretary, Chapter Treasurer, Chapter Organizing Chair, and Chapter Bargaining Unit Representatives (CBUR). (BD 36/08/4) (BD 8/14/5)
  - (2) By October 20, Chapter Presidents shall transmit Chapter Nominating Committee member names to CSUEU headquarters. (BD 36/08/4) (BD 8/14/5)
  - (3) During November preceding an election year, the Chapter President shall notify the chapter memberships of the date, time, and place of the open chapter meeting to accept nominations. Such meeting must be held by December 15. (BD 36/08/4) (BD 8/14/5)
  - (4) To be included on the ballot, all candidates must submit a signed Candidate Consent Form.
- (b) CSUEU

By April 30 of an election year, the President shall notify all active members in good standing of open nominations for CSUEU office. A nomination form and consent statement shall be included. Candidate statements shall be 100 words or less. CSUEU shall receive, publish and distribute, with reasonable editing, all nominations and candidate statements to the CSUEU electorate prior to elections. Nominations may also be made on the floor of the meeting called for the purpose of CSUEU elections. A signed consent form is required. (BD 36/08/4)
- (c) Bargaining Unit Councils

By April 30 of an election year, each Bargaining Unit Council (BUC) Chair shall notify all Chapter Bargaining Unit Representatives of open nominations for election to the Bargaining Unit Council (BUC), BUC Chair and BUC Vice-chair. A nominations form and candidate statement shall be included. The candidate statement shall be no more than 100 words. The CSUEU shall

receive, publish and distribute, with reasonable editing, all nominations and candidate statements to Chapter Bargaining Unit Representatives prior to elections. Nominations may also be made on the floor of the special meeting called for the purpose of BUC elections. A signed consent form is required. (BD 36/08/4)

#### 601.06 Election

- (a) Chapter
  - (1) Elections for Chapter Officers and Chapter Bargaining Unit Representatives shall be by either: mail ballot, conducted by CSUEU Headquarters, or open chapter meeting. All contested elections shall be conducted by secret ballot. (CSUDC 15/01/1)
  - (2) If the CSUEU is to conduct the election, the CSUEU Headquarters must be informed no later than December 16. (BD 8/14/5)
  - (3) If conducted by a chapter, the Chapter President shall inform the chapter electorate and the CSUEU President of the time, date and place of elections, no later than December 16. (BD 8/14/5)
  - (4) Chapter elections shall be concluded and results reported to CSUEU Headquarters no later than February 28th of an election year. (BD 36/08/4) (BD 8/14/5)
  - (5) Procedures for elections by open chapter meeting shall be included in the Chapter Bylaws.
  - (6) The winning candidate for each office is determined by a majority of votes cast. Blank ballots and proxy votes are invalid and shall not be counted. (BD 3/10/1) (BD 14/3/5)
  - (7) All ties shall be determined by lot. (BD 3/10/1)
- (b) CSUEU/Statewide (BD 3/10/1)
  - (1) By May 30, the President will schedule the election for Board of Directors and Bargaining Unit Council (BUC) offices. Notification for this meeting shall be included in the election package sent to the appropriate electorate no later than June 30. This package will include candidate information and their statements as noted in 601.05.
  - (2) The winning candidate for each office is determined by a majority of votes cast. Blank ballots and proxy votes are invalid and shall not be counted. (BD 3/10/1) (BD 14/13/5)
  - (3) All ties shall be determined by lot. (BD 3/10/1)
  - (4) CSUEU Statewide Election Committee (BD 3/10/1)
    - (A) Composition (BD 3/10/1)  
The Vice President for Organizing shall appoint the Elections Committee. (BD 3/10/1)
    - (B) The Elections Committee shall meet to establish rules of order for candidate presentations. (BD 3/10/1)

- (i) The committee shall announce the names of all eligible candidates for all offices who have filed a consent statement. After the Elections Committee announces eligible candidates, nominations from the floor are in order. (BD 3/10/1)
- (ii) After nominations have been closed, the presiding officer shall call for a motion to declare elected any unopposed candidates. All contested offices will be voted on simultaneously. (BD 3/10/1)
- (iii) The nominated candidates shall be excused to a nearby room. The presiding officer shall introduce each of the candidates who have filed consent statements. The Elections Committee will then conduct interviews of the candidates, consisting of four questions prepared by the committee, which have been kept confidential. The candidates shall be introduced and speak in the sequence in which they were placed in nomination. (BD 3/10/1)
- (iv) The candidates will be allowed two minutes to respond to each of the four questions, after which each candidate may speak for not more than five minutes. Presentations by candidates shall be timed by an official timekeeper. A 30-second warning shall be given to the speaker and at the conclusion of the allotted time the speaker's microphone shall be ordered turned off by the timekeeper. Following completion of the statements for each office, the candidates for that office may return to the floor. (BD 3/10/1)
- (v) Members of the appointed Election Committee shall not be candidates for Statewide Office. (BD 3/10/1)

(C) Disposal of Election Materials (BD 3/10/1)

All ballot materials shall be secured and retained until the next scheduled election is completed. (BD 3/10/1)

- (c) Bargaining Unit Councils (BUC) (BD \_\_/12/ \_\_)
  - (1) Election for the office of Chair shall be held first, followed by the election for the office of Vice-Chair. The winning candidate for each office is determined by a simple majority of votes cast. Ties shall be determined by lot. (BD 3/10/1) (BD \_\_/12/ \_\_)
  - (2) Plurality-at-large shall be the method by which at-large members are elected: Electorates may vote for up to six candidates and the six candidates with the most votes are elected. Ties for contested seats shall be determined by lot.. (BD 3/10/1) (BD \_\_/12/ \_\_)
  - (3) Blank ballots shall be considered abstentions. Proxy votes are invalid and shall not be counted. (BD 3/10/1) (BD \_\_/12/ \_\_)

(d) General Council Delegates

The membership role of Delegates to General Council, limited to active members of the Association, is determined at each session and consists of Delegates and alternates elected by a Chapter. The Delegates referred to herein shall be known as Chapter Delegates.

- (1) Each Chapter shall be entitled to elect one Chapter Delegate for each 200 members then belonging to such Chapter or major fractions thereof, or the number specified by the Association Policy File, except that no Chapter shall have less than one Delegate. Those candidates who are not elected as Chapter Delegates shall be placed on a list of Alternate Chapter Delegates in order of votes received.
- (2) A Chapter President shall always be one of the Chapter's Delegates. Chapter election ballots and voter statements for Chapter President shall indicate the person elected will serve in both capacities; however, a candidate for Chapter President who is not elected will not be placed on a list of Alternate Chapter Delegates. Chapter President elections shall be conducted in accordance with section 601.06(a) above.
- (3) General Council delegate elections shall be conducted by CSUEU Headquarters using mail balloting. No later than December 15, a General Council Delegate Nomination Form shall be mailed to each eligible CSUEU member. The nomination form shall be returned to CSUEU Headquarters by March 9. Ballots will be mailed to chapter members by April 20. Ballots must be received at CSUEU Headquarters, Sacramento, California 95814 no later than 5:00 p.m. on May 20. Results shall be announced no later than May 30. When the last day for performance of any act required by this election code falls upon a Saturday, Sunday or holiday, such act may be performed upon the next business day with the same effect as if it had been performed upon the day appointed. (BD 36/08/4) (BD 1/01/09)

(e) SEIU Delegates

The SEIU International Convention Delegates shall be the Statewide Officers. By motion, the Board may authorize additional delegates. Additional delegates shall be selected by lot from CSUEU Directors who wish to serve. (BD 13/12/4)

601.07 Chapter Chief Stewards (BD 35/11/14)

(a) Electorate (BD 35/11/14)

Chapter Chief Stewards shall be elected by the certified stewards in their Chapter. (BD 35/11/14)

(b) Eligibility (BD 35/11/14)

Any active member with certified steward status shall be eligible for election as Chapter Chief Steward. (BD 35/11/14)

(c) Term (BD 35/11/14)

The term of Chapter Chief Stewards shall be for (3) years. (BD 35/11/14)

(d) Nominations (BD 35/11/14)

Between April 1 and May 1 of an election year after the completion of Chapter elections, the Chapter President shall call for Chapter Chief Steward nominations. The nomination period shall be for a minimum of 14 calendar days. (BD 35/11/14) (BD 15/15/2)

(e) Elections (BD 35/11/14)

The Chapter President shall preside over the election. However, if the Chapter President accepts a nomination for Chapter Chief Steward, the next highest ranking Chapter Officer that is not running for Chapter Chief Steward shall preside. (BD 35/11/14)

Chapter Chief Stewards elections shall be concluded and results reported to CSUEU Headquarters by June 1. (BD 35/11/14)

601.08 Prohibited Election Activities and Conduct (BD 3/10/1) (BD 35/11/14)

(a) The following code of conduct and prohibited activities shall apply to elections for all CSUEU offices: (BD 3/10/1)

- (1) Candidates and members are prohibited from using obscene or false statements; (BD 3/10/1)
- (2) Candidates and members shall not encourage voters to base their judgments on considerations of race, color, sex, religion, occupation, national origin, sexual orientation, ancestry, disability, age or any legally protected class; (BD 3/10/1)
- (3) Members' dues shall not be used to support or oppose any candidate for any CSUEU office; (BD 3/10/1)
- (4) CSUEU equipment or resources such as, but not limited to, telephones, fax machines and computers shall not be used for the purpose of supporting or opposing any candidate over another for any CSUEU office; (BD 3/10/1)
- (5) CSEA staff are prohibited from advocating for or against candidates or rendering any services to any candidate for any CSUEU office. (BD 3/10/1)

(b) Violations of Election Activities and Conduct Prohibitions (BD 3/10/1)

- (1) A candidate may file a protest with the chair of the appropriate elections committee. The elections committee shall meet immediately to review the charges and render their decision. (BD 3/10/1)
- (2) Should the elections committee substantiate the charges, all parties shall be notified to cease and desist. (BD 3/10/1)

601.09 Protest Procedures - Chapter Officer or General Council Delegate (BD 3/10/1) (BD 5/11/3)

- (a) Any active chapter member may protest the election of any Chapter Officer or General Council Delegate in his/her Chapter. To be considered, a protest shall be:



- (1) In writing specifically setting forth the irregularity and procedure(s) violated; and (BD 36/08/4)
  - (2) Postmarked to the CSUEU President at CSUEU Headquarters, 1108 "O" Street, Sacramento, California 95814, within five (5) calendar days after the results of the chapter election is announced. (BD 36/08/4)
- (b) The incumbent in the protested office shall remain in office until the protest is decided. If there is no incumbent, the office shall remain vacant.
  - (c) If the criteria in 601.09(a) are satisfied, the CSUEU President, within ten (10) days of receipt of an election protest(s), shall appoint a Protest Committee of three (3) non-candidate members to investigate the protest and shall notify all candidates for the protested position of the protest.
  - (d) The Protest Committee must hold a hearing within twenty (20) days of appointment. (BD 36/08/4)
  - (e) The President shall return all protests that fail to meet the criteria listed in 601.09(a) to the protester within ten (10) days, specifically setting forth why the election protest was rejected.
  - (f) In hearing an election protest the Committee will:
    - (1) Contact the Chapter President and all other persons known to be involved and request all information pertaining to the protested election;
    - (2) Review all materials used in the election procedure relevant to the protest;
    - (3) When necessary or requested by any chapter member, hold an open hearing at the chapter. The chapter membership, protester and all other persons known to be involved, shall receive timely notice of the open meeting and shall be afforded an opportunity to present information in person or in writing;
    - (4) In evaluating the protest, the committee will consider:
      - (A) Evidence of irregularities or procedural violations; and
      - (B) If said irregularities or procedural violations affected the outcome of the election.
    - (5) Within ten (10) days of the close of the hearing, report its finding and recommendations in writing to the President with copies to the affected individuals for action.
  - (g) The President shall issue his/her decision within five (5) days based on the Protest Committee's findings and report. (BD 36/08/4)
  - (h) Affected parties may file a written appeal within ten (10) days to the Board of Directors. Such appeal must clearly state why an appeal should be considered. (BD 36/08/4)
  - (i) The Board of Directors, at its first meeting after the appeal request, shall make a final decision concerning election protests, and shall:

- (1) Review the proposed recommendations under the principles of substantial evidence and not treat the matter as a new hearing; and
- (2) Judge all issues involved in the protest and determine if a re-election is called for.
- (j) The decision of the Board of Directors shall be final and binding on all parties.

601.10 Election Protest Procedures – Statewide CSUEU & BUCs (BD 3/10/1) (BD 5/11/3)

- (a) A candidate for CSUEU & BUCs may protest an election for that office at the Election meeting. (BD 3/10/1)
- (b) The protestor shall: (BD 3/10/1)
  - (1) Seek recognition of the presiding officer, not later than one hour (excluding breaks) after the election results have been announced, to present the protest; and (BD 3/10/1)
  - (2) Specifically explain the irregularity or procedure violated. (BD 3/10/1)
- (c) The presiding officer, Election Committee and a Policy File Committee member shall immediately rule upon the protest. If the protestor or any candidate for that office disagrees with the ruling of the presiding officer, the protestor may challenge the ruling of the chair by seeking resolution under section 601.08(h). (BD 3/10/1)
- (d) The presiding officer shall immediately take appropriate action to enact the decision. (BD 3/10/1)

602.00 CONCURRENT OFFICE

- (a) The CSUEU President, Vice Presidents, BUC Chairs and Vice-Chairs, and all elected chapter officers shall not hold any other elective office concurrent with their term of office.
- (b) Exceptions to 602.00(a) above are:
  - (1) Any elected officer of the chapter may be General Council Delegate/Alternate, but may hold only one vote on a chapter board regardless of concurrent office;
  - (2) BUC Chairs and Vice-chairs shall also be Chapter Bargaining Unit Representatives (CBUR); and Chief Stewards may hold only one vote on a chapter board regardless of concurrent offices.

603.00 VACANCIES

603.01 CSUEU

Executive Officer vacancies shall be filled in accordance with the Bylaws. (BD 6/11/3)

603.02 Bargaining Unit Council

- (a) In the event of a temporary or permanent vacancy in the office of BUC Chair, the Vice-Chair shall serve. (BD 60/11/21)

- (b) In the event of a temporary or permanent vacancy in the office of either BUC Vice-Chair or a member of the BUC, the Chair shall appoint a replacement with the concurrence of the Bargaining Unit Council.
- (c) In the event of the simultaneous vacancy of both the chair and vice-chair, the remaining Bargaining Unit Council Members shall elect a new BUC Chair. (BD 12/12/4)
- (d) In the event of a vacancy of all Bargaining Unit Council members, the President (with concurrence of the Board of Directors) may appoint a BUC Chair. (BD 12/12/4)

### 603.03 Chapter

In case of a vacancy in the office of the President/General Council Delegate, the Vice-President becomes President. In case of a vacancy in the office of Vice-President, Secretary, Treasurer, Organizing Chair or Chapter Bargaining Unit Representative, the President shall make every effort to fill the vacancy by appointment, subject to the approval of the Executive Committee. If after 60 days the Executive Committee fails to hold a special election or confirm an appointment, the President may fill a vacancy by appointment without concurrence of the Executive Board. (BD 36/11/14) (BD 60/11/21) (BD 35/15/13)

In case of a vacancy in the offices of the President/General Council Delegate and the Vice-President, the line of succession for the office of President/General Council Delegate is automatic and shall be Treasurer, Secretary, and then Organizing Chair. (BD 36/11/14)

### 604.00 RECALL

#### 604.01 CSUEU

- (a) A recall meeting for any CSUEU officer shall be held upon petition of fifty-percent (50%) of the electorate, to be held no later than thirty (30) days after receipt of such petition in the CSUEU Headquarters. (BD 44/09/3)
- (b) The recall meeting shall include the electorate for CSUEU office.
- (c) Recall shall be affected upon a vote of fifty-percent (50%) plus one (1) of all votes cast.
- (d) In the event of recall of a CSUEU officer, the electorate shall elect a new CSUEU officer immediately following the recall vote.

#### 604.02 Bargaining Unit Councils

- (a) A recall meeting for any Bargaining Unit Council officer or member shall be held upon petition of fifty-percent (50%) of the Bargaining Unit Council, to be held no later than thirty (30) days after receipt of such petition in the CSUEU Headquarters. (BD 44/09/3)
- (b) The recall meeting shall include a quorum of 2/3 of the members of the Bargaining Unit Council.
- (c) Recall shall be affected upon a vote of fifty-percent (50%) plus one (1) of all votes cast.
- (d) In the event of recall of a Bargaining Unit Council Officer, the Bargaining Unit Council shall elect a new officer immediately following the recall vote.

In the event of a recall of a Bargaining Unit Council member, the chair shall fill the vacancy through the normal appointment process.

#### 604.03 Chapter

Chapters shall make provisions for recall of chapter officers and chapter bargaining unit representatives in the Chapter Bylaws.

- (a) A recall meeting for any chapter officer shall be held upon petition of fifty-percent (50%) of the electorate, to be held no later than thirty (30) days after receipt of such petition in the CSUEU Headquarters. (BD 44/09/3)
- (b) The recall meeting shall include the electorate for chapter office.
- (c) Recall shall be affected upon a vote of fifty-percent (50%) plus one (1) of all votes cast.
- (d) In the event of recall of a chapter officer, the electorate shall elect a new chapter officer immediately following the recall vote.

#### 605.00 CONTRACT RATIFICATION PROCEDURES (BD 9/14/5)

- (a) Upon reaching tentative agreement with the CSU Board of Trustees, the CSUEU Bargaining Committee shall prepare the Tentative Agreement (TA) including a TA summary. (BD 9/14/5)
- (b) The Ratification period shall be at least six (6) weeks and not longer than 12 (twelve) weeks and include:
  - (1) Distribution of the TA and summary
  - (2) Chapter ratification meetings
  - (3) Mailing of ballots
  - (4) Voting
  - (5) Deadline for receipt of ballots (BD 9/14/5)
- (c) CSUEU headquarters shall notify chapters of the anticipated ratification period and distribute the TA and the summary to members and fee-payers. (BD 9/14/5)
- (d) Chapters shall conduct ratification information meetings. (BD 9/14/5)
- (e) Ratification voting shall be by secret ballot by bargaining unit members. Ballots shall be printed for each unit on different colored paper and clearly identify the unit by name and number. A double envelope system shall be used for return of all ballots. Members shall place their ballot in a plain envelope and then place the plain unmarked envelope into a postage prepaid envelope. Said prepaid envelope shall be printed and signed by the employee and sent to the CSUEU. (BD 6/08/3) (BD 36/08/4)
- (f) Ballots sent to fee-payers shall include a membership card to be completed and returned with the ballot for the ballot to be valid.
- (g) Members may request replacement ballots from CSUEU Headquarters or their Chapter President. Replacement ballots shall be clearly marked. The outer envelope of replacement ballots shall advise the voter that receipt of two ballots will nullify their vote.

- (h) The President shall appoint teller(s) who shall oversee the counting of ballots and rule on all disputed ballots.
- (i) Ballots shall be deemed valid and are to be counted if the intent of the voter is clear and unmistakable.
- (j) Unsigned and otherwise unidentifiable returned ballots shall not be counted. Signing the inner envelope shall be considered as valid identification.

#### 605.01 Appeals

- (a) The decision of the teller(s) is final except that an appeal may be made by any member to the President within five (5) days challenging decisions of the teller(s).
- (b) Such appeal shall be in writing stating the specific grounds for the appeal.
- (c) Such appeal shall be heard only if the disputed ballots are sufficient to have an affect on the outcome of the ratification.
- (d) In such cases, the President shall issue a written decision within five (5) 10calendar days of receipt.

#### 606.00 CONCERTED ACTIONS WITHIN THE CSUEU

In order to obtain improvements in salaries, benefits and working conditions, concerted action(s) of members may be required.

#### 606.01 CSUEU Initiated Actions

The Board of Directors may initiate concerted action(s) against an employer whenever it deems necessary to support the bargaining process. Prior to implementation of any concerted action, the Board of Directors shall meet in closed session and determine the appropriate group(s), type(s) of action, timing of actions and the method of polling the affected group(s).

#### 606.02 Sanction Petitioning by Groups of Members

Any clearly identifiable group of members can petition for sanction of a job action. Examples include:

- (a) Members of the Union;
- (b) Members of a bargaining unit;
- (c) Members of a sub-group of a bargaining unit; and
- (d) Members at specific work locations.

#### 606.03 Initiation of Petition

Members may petition the Board of Directors for sanction of a job action. Every petition for a job action must be signed by at least ten (10%) percent of the affected group of members and one member of the Bargaining Unit Council. The petition shall contain:

- (a) The nature of the grievance;
- (b) Action taken to resolve the grievance;
- (c) The nature of the action requested; and
- (d) The number and identity of the affected group.

#### 606.04 Transmittal of a Petition

The transmittal of a petition shall be as follows:

- (a) The Bargaining Unit Council member(s) who signed the petition shall submit it to the Bargaining Unit Chair within twenty-four (24) hours;
- (b) The Bargaining Unit Council shall review the petition, arrive at a recommendation and forward it to the President within five (5) calendar days of receipt of the petition;
- (c) The President shall:
  - (1) Submit an information copy of the petition to the Board of Directors; and
  - (2) Refer the petition to an investigating committee which shall report their findings within five (5) calendar days.
- (d) If the committee investigation results in a positive finding, the President shall call a special meeting of the Board of Directors within ten (10) calendar days;
- (e) If the investigation results in a negative finding, the petition shall be transmitted to the chair of the Bargaining Unit Council within ten (10) calendar days for the purpose of reviewing the petition and their report of the investigation committee;
- (f) If the Bargaining Unit Council concurs with the findings of the investigating committee, the Bargaining Unit Council chair shall notify the President and the negative decision shall be final; and
- (g) If the Bargaining Unit Council disagrees with the investigating committee, the Bargaining Unit Council chair shall notify the President who shall call a meeting of the Board of Directors to take place within ten (10) days.

#### 606.05 Investigating Committee

The investigating committee shall include:

- (a) One member from the affected group of members;
- (b) The Chair of the affected Bargaining Unit Council;
- (c) Any other member of the Board of Directors; and
- (d) The CSUEU Executive Director or designee. (BD 6/08/3) (BD 36/08/4)

#### 606.06 Board of Directors Meeting

The Board of Directors shall review the petition, the investigating committee report and Bargaining Unit Council recommendations, and any other available information.

- (a) A two thirds (2/3) vote of the Board of Directors shall be required to sanction a job action.
- (b) The Board of Directors shall establish any and all conditions relating to the sanctioned job action.

#### 606.07 Ratification of Sanction

- (a) The action sanctioned by the Board of Directors shall be subject to ratification by secret ballot of the affected members.
- (b) A majority of ballots cast shall be indicative of the pleasure of the affected group. (BD 14/13/5)
- (c) The ballot shall clearly indicate that a non-cast ballot shall be interpreted as a YES vote.

#### 606.08 Results of Ratification Vote

The Board of Directors shall consider the results of the vote in closed session and take such action as may be appropriate.

#### 606.09 Termination of Sanction

A sanction shall be automatically terminated seventy-five (75) days after it is granted unless, by a two thirds (2/3) vote, the Board of Directors votes to terminate it sooner. The Board of Directors may extend the life of a sanction for additional periods of no longer than seventy-five (75) days, by two-thirds (2/3) vote.

#### 606.10 Sanction Directives

In sanctioning actions, the Board of Directors urges all members to observe all directives arising from such sanction and guarantees representation to all members with respect to their full legal rights in any disciplinary and legal actions resulting from observance of such directive.

#### 606.11 Status of Petitions

The Board of Directors shall keep the President of the Association informed of the status of all petitions and actions taken.

#### 607.00 COMPLAINTS (BD 59/12/13)

A complaint may be filed against an individual member. (BD 80/10/2)

A member or group of members may file a complaint against an officer or an official body of the CSUEU for official acts or omissions. (BD 59/12/13)

#### 607.01 Criteria (BD 59/12/13)

A complaint may be filed against a member, officer or an official body of the CSUEU for the following reasons: (59/12/13)

- (a) Gross neglect of duty or violation of the oath of office by a member holding an elected or appointed office; (BD 6/08/3) (BD 36/08/4)
- (b) Intentional breach of confidence in matters appropriately designated confidential when said breach could harm CSUEU and/or the Association; (BD 6/11/3)
- (c) Improper distribution or other misuse of material designed for use within CSUEU and the Association;
- (d) Violation of the Association or Chapter Bylaws, or the CSUEU Bylaws and Policy File;

- (e) Taking an active part in promoting another organization which is undermining the objectives or the existence of CSUEU and the Association, is seeking its decertification, or which directly competes with the CSUEU in areas where the CSUEU is the exclusive bargaining agent;
- (f) Unexcused absences from Board of Directors or committee meetings, or failure to participate in activities as assigned;
- (g) Taking a public position, in the name of CSUEU or the Association, which is contrary to the adopted policy of CSUEU or the Association or purporting to act on behalf of the Association, CSUEU, Committee, or a Chapter when not so authorized. An individual retains the right of free expression regarding CSUEU or Association matters provided she/he clearly indicates she/he is doing so as an individual, disclaims any intent to represent the position of the Association or CSUEU, and does not cause discredit or otherwise harm the Association or CSUEU; (BD 6/08/3) (BD 36/08/4) (BD 2/10/3) (BD 97/10/3)
- (h) Misuse of or failure to account for CSUEU or Chapter funds, equipment, or supplies; (BD 36/08/4)
- (i) Intentionally disrupting the orderly conduct of an official meeting; (BD 6/08/3) (BD 36/08/4) (BD 2/10/3) (BD 4/15/2)
- (j) Activity by a CSUEU officer actively working for or supporting any other organization that violates the Bylaws and/or Policy File of CSUEU or the Association; and/or (BD 6/08/3) (BD 36/08/4) (4/15/2)
- (k) Filing complaints (pursuant to Division 607.00 of this Policy File) in bad faith. Complaints based on this provision can only be filed after the resolution of the underlying complaint. (BD 4/15/2)

#### 607.02 Procedure (BD 59/12/13)

The procedures shall be as follows:

- (a) Upon request from a member, CSUEU Headquarters shall provide to the member a CSUEU HR-1 form and a copy of Division 607.01 and 607.02, or 907, if applicable. If such charges are filed against the President, the charges shall be filed with the Vice President for Organizing. If a charge is filed against the Board of Directors, the President shall forward the charge to the CSEA Board of Directors for appropriate action. Charges must be filed within ninety (90) days of when the alleged act(s) occurred or reasonably should have been discovered. The member filing the charges must agree to be present when the action is heard, to substantiate the charges and present the facts supporting the charges; (BD 6/08/3) (BD 36/08/4) (BD 80/10/2) (BD 6/11/3) (BD 59/12/13)
- (b) The member must fill out and return the CSUEU HR-1 and supporting documents to CSUEU Headquarters within fifteen (15) days. The charges must be specific and any supporting documents must be submitted at the time of filing. A copy of the entire complaint and supporting documents shall be forwarded to the Charged Party within ten (10) days of the receipt of an accepted complaint. If the appropriate charging form is not returned within



- fifteen (15) days, the charges shall be considered withdrawn and the matter closed. (BD 6/11/3) (BD 4/15/2)
- (c) Upon receipt of the CSUEU HR-1 form and supporting documentation, the President shall order a hearing to be held as soon as practicable, and in any event no later than sixty (60) days. A Hearing Officer or Panel, as appropriate, shall be drawn from the CSUEU Hearing Officers Panel Pool to adjudicate the charges. The President shall appoint one of the members to Chair the Panel. The CSUEU Executive Director shall assign staff support as appropriate. The hearing officer/panel shall not be a party to the dispute nor from the same chapter as any of the charging or charged parties; (BD 6/08/3) (BD 36/08/4) (BD 59/12/13)
  - (d) Within ten (10) days of the receipt of the entire complaint and supporting documents, the Charged Party shall be granted the opportunity to submit a written narrative and supporting documents to the hearing panel for its consideration prior to its determination of the validity of the charges. The hearing panel shall consider this information in determining the need for a hearing. (BD 4/15/2)
  - (e) The hearing officer/panel shall determine the validity of the charges. The hearing shall be open unless a request for a closed hearing is made by the member so charged. The findings of the hearing officer/panel shall be confidential pending final action of the Board of Directors; (BD 6/08/3) (BD 36/08/4) (BD 6/11/3)
  - (f) The hearing officer/panel shall have the authority to grant extensions and continuances; (BD 6/08/3) (BD 36/08/4)
  - (g) The individuals involved in the hearing shall be personally notified in writing at least ten (10) days prior to the hearing. Such notice shall include the date, time and place of the hearing, and a list of charges to be heard. New charges may not be introduced without an additional five (5) days notice to the member so charged;
  - (h) Parties and witnesses shall not be entitled to union leave for these proceedings; (BD 6/11/3)
  - (i) The parties to the hearing shall have the right to be represented, to introduce evidence supporting or refuting the charges and to cross-examine witnesses. Strict rules of evidence are not applicable. The hearing officer/panel shall not intervene on the behalf of any party and may only ask questions for clarification purposes. Absent extraordinary circumstances, the charging party shall not be allowed to submit documentary evidence beyond the supporting documentation provided with the HR-1; (BD 4/15/2)
  - (j) The charged party's failure to personally appear in response to the notice of hearing may be deemed sufficient cause for sustaining the charges; (BD 6/11/3)
  - (k) The charging party's failure to personally appear may be deemed sufficient cause to withdraw the charge; (BD 6/11/3)
  - (l) The hearing officer/panel shall report to the President no later than ten (10) days after the completion of the hearing. Such report shall include

recommendation for action including, but not limited to, the following: (BD 6/08/3) (BD 36/08/4)

- (1) Rejection of the charges;
  - (2) Reprimand;
  - (3) Suspension from office;
  - (4) Removal from office;
  - (5) Suspension from privileges of membership except those required by law; (BD 6/11/3)
  - (6) Suspension of membership; or (BD 6/11/3)
  - (7) Such other actions to correct the act or omission. (BD 6/11/3)
- (m) When there are more than thirty (30) days between the time the hearing officers/panel report is delivered to the President and the convening of the next Board of Directors, the President shall appoint a three (3) member Review Committee consisting of two (2) members of the Board of Directors and one (1) member-at-large, appointed by the President. Within ten (10) days of their appointment, this committee shall review the report of the hearing officer/panel and supporting documentation to determine whether or not the record supports summary adoption of the hearing officers/panel report; (BD 6/08/3) (BD 36/08/4)
- (n) If the Review Committee summarily adopts a hearing officer's/panel's recommendation, the adopted action will take immediate effect. The member shall retain the right of appeal to the full Board of Directors; (BD 6/08/3) (BD 36/08/4)
- (o) The Board of Directors shall act on the report no later than its next regularly scheduled meeting. In deliberating its action, the Board shall restrict its discussion to the report of the hearing officer, procedural matters and the appropriate disciplinary action to be imposed, if any. The chair shall rule out of order all discussion which attempts to introduce or argue the facts at issue, whether or not presented at the original hearing; (BD 6/08/3) (BD 36/08/4) (BD 4/15/2)
- (p) The Board of Directors must take immediate disposition of the case by motion. The Board of Directors may adopt, reject or modify the recommendation of the hearing officer/panel or the action of the Review Committee. Voting shall be by secret ballot. Any recommended disciplinary action(s) shall not be imposed without a three quarters (3/4) vote. (BD 4/15/2)
- (q) If the charged member believes that any procedural irregularity has prevented a fair and impartial hearing of the charges, the member may request to make a presentation to the Board of Directors prior to its final action. Such presentation is restricted solely to procedural issues and may not be used to argue the facts of the case; and
- (r) Nothing in these procedures is intended to deny a member any other rights or appeal of grievances available within the Association Bylaws.

### 607.03 Reimbursement of Costs to Member

Upon request of any party, the CSUEU shall determine whether or not to reimburse reasonable costs to any involved individuals. (BD 6/11/3)

## 608.00 CHAPTER TRUSTEESHIP

### 608.01 Purpose

- (a) The purpose of this article is to set forth the terms for a trusteeship of a chapter which may be imposed for the following purposes:
  - (1) Correcting malfeasance;
  - (2) Correcting financial malfeasance; or
  - (3) Restoring democratic principles and procedures.
- (b) Whenever the Executive Committee has reason to determine the risk to the CSUEU is such that action is required, a trusteeship must be created in compliance with the procedures listed in this article.

### 608.02 Imposition of Trusteeship

- (a) The President shall issue a notice which shall be mailed to all members of the chapter at least fifteen (15) days prior to the hearing date, setting a time and place for hearing for the purpose of determining whether a trusteeship should be imposed upon the chapter. The President shall appoint a hearing panel of three (3) members at large, exclusive of the Board of Directors and the chapter in question.
- (b) The hearing committee shall hold a hearing at the affected campus. All interested parties will be given the opportunity to provide all pertinent written and verbal information in accordance with Robert's Rules of Order.
- (c) The hearing committee will report their findings and recommendation to the CSUEU Executive Committee within fourteen (14) days of the hearing, for action.
- (d) Within five (5) days of receipt of the hearing committee report, the Executive Committee must determine if a Trustee should be appointed and report their decision in writing to the Chapter.

### 608.03 Appointment of Trustee

In the event that the Executive Committee decides to appoint a Trustee, such Trustee must act in the best interest of the Chapter that is in trusteeship.

### 608.04 Authority of Trustee

- (a) The Trustee shall be authorized and empowered to take full charge of the affairs of the chapter and its funds including:
  - (1) Remove officers and appoint temporary officers;
  - (2) Hold an election in compliance with CSUEU policy; and
  - (3) Take other action as he/she deems necessary for the preservation of the chapter.

- (b) The Trustee shall also have the discretion to:
  - (1) Require the chapter to turn over all financial records and property; and
  - (2) Request the Vice President for Finance to close all accounts in financial institutions, transfer funds to CSUEU Headquarters for separate accounting and authorize disbursement to pay all outstanding claims, properly proven, if funds are sufficient. The Vice President for Finance must comply with this request in a timely fashion.

#### 608.05 Emergency Trusteeship

In the case of an emergency, the President may place the chapter into immediate trusteeship with the consent of the Executive Committee. The process described in 609.02 shall then be followed immediately.

#### 608.06 Ratification of Trusteeship

- (a) The hearing committee's report shall be provided and the decision of the Executive Committee to impose Trusteeship ratified by a three-quarters (3/4) vote in a closed session of the Board of Directors at the first Board of Directors meeting following imposition of Trusteeship.
- (b) In deliberating its action, the Board of Directors shall restrict its discussion to the report of the hearing officer and procedural matters. The Chair shall rule out of order all discussion which attempts to introduce or argue the facts at issue, whether or not presented at the original hearing.
- (c) One Chapter Officer shall be permitted to make a report to the Board of Directors prior to a vote to ratify trusteeship. This one representative shall be chosen by a majority vote of the chapters' executive board. He/she shall have his/her travel expenses paid to make this report. (CSUDC 17/01/1)
- (d) If the trusteeship is not ratified by the Board of Directors, self governance of the chapter shall be restored. The trustee shall return all funds, books, paper and other property to the Chapter.
- (e) The Trustee shall report to the Board of Directors, at each subsequent Board of Directors meeting, the status of the trusteeship and make a recommendation to continue or terminate the trusteeship. The trusteeship can only be terminated by motion of the Board of Directors.

## DIVISION 7: RELATIONS WITH OTHER ORGANIZATIONS

### 701.00 SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU)

#### 701.01 Affiliation

CSUEU is Local 2579 of SEIU. Any amendments to such affiliation shall be made with the authorization of the CSUEU Board of Directors.

#### 701.02 Participation in SEIU

- (a) CSUEU shall participate in SEIU boards, committees, regional bodies and other sponsored activities that are available to it, and which shall not economically or otherwise harm the interests of the CSUEU.
- (b) CSUEU shall seek individual participation, distinct from and equal with other bodies of the Association.

### 702.00 OTHER ORGANIZATIONS

CSUEU encourages participation in Central Labor Councils on the part of its chapters. CSUEU shall also seek to participate in coalitions and other organizations that will advance the interests of the CSUEU's membership, as long as that participation does not violate the Association's affiliation agreements.

#### 702.01 The CSU Labor Council

The CSUEU shall participate in the CSU Labor Council, and shall encourage the formation of campus labor councils. Any participation in joint negotiations shall be at the discretion of the Board of Directors, and shall require the unanimous consent of the Bargaining Unit Chairs.

## DIVISION 8: UNION LEAVE/LOST-TIME POLICY & PROCEDURES

### 801.00 DEFINITIONS

#### 801.01 Union Leave

Union leave shall be defined, as noted in MOU Article 5.13, as a member's reimbursed absence from his/her state workplace, whether such reimbursement is through the state or direct to the employee, and is for the purpose of assigned governance or committee duties.

#### 801.02 Lost-Time

Lost-time shall be defined as a members reimbursed absence from his/her state workplace, whether such reimbursement is through the state or direct to the employee, and is for the purpose of performing work within the normal range of duties of staff.

#### 801.03 Release Time

Release time shall be defined, as noted in MOU Article 5.11, as a member's non-reimbursed absence from his/her state workplace.

### 802.00 UNION LEAVE

#### (a) Authorization

Union leave shall be authorized by the President or his/her designee. Such authorization shall be in writing and state the purpose of the leave and its duration.

#### (b) Procedures

- (1) Individual forms for union leave shall be available from CSUEU Headquarters office, Sacramento, California 95814. Any member wishing to take leave shall make such request in writing to the President stating the type of leave, its purpose and duration.
- (2) The President shall notify the member within thirty (30) days of the status of such a request. If a leave is denied, the reason for denial shall be included in the notification. Notification of a granted request will include a copy of the authorization and shall also state the guidelines for supervision of the leave.
- (3) Such leave may be revoked at the discretion of the President after proper notice to the member on leave. In no case shall a member be adversely affected by the revocation of such leave.
- (4) Copies of all requests, authorizations and associated costs shall be reported to the Board of Directors and maintained by CSUEU.

- (c) Supervision  
Union leave shall be supervised by the President.
- (d) Limitations  
Union Leave shall not be used for the purpose of running for or supporting a candidate for Association Office.

#### 803.00 LOST-TIME

- (a) Authorization
  - (1) Lost-time shall be authorized by the Executive Director, Vice President for Finance and one other Executive Committee member. Such authorization shall be in writing and also state the purpose of the leave and its duration. (BD 41/14/23)
  - (2) Members must sign the lost-time authorization and return it to CSUEU. (BD 41/14/23)
- (b) Procedures
  - (1) Any member wishing lost-timer status shall make such request in writing to the CSUEU Executive Director stating the type of leave, its purpose and duration. (BD 7/08/3) (BD 37/08/4) (BD 41/14/23)
  - (2) The CSUEU Executive Director shall notify the member within thirty (30) days of the status of such a request. If leave is denied, the reason for denial shall be included in the notification. Notification of a granted request will include a copy of the authorization and shall also state the guidelines for supervision of the leave. (BD 7/08/3) (BD 37/08/4)
  - (3) Such leave may be revoked at the discretion of the CSUEU Executive Director after proper notice to the member on leave. In no case shall a member be adversely affected by the revocation of such leave. (BD 7/08/3) (BD 37/08/4)
  - (4) Copies of all requests, authorizations and associated costs shall be reported to the Board of Directors and maintained by CSUEU.
- (c) Supervision  
Lost-time shall be supervised by the CSUEU Executive Director. (BD 7/08/3) (BD 37/08/4)
- (d) Limitations (\_/14\_)  
An employee serving in a lost-time status shall be restricted from CSEA and CSUEU politics in the same manner as the CSEA staff, with the exception that the employee shall be free to engage in political activity when not on time reimbursed by the CSUEU.
  - (1) Lost-time shall not violate the written terms of any agreement between the CSEA and the exclusive bargaining agent of CSEA staff.
  - (2) Lost-time leave shall not be used for the purpose of running for or supporting a candidate for any elected Chapter, CSUEU or CSEA office.
  - (3) Members in full-time lost-time status must resign from all CSUEU committees and elected positions.

## 804.00 RELEASE TIME

### 804.01 Principles

- (a) The leave should be used to accomplish important work of the organization such as training, organizing and governance.
- (b) The leave shall not be substituted for representation release time.

### 804.02 Distribution (Total 576 days)

The California State University provides release time each fiscal year which shall be distributed as follows:

- (a) Each chapter receives 14 days per year (336 days for 24 campuses);
- (b) 96 days reserved for use of the Board of Directors for CSUEU business;
- (c) The balance or 144 days shall be set aside for statewide use.

### 804.03 Administration

- (a) Overall responsibility for administration of 5.11(d) leave rests with the CSUEU Executive Director. (BD 7/08/3) (BD 37/08/4)
- (b) The CSUEU President and Executive Director must approve use of days from the statewide pool. (BD 7/08/3) (BD 37/08/4)
- (c) The Chapter President must approve the use of days from the chapter pool.
- (d) Chapters shall report use on the appropriate form.

The CSUEU Executive Director shall report 5.11(d) usage, in writing, at each Board of Directors meeting. The report shall include usage of both the statewide and the chapter pools. (BD 37/08/4)



## DIVISION 9: REPRESENTATION

### 901.00 SCOPE OF REPRESENTATION

- (a) Representation is the means by which the CSUEU makes its resources available to ensure a fair and full review of any infringement of CSU employees' rights and to obtain for them the full realization of any and all benefits to which they may be entitled by reason of being a CSU employee.
- (b) Representation in court is not automatically afforded but shall be provided only when the CSUEU Representation Committee determines the matter has merit and approves such representation pursuant to 902 (c).

### 902.00 RIGHTS AND LIMITATIONS

- (a) The CSUEU shall provide representation, within the limitations set forth in this Policy File, to employees based upon their status as follows:
  - (1) Members and fee payers within a unit for which the CSUEU is the bargaining agent, have the full right to good faith representation in any collective bargaining related matter by the CSUEU's designated representative, without charge;
  - (2) Members of affiliate organizations have such rights to representation as set forth in their affiliation agreement with the CSUEU as permitted by law;
  - (3) Employees who are not members within a unit for which the CSUEU is the bargaining agent shall be required to pay a reasonable fee for individual representation outside of the duty of fair representation under HEERA;
  - (4) Active CSUEU members who are in units for which the CSUEU is not the bargaining agent shall be entitled to representation to the extent authorized by law.
- (b) Representation shall not be provided to members beyond the scope of the CSUEU's duty of fair representation under HEERA in matters resulting from events which occurred prior to the date of their application for membership in the CSUEU unless required by law.
- (c) The CSUEU has the right to make fair and impartial decisions as to the merits of a particular request for representation, including but not limited to, decisions to:
  - (1) Undertake representation;
  - (2) Discontinue representation at any time;
  - (3) Recommend that a matter be settled prior to exhaustion of the applicable administrative procedures;
  - (4) Refuse to continue representation in the event that its recommendation is not satisfactory to the employee;
  - (5) Seek judicial relief and redress for a particular matter in addition to or in lieu of representation through any or all of the available administrative procedures; and
  - (6) Discontinue its representation in judicial proceedings at any point prior to their exhaustion.

## 902.01 Types of Representation

Representation consists of either services or indemnity, or both.

- (a) Services consist of advice, counsel and assistance rendered by competent and qualified persons, and may include investigation, negotiation and settlement as well as appearances before administrative, judicial or legislative tribunals. These services will be provided primarily by CSUEU Certified Stewards, then secondarily by Labor Relations Representatives, and finally, when deemed appropriate, by CSEA legal staff.
- (b) Indemnity consists of money payment in reimbursement of either a portion or all of actual and necessary representation costs. The CSUEU shall not indemnify anyone for costs or expenses incurred without prior authorization of the Vice President for Finance.

## 902.02 Requests for Formal Representation

At the time of the request for formal representation, the employee shall be given a form listing the employee's rights and responsibilities. Continued representation may be contingent upon the employee's good faith effort to comply with these responsibilities from the inception through the conclusion of the representation process. This statement shall include a statement of the employee's appeal rights. These forms shall be available at [www.csueu.org](http://www.csueu.org). CSUEU shall maintain a record of all requests for representation.

## 903.00 NONMEMBER REPRESENTATION

The Non-Member Representation Policy shall be distributed to all Chapters and staff, shall be presented to any non-member requesting representation and shall be available at [www.csueu.org](http://www.csueu.org).

## 903.01 Representation for Fee Payers

Representation for fee payers shall be as required by the provisions of HEERA. Fair share fee payers shall only be entitled to representation on matters covered by an MOU entered into between the CSUEU and the CSU Board of Trustees. (BD 38/08/4)

## 904.00 DENIAL OF REPRESENTATION

- (a) It is the CSUEU's general policy, in addition to the rights and responsibilities in 902.00 above, to deny representation on the following grounds:  
(BD Nov/2016/20)
  - (1) Unapproved Actions: The CSUEU shall not provide representation with respect to disciplinary action arising from unapproved job actions;
  - (2) Best Interests of the CSUEU: The CSUEU shall not provide representation that would conflict with the best interests of the CSUEU or require the CSUEU or its staff to take a position in any manner inconsistent with established positions or policies of the CSUEU;
  - (3) Conflict of Interest: The CSUEU shall not provide representation services that would result in any conflict of interest for the CSUEU staff. Indemnity for representation costs may be authorized if prior approval is obtained from the Vice President for Finance;

- (4) Lack of Merit: The CSUEU may deny representation in matters that appear to lack factual or legal merit;
  - (5) Lack of Cooperation: CSUEU may deny representation if the individual fails to cooperate in the matter; and
  - (6) Other Representation: The CSUEU may deny representation when it determines that an individual has another representative in the same matter.
- (b) Denials of representation shall be in writing and delivered with proof of service to the employee in a timely manner and shall not compromise the employee's right to continuance of his/her case or to appeal.

#### 904.01 Appeals of Denial of Representation

- (a) Any member of a bargaining unit represented by the CSUEU or member's designee may appeal a decision to deny a request for representation or submission of a matter to mediation or arbitration.
- (b) An appeal must be filed within fifteen (15) days of proof of service of the denial. (BD 12/08/2) (BD 38/08/4)
- (c) The appeal must be in writing stating the reason(s) for the appeal. The appeal shall be addressed to the CSUEU Executive Director in care of CSUEU, Headquarters office in Sacramento, California 95814. (BD 12/08/2) (BD 38/08/4)
- (d) Upon receipt of the appeal, the Representation Appeals Committee, shall meet within thirty (30) days to review the appeal. For appeals of denial of arbitration or mediation, such meeting shall be held no later than five (5) days prior to the expiration of the arbitration or mediation appeal period in the MOU, if applicable. (BD 12/08/2) (BD 38/08/4)
- (e) The Representation Appeals Committee decision shall be in writing and shall be final. (BD 8/08/3) (BD 12/08/2) (BD 38/08/4)
- (f) Upon reaching a decision on the appealed denial, the Chair of the Representation Appeals Committee shall forward the written decision to the appellant with a copy to the CSUEU Executive Director or their designee. If applicable, such decision shall be issued prior to the expiration of the arbitration or mediation appeals period contained in the MOU. If the appeal is sustained by the committee, the CSUEU Executive Director or designee shall notify the Union Representative assigned to the matter. (BD 8/08/3) (BD 12/08/2) (BD 38/08/4)
- (g) The Representation Appeals Committee shall maintain accurate records of matters brought before it and submit periodic reports to the CSUEU Board of Directors. (BD 12/08/2) (BD 8/08/3) (BD 38/08/4)

#### 904.02 Attorney-Client Relationship

The CSUEU does not practice law nor solicit matters requiring legal services. It does employ staff attorneys whose services are made available in accordance with representation policy. The CSUEU may authorize representation, but having given such authorization, will not thereafter interfere in the attorney-client relationship so established unless authorized by the client. (BD 8/08/3) (BD 38/08/4)

## 905.00 ARBITRATION SETTLEMENTS

No arbitration settlement shall be entered into regarding a grievance filed under a Memorandum of Understanding covering CSUEU employees on an issue that impacts the CSUEU's bargaining unit(s) without the proposed settlement having first been provided, in writing, to the Chairperson of the Bargaining Unit(s), and any or all agreeing to the terms of the proposed settlement of the arbitrator. Should any Chairperson of affected Bargaining Unit disagree with the terms of the proposed settlement, the proposed settlement shall not be entered into. The Chairperson(s) of the affected Bargaining Unit(s) shall put his/her decision on the matter in writing and submit the same to the person proposing the settlement and the grievant(s).

## 906.00 STEWARDS

- (a) It is the policy of the CSUEU to encourage local representation through a network of qualified job stewards. Chapters shall maintain an active representation program.
- (b) Stewards shall maintain active CSUEU membership in good standing. (BD 45/14/23)
- (c) Stewards shall work under the guidance of the assigned Labor Relations Representative and the Chief Steward.
- (d) Stewards shall be responsible for monthly reporting of active cases and requests for representation to the Labor Relations Representative and the Chief Steward. (CSUDC 23/03/02)
- (d) A steward may request to be placed on inactive status for a limited period of time. At the discretion of the Chief Steward, such stewards may attend monthly steward council meetings. (BD 81/10/2)

### 906.01 Stewards Training and Certification

- (a) The CSUEU shall establish a steward training program for basic, advanced, and chief stewardship, with regular updates after changes in the Memorandum of Understanding.
- (b) Completion of the training program shall entitle a member to certification as a job steward. Completion shall include:
  - (1) Attendance during the entire course;
  - (2) Passing a written examination; and
  - (3) Affirmative recommendation of the Trainer, Labor Relations Representative and Chief Steward, in the absence of a Chief Steward, the Chapter President can affirm the recommendation.
- (c) Recertification of existing stewards shall be required within one year of ratification of a new full contract. Stewards who fail to recertify shall not provide official CSUEU representation until recertified and shall be so notified. (CSUDC 20/01/1) (BD 81/10/2)

### 906.02 Chief Stewards

- (a) Chief Stewards will complete basic steward training, advanced steward training and chief steward training, and will be certified by the Labor

Relations Representative and Vice President for Representation. (CSUDC 21/01/1)

- (b) Duties of Chief Stewards
  - (1) Call and chair chapter steward committee;
  - (2) Ensure all grievances are tracked and records maintained utilizing the CSUEU tracking system; (CSUDC 23/03/02)
  - (3) Provide a monthly report of all active cases on their respective campus to the assigned Labor Relations Representative, the Chapter President and the Vice President for Representation; (CSUDC 23/03/02) (BD 61/11/21)
  - (4) When appropriate, assign cases to stewards.
- (c) CSUEU shall provide to the Chief Steward monthly reports on the status on all active cases on his/her campus that have been forwarded to the Labor Relations Representative and are either at level III or IV. (CSUDC 23/03/02) (BD 12/08/2) (BD 8/08/3) (BD 38/08/4)

#### 906.03 Steward Directory

A directory of all certified stewards shall be maintained by the CSUEU.

- (a) The directory shall include:
  - (1) Name and work location;
  - (2) Work phone number; and
  - (3) E-mail address.
- (b) The directory shall be distributed to all Stewards and Chapter Presidents.

#### 907.00 STEWARD DISCIPLINE

##### 907.01 Criteria and Procedures for Disciplinary Action

- (a) Stewards may be disciplined for the following causes:
  - (1) Failure to provide proper representation;
  - (2) Breach of confidentiality;
  - (3) Dishonesty; or
  - (4) Behaving in a manner inconsistent with the goals and objectives of the CSUEU and/or the Association.
- (b) If the Chief Steward, Chapter President or Vice President of Representation reasonably believes the performance of a Steward is not satisfactory, he/she may file a complaint with the CSUEU President pursuant to the procedures set forth in Division 607.02 and 607.03 with the following exceptions: (BD 12/08/2) (BD 8/08/3) (BD 38/08/4) (BD 6/11/3)
- (c) The President may temporarily place the Steward on suspended status. Such suspension shall be for no longer than the time necessary for the hearing panel to meet and render its decision. The Steward shall be notified in writing of any suspension. (BD 6/11/3)

- (d) The hearing officer/panel shall provide a written report to the President no later than ten (10) days after the completion of the hearing. Such report shall include recommendation for action including, but not limited to, the following: (CSUDC 23/03/02) (BD 6/11/3)
  - (1) Rejection of the complaint; (BD 6/11/3)
  - (2) Corrective action; (BD 6/11/3)
  - (3) Suspension; or (BD 6/11/3)
  - (4) Decertification. (BD 6/11/3)
- (e) The President shall notify the charged steward with the hearing panel's report and his/her right to appeal. Such appeal shall be to the Board of Directors. Appeals must be made in writing and submitted no later than ten (10) days after receipt of the hearing officer/panel's report. The decision of the Board of Directors shall be final. (BD 8/08/3) (BD 38/08/4) (BD 6/11/3)

907.02 Actions to be Taken (BD 6/11/3)

- (a) Corrective action shall be progressive and should include:
  - (1) Mandatory counseling with a letter to confirm the counseling session and to provide assistance, counseling, and/or training as needed.
  - (2) Written instructions shall be given to the Steward if previous counseling has not corrected the problem(s).
  - (3) Suspension shall be for a period not to exceed the time necessary to accomplish needed training and/or counseling.
  - (4) Decertification shall remove all rights of stewardship for a specified period of time.
  - (5) All decisions of the hearing panel shall be in writing. The hearing panel shall render a decision no later than (10) days from the conclusion of the hearing.

## DIVISION 10: FAIR SHARE FEE PROVISION

Effective June 30, 2000

### 1001.00 IMPLEMENTATION (BD 98/10/3)

The CSUEU shall determine which bargaining units will be covered by a Fair Share Fee Agreement and the amounts of the fair share fee (“fee”). The fee shall be a percentage of annual dues. Fees, like dues, shall be paid in advance.

### 1002.00 EXCLUDED FROM FEE (BD 98/10/3)

The fee shall not include the costs of any benefits available only to CSUEU members. (BD 98/10/3)

### 1003.00 POLITICAL ACTION CONTRIBUTIONS (BD 98/10/3)

The fee shall include the amount that the CSUEU sets for political action purposes; provided, however, that any fee payer who does not want to make the political action contribution and submits a written request for a reduction of the fee in the amount of the political action contribution will receive a reduction in the fee for that amount upon the Association’s Accounting Department’s receipt of the request. Such fee reduction will continue in effect until the fee payer provides the Association with written notice to the contrary. (BD 98/10/3)

### 1004.00 RIGHTS OF OBJECTING FEE PAYERS (BD 98/10/3)

In accordance with the procedures set forth in this section, any fee payer shall have the right to demand and receive a reduction of the fee. This amount shall be equal to the pro rata portion of the CSUEU’s expenditures for which the CSUEU may not, under the applicable law, collect and expend fees over a fee payer’s objection (non-germane expenditures). (BD 98/10/3)

### 1005.00 AUDIT OF CSUEU’S FINANCIAL RECORDS (BD 98/10/3)

During January, February and March of each year, the CSUEU Finance Committee will close out its financial records for the previous calendar year and have these records audited by an independent accountant. The auditor will provide the CSUEU with a report verifying the amount spent in each of the CSUEU’s major categories of expenditures. (BD 98/10/3)

### 1006.00 FINANCIAL REPORT

Within 60 days after the end of its fiscal year, the CSEA Accounting Department shall prepare a written 2202.03 financial report of its financial transactions pursuant to Government Code section 3584.

#### 1007.00 DETERMINATION OF REDUCED FEES (BD 98/10/3)

During April, the CSUEU shall determine the amount of the fee reduction for objecting fee payers for the upcoming “fee payer year,” which is defined as the period from July 1 through June 30. (BD 98/10/3)

The CSUEU shall also determine whether fee payers are entitled to any rebate or additional reduction of the fee for the current fee payer year. The reduced amount of the fee for objecting fee payers will take effect on July 1. Any additional reduction or rebate for the current fee payer year is to be provided to eligible objecting fee payers promptly after a determination that such reduction or rebate is warranted. (BD 98/10/3)

#### 1008.00 NOTICE TO FEE PAYERS (BD 98/10/3)

At least thirty (30) days prior to the deadline for accepting objections, CSUEU shall publish to all fee payers a notice (“Hudson Notice”), which sets forth the determinations made pursuant to this policy, including the reduction in the amount of the fee to be paid by objecting fee payers during the upcoming fee payer year and any rebate or additional reduction for the current fee payer year. The notice shall also include the following information: a description of the CSUEU’s major categories of expenditures in the prior calendar year as set forth in the auditor’s report; the fee that will be charged to fee payers if they do not notify the CSUEU of an objection under this section; the CSUEU’s categories of expenditures that objecting fee payers will not be required to support; the CSUEU’s calculation of the amount of the reduction or rebate available to objecting fee payers; the availability of a copy of the independent audit upon which calculations were based; and the rights of objecting fee payers under this Policy File, including the procedures for making objections. (BD 98/10/3)

#### 1009.00 NOTICE TO NEW FEE PAYERS (BD 98/10/3)

Individuals who become subject to the fair share fee after the Hudson Notice is published, including newly hired employees in bargaining units represented by the CSUEU, shall receive a copy of the Notice promptly after the CSUEU has received notification from the State Controller’s Office of the name, home address and job classification of any such individuals. (BD 98/10/3)

#### 1010.00 NOTIFICATION OF OBJECTION (BD 98/10/3)

- (a) For a given fee payer year, to obtain the reduction or rebate, a fee payer must submit a written request to the membership department that he/she does not wish to support any CSUEU activities that are not germane to collective bargaining. (BD 98/10/3)
- (b) The written objection request shall indicate the objecting fee payer’s name, current address, social security number, name of employer and bargaining unit. Except for new employees hired after the current year’s publication, objection requests to the membership department must be postmarked no later than July 1. For fee payers hired after the current year’s publication the objection must be postmarked within 30 days of the dissemination of the subsequent notice specified in this policy. Timely notification of an objection



pursuant to this section entitles the fee payer to a reduction or rebate only for the fee payer year to which the objection applies. (BD 98/10/3)

#### 1011.00 CHALLENGES TO THE CSUEU'S DETERMINATIONS (BD 98/10/3)

In addition to their right to object and thereby obtain a fee reduction or rebate pursuant to this policy, fee payers shall have the right to challenge the CSUEU's determination of the reduction or rebate in a hearing before an impartial decision-maker. To request and participate in the hearing pertaining to the upcoming fee payer year, the fee payer must make a written request, postmarked no later than July 1, to the membership department. (BD 98/10/3)

#### 1012.00 NATURE OF HEARING (BD 98/10/3)

- (a) Objectors shall have the right to have their challenges to the amount of the reduction or rebate heard in a reasonably prompt and impartial hearing before an arbitrator pursuant to the procedures set forth in this policy, or by the California Public Employment Relations Board (PERB). (BD 98/10/3)
- (b) Objectors who so challenge the amount of the fee in such a hearing are referred to as "challengers." Notwithstanding the provisions of this policy, challengers who wish to proceed before the PERB shall not be required to notify of such intentions in advance of filing with the PERB. (BD 98/10/3)

#### 1013.00 RESULT OF CHALLENGE (BD 98/10/3)

If any fee payer timely challenges the amount of reduction for the upcoming fee payer year, or the amount of any additional reduction or rebate CSUEU provided for the current fee payer year, the CSUEU will consider the basis provided for any such challenges and will make any further reduction it believes warranted by July 15, with prompt notice to the individuals who have challenged the fee. If any such challenge proceeds to a hearing, all objecting fee payers shall have their fees reduced or refunded in the amount determined at the hearing for the applicable fee payer year. (BD 98/10/3)

#### 1014.00 ESCROW PROVISIONS (BD 98/10/3)

During the period that any challenge is pending, the CSUEU will place 100 percent (100%) of the fees objectors paid each month in an interest-bearing escrow account (or segregated account) After the arbitration decision is rendered, the amount shall be distributed in accordance with the hearing decision. In those years where there is no arbitration and the only challenge to the amount of the fee is filed with the Public Employment Relations Board (PERB) or in a civil action, while such proceedings are pending, the CSUEU will place in escrow an amount equal to the most recent arbitrator's decision on the appropriate escrow percentage plus ten percent (10%) of the fee as an added cushion (not to exceed 100 percent (100%)). In such instances, the amounts held in escrow shall be distributed in accordance with the terms upon which the PERB or civil action is resolved. (BD 98/10/3)

#### 1015.00 ARBITRATION PROCEDURES

The American Arbitration Association Rules for Impartial Determination of Union Fees (AAA Rules), (or if another service provider is utilized, that arbitration provider's rules for

union dues/fees determinations) shall govern all aspects of the arbitration referenced in this policy, except to the extent that said rules are inconsistent with the provisions of this policy or may be deemed to be inconsistent with the requirements of the applicable law. In those respects, the provisions of this policy and/or of the applicable law shall govern. (BD 98/10/3)

#### 1016.00 REQUEST FOR ARBITRATOR (BD 98/10/3)

As soon as possible, after the close of the objection period, the CSUEU will provide to the American Arbitration Association (AAA), or similar arbitration service provider, a list of those fee payers who have timely submitted a written request to challenge the amount of their fee or rebate pursuant to this policy, together with relevant identifying information. (BD 98/10/3)

#### 1017.00 CONSOLIDATION AND LOCATION OF HEARING

All requests for a hearing shall be consolidated into a single hearing. The hearing shall be held in Sacramento unless all participants agree to conduct the hearing in another location. (BD 98/10/3)

#### 1018.00 SELECTION OF THE ARBITRATOR

The arbitration service provider will select an arbitrator from a panel of arbitrators it maintains for agency fee or fair share fee arbitrations. The arbitrator shall have extensive experience in labor arbitration. In addition, the arbitrator selected shall be available to preside over the hearing and to comply with the requirements of this procedure, including time requirements. (BD 98/10/3)

#### 1019.00 NOTIFICATION AND REPRESENTATION OF CHALLENGERS

Upon selection of the arbitrator, the arbitration service provider shall notify the CSUEU and the challengers of the identity of the arbitrator who shall be subject to a challenge for cause by any party participating in the arbitration pursuant to the arbitration service provider's procedures. The arbitration service provider shall also notify each challenger that he/she has a right to be represented in the arbitration at his or her own cost, and shall send each challenger a copy of the arbitration service provider rules and this policy. The arbitration service provider shall notify all participants of the time and place of the arbitration hearing, as determined by the arbitrator. (BD 98/10/3)

## 1020.00 HEARING PROCEDURES (BD 98/10/3)

The arbitration hearing shall begin no later than August 31. The AAA Rules, or other arbitration service provider's rules, shall apply to the conduct of the arbitration with the following modifications: (BD 98/10/3)

- (a) The participants or their designated representatives (collectively referred to as the "participants") may contact the arbitrator by telephone conference call to discuss scheduling or procedural matters, provided that all participants are involved in the call, and they may also communicate directly with the arbitrator in writing provided that copies of the written communication are sent to all participants.
- (b) Absent objection, the CSUEU shall pay the expenses and costs of the arbitrator pursuant to the AAA Rules.
- (c) The participants, at their option, may waive any oral hearings, including the presentation of live testimony by witnesses, and may submit the matter on affidavits and briefs.
- (d) Testimony at any hearing held pursuant to this section shall be transcribed or videotaped at CSUEU expense and made available to the challengers participating in the hearing upon request, along with copies of exhibits. Challengers who so desire, may submit written comment or evidence to the arbitrator (or do so orally by telephone conference call) prior to the close of hearing, but in any event, not later than 20 days after receipt of the transcription or video.
- (e) Alternatively, upon a showing of good cause defined as a reasonable showing that one or more challengers would be otherwise denied a fair opportunity to present relevant evidence and argument, the arbitrator may require that an additional hearing be held for the presentation of evidence or argument in person by challengers in the Los Angeles metropolitan area, San Diego and/or one other location in Northern California. These hearings would be in addition to the principal hearing site which would be in Sacramento at the Association's CSUEU Headquarters, unless otherwise agreed to by all participants in the arbitration.

## 1021.00 DECISION BY THE ARBITRATOR

The arbitrator shall decide within 30 days after the close of the hearing, whether the CSUEU properly determined the amount of reduction or rebate for objecting fee payers applicable to the fee payer year(s) in question and, if not, what those amounts should be. The arbitrator shall also decide whether any portion of the fees escrowed for the fee payer year recently begun should continue to be escrowed pending any hearing pursuant to this policy on challenges to the amount of reduction or rebate for that fee payer year at or near the end of that year. In making these determinations, the arbitrator shall apply the pertinent federal and state law, and shall have no authority to order any rebate or reduction unless required by law. The arbitrator shall set forth in the decision the legal and arithmetic basis for his or her decision.

## 1022.00 DUTY OF FAIR REPRESENTATION

### 1022.01 HEERA Requirements

Each fee payer is entitled to representation as required under the provisions of the Higher Education Employer/Employee Relations Act (HEERA).

## 1023.00 RELIGIOUS OBJECTIONS

### 1023.01 Charitable Contribution Alternative

Any employee who is a member of a religious body described in Government Code section 3584 or whose religious practices or beliefs include objections to joining or financially supporting an employee organization may have a sum equal to the fair share fee paid to a charitable fund. If an employee who holds religious objections pursuant to Government Code section 3584 requests individual representation in a grievance arbitration or administrative hearing from the CSUEU, the CSUEU is authorized to charge the employee for the reasonable cost of the representation.

## 1024.00 INTERPRETATION

### 1024.01 Legal Compliance

These procedures are to be interpreted and applied in accordance with the decisions of the United States Supreme Court and any other controlling decisions of a court of law.

## DIVISION 11: COMMUNICATION

Except as provided for in Division 4:

### 1101.00 AGENDAS

#### 1101.01 Distribution of Agendas and Backup Material (3/15/2)

- (a) Agendas and backup material for all Board of Directors meetings shall be sent to all members of the body that have scheduled the meeting, plus all Chapter Presidents, Chapter Vice Presidents, Chapter Secretaries and Chapter Treasurers at least twenty (20) days prior to the date of the meeting. (3/15/2)
- (b) Agendas and backup material for all Bargaining Unit Council meetings shall be sent to all members of the body, plus all Chapter Presidents and all Chapter Bargaining Unit Representatives of the unit scheduling the Council meeting at least twenty (20) days prior to the date of the meeting. (3/15/2)
- (c) Agendas and backup material for all other statewide meetings shall be sent to all members of the body that has scheduled the meeting, plus all Chapter Presidents at least fourteen (14) days prior to the meeting.

#### 1101.02 Agendas Available

Agendas and backup materials to any meeting (except for closed sessions) shall be available to any member upon written request to the CSUEU Executive Director. (BD 39/08/4)  
(3/15/2)

### 1102.00 MINUTES

All meetings of the CSUEU, with the exception of chapter steward councils, shall have minutes taken. Committee reports prepared pursuant to Division 1201.03 may be accepted as minutes. (BD 7/11/3)

#### 1102.01 Distribution of Minutes and Motions

Within thirty (30) days of a statewide meeting:

- (a) The minutes and text of all motions considered at all Board of Directors meetings (except for closed sessions) shall be sent to members of the Board and all Chapter Vice Presidents, Chapter Secretaries and Chapter Treasurers; (3/15/2)
- (b) The minutes and text of all motions considered at all Bargaining Unit Council meetings shall be sent to all Chapter Bargaining Unit Representatives and Chapter Presidents;
- (c) The minutes and text of all motions considered at all other statewide meetings shall be sent to all members of the body and all Chapter Presidents.

#### 1102.02 Minutes and Motions Available Upon Request

Minutes and the text of all motions (except for those taken in closed sessions) shall be available to any member upon written request to the CSUEU Executive Director. (BD 39/08/4) (3/15/2)

#### 1103.00 COMMITTEE ASSIGNMENTS

Volunteers for statewide standing and ad hoc committees shall be solicited through periodic announcements to members. (36/15/13)

#### 1104.00 CSUEU PUBLICATIONS

CSUEU publications shall be distributed no less than quarterly and shall include the calendar of events. A copy shall be printed for every member and the Board of Directors shall determine appropriate means of distribution.

#### 1105.00 CSUEU WEBSITE (BD 37/11/14)

CSUEU shall maintain a website. This shall constitute the official CSUEU website. Information of interest to the members shall be posted and updated on a regular basis. Only websites (including online social media sites) that have been approved by CSUEU may display the CSUEU name and/or logo. Approved websites shall be linked from the CSUEU website. (BD 82/10/2) (BD 37/11/14)

#### 1106.00 BARGAINING UNIT COMMUNICATIONS

Bargaining Unit Representatives and Bargaining Unit Council Chairs (or designees) are responsible for communicating information to the represented constituents.

As a courtesy, Chapter Presidents shall be copied on communications intended for the entire chapter Bargaining Unit. Such communication shall include a signature and contact information. (BD July/2016/10)

## DIVISION 12: COMMITTEES

### 1201.00 COMMITTEES (60/12/13)

#### 1201.01 Establishment

The Board of Directors shall establish such committees as it shall deem necessary to carry out the business of the CSUEU. The President shall establish ad hoc committees as necessary, subject to confirmation at the next regular Board of Directors meeting after the committee's establishment. Committees should reflect the diversity of the CSUEU in bargaining units and geography. Members should not serve on more than one committee unless mandated by their office or authorized by the President.

#### 1201.02 Charges to Ad Hoc Committees

It shall be the responsibility of the President to write all ad hoc committee charges, outlining duties and responsibilities, appointment process and duration. A copy shall be forwarded to the Committee Chair and Board of Directors.

#### 1201.03 Committee Reports

Each Committee Chair shall make a report at each regularly scheduled meeting of the Board of Directors. Such report may be made in writing. Committee reports shall be available to all members, except those deemed confidential by the President under the same rules as those governing closed meetings.

#### 1201.04 Committee Communication (BD 32/09/2)

Committees of the CSUEU may utilize electronic mail to communicate in order to compile and share information, create reports and provide consensus as a committee to accomplish tasks in a timely manner when the expense and coordination of a meeting is prohibitive.

#### 1201.05 Standing Committees (BD 32/09/2) (BD 5/13/3)

The following are standing committees of the CSUEU:

- (a) Executive Officer Committee;
- (b) Finance Committee;
- (c) Bylaws and Policy File Committee;
- (d) Representation Committee;
- (e) Representation Appeals Committee;
- (f) Legislative Committee;
- (g) Communication Committee;
- (h) Statewide Organizing Committee; and
- (i) Classification Committee.

#### 1201.06 Vice Chairs (BD 84/10/2)

Each committee shall elect a Vice Chair who shall conduct the business of the committee in the Chair's absence. (BD 84/10/2)

## 1202.00 EXECUTIVE OFFICER COMMITTEE (BD 42/14/23)

(Standing Committee)

### 1202.01 Charge

The Executive Officer Committee of the CSUEU, as a body, is vested with authority to manage the affairs, policies and activities of the CSUEU between meetings of the Board of Directors. Programs or actions without provision in existing policy shall not be implemented by the Executive Officer Committee unless the committee declares that an emergency situation exists and then secures a majority vote of the Board of Directors by any communication means necessary.

- (a) The Executive Officer Committee:
  - (1) Is authorized to make emergency line item adjustments to the CSUEU budget sub-categories between sessions of the Board of Directors. Any revisions shall be ratified by the Board of Directors at its next meeting; and
  - (2) The Executive Officer Committee is responsible for developing chapter and CSUEU executive officer training policy.

### 1202.02 Composition

The Executive Officer Committee shall be composed of the CSUEU Officers. The CSUEU Executive Director shall be assigned to the committee. (BD 40/08/4)

### 1202.03 Meetings

The Executive Officer Committee will meet at least twice a year.

### 1202.04 Duration

The Executive Officer Committee shall serve for the term between CSUEU Elections.

## 1203.00 FINANCE COMMITTEE (BD 42/14/23)

(Standing Committee)

### 1203.01 Charge

The primary responsibility of the committee is to advise the Executive Committee and Board of Directors on all matters relating to the ability of the CSUEU to fund programs and objectives recommended and/or approved by the Executive Committee or Board of Directors. Between sessions of the Board of Directors, the Finance Committee shall prepare the proposed budget for the CSUEU and provide ongoing fiscal oversight.

The Finance Committee shall be responsible for:

- (a) Preparing and presenting the CSUEU budget;
- (b) On-going review of the CSUEU budget and making recommendations as appropriate;
- (c) Aiding the Vice President for Finance in the performance of his/her duties;
- (d) Recommending deferral of specific programs and objectives;
- (e) Making recommendations to the Board of Directors on financial matters referred to the committee;



- (f) Making recommendations to the Executive Officer Committee and Board of Directors on policy sections which relate to the financial operation of the CSUEU; and
- (g) Developing and implementing training for Chapter Officers and Treasurers; and
- (h) Review and act upon requests for temporary dues reduction according to provisions of the CSUEU Policy File. (BD 5/13/3)

#### 1203.02 Composition

The Vice President for Finance shall serve as the chair of the Finance Committee. The Vice President for Finance, with the Board of Directors' concurrence, shall appoint (and may remove) Committee members. The CSUEU Executive Director shall assign staff to assist the Committee. (BD 40/08/4) (BD 9/10/2)

#### 1203.03 Meetings

The Finance Committee will meet at least twice a year.

#### 1203.04 Duration

The Finance committee shall serve for the term of the Board of Directors.

#### 1204.00 BYLAWS AND POLICY FILE COMMITTEE (BD 42/14/23)

(Standing Committee)

#### 1204.01 Charge

The basic responsibility of the Policy File Committee is to protect the integrity of the CSUEU by serving as a forum for discussion of all matters that relate to the governing principles of the CSUEU.

- (a) Between sessions of the Board of Directors, the Bylaws and Policy File Committee shall serve the Executive Officer Committee and shall be responsible for the review of and recommending action on Bylaws, Policy File and procedures of the CSUEU.
- (b) Independently reviews all actions of the Board of Directors, the Executive Officer Committee, and the Chapters for conformance with the Policy File, and bring to the attention of the appropriate body any actions found not to be in conformance therewith.
- (c) Upon request of an Executive Officer, interprets unclear or ambiguous portions of the Policy File and, along with any such interpretation, makes recommendations as appropriate. (BD 58/12/13)
- (d) Review recommendations for changes to the CSUEU Bylaws and Policy File.
  - (1) Place them in appropriate language and format;
  - (2) Submit recommendations as an agenda item at the next Board of Directors meeting;
  - (3) Review the CSUEU corporate documents for accuracy and making recommendations for their useful revision;

- (4) Take the actions of the Board of Directors and write them in appropriate Bylaws and Policy File form; and
- (5) Review Chapter Bylaws.

#### 1204.02 Composition

The President, with the Board of Directors' concurrence, shall appoint (and may remove) the Chair and Bylaws and Policy File Committee members. The CSUEU Executive Director shall assign staff to assist the committee. (BD 40/08/4) (BD 9/10/2)

#### 1204.03 Meetings

The Bylaws and Policy File Committee will meet at least twice a year. Committee. (BD 46/09/3)

#### 1204.04 Duration

The Bylaws and Policy File Committee shall serve for the term of the Board of Directors.

#### 1205.00 REPRESENTATION COMMITTEE (BD 42/14/23) (Standing Committee)

#### 1205.01 Charge

The Committee will review grievances for suitability of submission for mediation or arbitration, commit CSUEU resources as required to support representation at the highest levels and will review stewards' performance as required. (BD 4/10/1)

- (a) The Representation Committee is responsible for:
  - (1) Reviewing and deciding on the submission of grievances to arbitration or mediation;
  - (2) Reviewing and recommending to the CSUEU Executive Director statewide issues within the scope of representation for legal action; (BD 40/08/4)
  - (3) Producing an annual analytical and statistical report to the Board of Directors on all cases filed and processed for the previous calendar year. (CSUDC 23/03/02)
- (b) The Vice President for Representation and the Representation Committee are responsible for developing representation training policy. (BD 46/09/3)

#### 1205.02 Composition

The Vice President for Representation shall serve as the Chair of the Representation Committee. The Committee consists of the Bargaining Unit Council Chairs or their designee. Additionally, the Vice President for Representation, with the Board of Directors' concurrence, shall appoint (and may remove) at least two and no more than four at large members. (Such at large members shall be certified stewards.) The CSUEU Executive Director shall assign staff to assist the committee. (CSUDC 24/01/1) (CSUDC 44/01/3) (BD 40/08/4) (BD 9/10/2) (BD 15/12/4)

#### 1205.03 Meetings

The Representation Committee shall meet not less than quarterly.

#### 1205.04 Duration

The Representation Committee shall serve for the term of the Board of Directors.

#### 1206.00 REPRESENTATION APPEALS COMMITTEE (BD 42/14/23)

(Standing Committee)

#### 1206.01 Charge

Matters for which the staff, Stewards or Representation Committee have recommended denial of representation, arbitration or mediation may be reviewed by the Appeals Committee. The Appeals Committee may sustain, modify or set aside the denial of representation. Such recommendations shall be made in a timely manner that shall not compromise the employee's legal rights.

#### 1206.02 Composition

The Appeals Committee shall be composed of the President, the CSUEU Executive Director and the Bargaining Unit Chair of the affected Bargaining Unit. The CSUEU Executive Director shall assign staff to assist the committee. (BD 40/08/4)

#### 1206.03 Meetings

The Representation Appeals Committee will meet as required.

#### 1206.04 Duration

The Representation Appeals Committee shall serve for the term of the Board of Directors.

#### 1207.00 LEGISLATIVE COMMITTEE (42/14/23)

(Standing Committee)

#### 1207.01 Charge

The Committee is established to develop the legislative program of the CSUEU. The CSUEU's legislative program must include items mandated by the General Council, the Board of Directors and the Executive Committee on matters within their jurisdiction. The CSUEU's legislative program may contain other items recommended by the Board of Directors or Executive Committee.

The Legislative Committee shall: (BD 46/09/3)

- (a) Recommend appropriate legislation to the Board of Directors that will advance the interests of the CSUEU; (BD 46/09/3)
- (b) Receive actions of the Board of Directors and prepare them in appropriate legislative form; (BD 46/09/3)
- (c) Monitor legislation that has potential impact on the CSUEU and to recommend to the Board appropriate action as necessary; (BD 46/09/3)
- (d) Develop legislative and political action training policy; (BD 46/09/3)

- (e) Evaluate candidates and recommend endorsements to the Board of Directors for statewide elections and ballot measures; (BD 46/09/3)
- (f) At the direction of the Board of Directors, evaluate and recommend endorsements for national and local elections and ballot measures; (BD 46/09/3) (BD 38/11/14)
- (g) Review Public Employees Retirement Board (PERS) meetings and actions, report to the Board and the Communications Committee, and recommend to the Board appropriate action as necessary. (BD 5/10/3) (BD 38/11/14) (BD 61/12/13))

#### 1207.02 Composition

The President, with the Board of Directors' concurrence, shall appoint (and may remove) the Legislative Committee members. The Committee members shall elect the chair. The CSUEU Executive Director shall assign staff to assist the Committee. (BD 40/08/4) (BD 9/10/2)

#### 1207.03 Meetings

The Legislative Committee will meet at least twice a year.

#### 1207.04 Duration

The Legislative Committee shall serve for the term of the Board of Directors.

#### 1207.05 Appointment for Association Legislative Committee

The President shall appoint member(s) of the Committee to the Association's Legislative Committee.

#### 1208.00 COMMUNICATIONS COMMITTEE (BD 42/14/23)

(Standing Committee)

#### 1208.01 Charge

The CSUEU Communications Committee, in collaboration with assigned staff, shall be responsible for the development and recommendation of communication policies, procedures, guidelines and materials, including but not limited to, paper and electronic media. (BD 40/08/4) (BD 37/11/14)

- (a) The Committee will recommend methods for the distribution of mass electronic communications to CSUEU represented employees. (BD 40/08/4)
- (b) The Committee shall produce at least three statewide newsletters to represented employees each year. (BD 40/08/4)
- (c) In collaboration with communications staff, the Committee shall be responsible for developing communications training policy. (BD 40/08/4)

#### 1208.02 Composition

The President, with the Board of Directors' concurrence, shall appoint (and may remove) the Chair and Communications Committee members. The CSUEU Executive Director shall assign staff to assist the Committee. (BD 40/08/4) (BD 9/10/2)

#### 1208.03 Meetings

The Communications Committee will meet at least three times a year. (BD 40/08/4)

#### 1208.04 Duration

The Committee shall serve for the term of the Board of Directors.

### 1209.00 STATEWIDE ORGANIZING COMMITTEE (BD 42/14/23)

(Standing Committee)

#### 1209.01 Charge

- (a) The Statewide Organizing Committee will oversee the organizing programs for all employees in the CSUEU. It will provide assistance and counseling to each campus in the development of a campus organizing committee.
- (b) The Committee shall develop, implement and evaluate an annual organizing program to increase and maintain membership in all bargaining units for the CSUEU.
- (c) The Committee shall seek input from the Chapters and Bargaining Unit Councils as to specific needs or issues.
- (d) Vice President for Organizing and the Statewide Organizing Committee are responsible for developing organizing training policy.

#### 1209.02 Composition

The Vice President for Organizing shall serve as Chair of the Organizing Committee. The Vice President for Organizing, with the Board of Directors' concurrence, shall appoint (and may remove) Committee members. The CSUEU Executive Director shall assign staff to assist the Committee. (BD 40/08/4) (BD 9/10/2)

#### 1209.03 Meetings

The Statewide Organizing Committee will meet at least twice a year.

#### 1209.04 Duration

The Committee shall serve for the term of the Board of Directors.

#### 1209.05 Campus Organizing Committee

- (a) The Campus Organizing Committee will receive assistance from the Statewide Organizing Committee.

- (b) The Campus Organizing Committee shall:
  - (1) Ensure that a new employee orientation exists.
  - (2) Enforce contractual obligation that new employees' packets are distributed.
  - (3) Ensure the distribution of fair share notices to new employees.
  - (4) Develop campus programs to promote membership recruitment and fair share fee payer conversion.
  - (5) Coordinate the implementation of Association-approved statewide organizing programs on the campus.

1210.00 CLASSIFICATION COMMITTEE (BD\_\_\_\_\_)

(Standing Committee)

1210.01 Charge

The Classification Committee shall be responsible for:

- (a) Reviewing CSU classification revisions, new or old;
- (b) Surveying employees regarding classification needs or impacts;
- (c) Coordinating pre-bargaining research efforts among affected classifications in preparation for meet and discuss, and meet and confer sessions relating to classification standards and/or changes to existing standards; and
- (d) Reporting back to the Bargaining Unit Councils in preparation for bargaining and coordinating bargaining unit efforts with the Vice President for Representation.

1210.02 Composition (BD 5/15/2)

The Classification Committee consists of one (1) at-large member of each of the Bargaining Unit Councils appointed by the Council Chairs. Additionally, the President, with the Board of Directors' concurrence, shall appoint (and may remove) three members. The Vice President for Representation may serve as an ex-officio member. The Committee members shall elect the Chair. The CSUEU Executive Director shall assign staff to assist the Committee. (BD 40/08/4) (BD 9/10/2) (BD 5/15/2)

1210.03 Meetings

The Classification Committee will meet at least twice a year.

1210.04 Duration (BD 5/15/2)

The Committee shall serve for the term of the Board of Directors.

DIVISION 13: TRAINING AND ORIENTATION (BD 11/08/03) (BD 41/08/4)

1300.00 BOARD OF DIRECTORS ORIENTATION AND TRAINING (BD 11/08/03) (BD 41/08/4) (BD 2/15/2)

At the first Board of Directors meeting after the election of a new Board of Directors, the President shall convene an orientation meeting of all Board of Directors members. (BD 11/08/03) (BD 41/08/4) (BD 2/15/2)

- (a) Orientation shall include, but not be limited to: (BD 2/15/2)
  - (1) Duties and Fiduciary responsibilities of Board of Directors; (BD 41/08/4)
  - (2) Procedures for travel expenses and union leave; (BD 41/08/4)
  - (3) Status of programs within the CSUEU; and (BD 41/08/4)
  - (4) A calendar of meetings. (BD 41/08/4)
- (b) Training shall include, but not be limited to: (BD 2/15/2)
  - (1) Robert's Rules of Order;
  - (2) Chapter President/Corporate Directors roles;
  - (3) Duty of Confidentiality (including closed sessions);
  - (4) Ethics;
  - (5) Communications (best practices, conference call etiquette, etc.);
  - (6) Policy file; and
  - (7) Budget.

1301.00 TRAINING RESPONSIBILITIES

1301.01 Fiscal Training (BD 41/08/4)

Vice President for Finance and the Finance Committee are responsible for developing fiscal training policies.

1301.02 Organizing Training (BD 41/08/4)

Vice President for Organizing and the Statewide Organizing Committee are responsible for developing organizing training policy.

1301.03 Communications Training (BD 41/08/4)

The Communication Committee is responsible for developing communications training policy.

1301.04 Political Action Training (BD 41/08/4)

Legislative Committee is responsible for developing legislative and political action training policy.

1301.05 Officer Training (BD 41/08/4)

The Executive Officer Committee is responsible for developing Chapter and CSUEU Executive Officer training policy.

#### 1301.06 Representation Training and Orientation (BD 41/08/4)

Vice President for Representation and the Representation Committee are responsible for developing representation training policy and training for hearing officer panel pool members. (BD 41/08/4)

- (a) After the election of new Bargaining Unit Chairs and Vice-Chairs, all members shall receive professional bargaining orientation and training by a nationally recognized labor organization. (BD 41/08/4)
- (b) At the first meeting, the Representation Committee shall submit a financial budget to the Vice President for Finance to obtain this orientation and training. (BD 41/08/4)

#### 1301.07 Hearing Officer Training (BD 41/08/4) (BD 60/12/13) (BD 4/13/3)

Hearing Officers shall receive formal training and be certified by legal staff and/or an educational institution. The training shall include, but not be limited to, the following:

- (1) Procedures for conducting hearings;
- (2) Rules of evidence;
- (3) Evidence of evaluation;
- (4) Decision making;
- (5) Report preparation; and
- (6) Presentation of findings and recommended decision to the Board of Directors.



## APPENDIX A: DEFINITIONS

**Ad Hoc Committee:** A committee created to deal with subjects not under the jurisdiction of a standing committee. (BD 1/10/1)

**Candidate:** a member in good standing who has been nominated, has signed a consent form and is running for an elected office. (BD 1/10/1)

**Day:** Calendar day.

**DFR:** See Duty of Fair Representation.

**Duty of Fair Representation:** The statutory obligation to provide representation under HEERA.

**Ex Officio:** Non-voting committee member.

**General Council:** The governing body of CSEA composed of delegates elected by each Division and affiliate.

**Higher Education Employee Relations Act (HEERA):** The statutes governing collective bargaining for CSU and UC employees.

**Majority/Simple Majority:** A majority is more than fifty percent (50%) present and/or voting. A simple majority means the most votes cast. (BD 1/10/1) (BD 14/13/5)

**Public Employment Relations Board (PERB):** The state agency charged with administration and enforcement of HEERA.

**Public Employee Retirement System (PERS):** The state agency responsible for administration of public employee retirement and health plans.

**Quorum:** The minimum number of members necessary for a CSUEU body to conduct business.

# Draft Chapter Bylaws

(Recommended by CSUEU Policy File Committee April 2009, as amended  
June 2011) (BD 36/11/14)

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California State University \_\_\_\_\_  
Chapter \_\_\_\_\_ Bylaws

This Chapter is an autonomous organization chartered by the California State University Employees Union (CSUEU), a California Corporation. CSUEU is SEIU Local 2579 and is an affiliate of the California State Employee Association (CSEA).

## ARTICLE I

### ADMINISTRATION

#### Section 1. Authority:

Subject to the members' right to set the broad goals and the general policies of the Chapter, the operations of the Chapter are administered by the Chapter Executive Committee.

Chapters are chartered entities of CSUEU and therefore are bound by the Bylaws and Policy File of CSUEU.

#### Section 2. Executive Committee:

Members of the Executive Committee are the President/General Council Delegate, Vice President, Secretary, Treasurer, Organizing Chair and the Chapter Bargaining Unit Representatives for each of the Bargaining Units represented by the CSUEU. (Other Executive Committee members may include Chief Steward, Communications Liaison, immediate past President or any other office provided for in the Chapter Bylaws.) All officers must complete steward training within 6 months of assuming office. (BD 36/11/14) (BD 6/15/2)

Excluding members of the CSUEU Board of Directors, if a chapter officer has two (2) or more consecutive, unexcused absences from chapter Executive Committee meetings, the officer may be deemed as resigning from office. The remaining members of the Executive Committee may move to treat such absences as a resignation after notice and an opportunity to respond has been provided to the officer. The Executive Committee shall notice the officer by certified letter (U.S. mail) to the last known address, with a copy to the CSUEU President, and allowing at

least fourteen (14) days from the date of mailing for the officer to respond. (BD 5/14/5)

A. President/General Council Delegate:

The President shall preside at all meetings of the Chapter and of the Executive Committee, and shall exercise general supervision over activities of the Chapter. He/She shall appoint and remove all members of committees, subject to the rights of the Executive Committee to disaffirm such appointment or removal, and shall be an *Ex Officio* member of each Chapter Committee. The President shall be a Chapter General Council Delegate and shall serve at the meetings of the CSEA General Council. The president, by reason of his office, is a member of the board of directors of the corporation CSUEU and is required to attend CSUEU Board meetings.

B. Vice President:

The Vice-President shall act for, and in the place of, the President at the latter's request or during his/her absence or disability, and shall perform duties as assigned by the President. In the absence of an elected Chief Steward, the Vice President may serve in that capacity.

C. Treasurer:

The Treasurer shall review and monitor all chapter financial transactions, render a financial report at each Chapter and Executive Board meeting, render such financial reports to the CSUEU Vice President for Finance as required by the Policy File, and perform such other duties as assigned by the President.

D. Secretary:

The Secretary shall record the minutes of all chapter and executive committee meetings, conduct the correspondence of the chapter, have custody of the records of the chapter, ensure that a copy of the Chapter Bylaws, CSUEU Bylaws and Policy File, and CSEA Bylaws and Policy File are available at all meetings. He/She shall transmit copies of all amendments to the Chapter Bylaws to the CSUEU Policy File Committee Chair. He/She shall perform such other duties as assigned by the President. The Secretary shall make chapter minutes available to all represented employees.

E. Chapter Bargaining Unit Representatives:

The Chapter Bargaining Unit Representatives represent the employees in their respective Bargaining Units, at chapter and executive committee meetings, and present their constituents' views to respective unit councils either in writing, or when authorized, in person at meetings of the unit council.

F. Chapter Organizing Committee Chair:

The Chapter Organizing Committee Chair shall chair the Chapter's Organizing Committee. The Chapter Organizing Committee Chair shall ensure that a new employee orientation exists, and that new employee packets are distributed. The Chapter Organizing Committee Chair shall develop chapter programs to promote membership recruitment and coordinate the implementation of CSUEU-approved statewide organizing programs on the campus.

G. Chief Steward:

The Chapter's "certified stewards" shall elect a Chief Steward. The Chief Steward shall track campus grievances, and chair meetings of the Stewards Council. The Chief Steward shall make monthly reports to their assigned LRR, the Chapter President and the Vice President for Representation on all representation activity in their chapter.

H. Communications Liaison: (BD 7/13/3)

The President may appoint, with concurrence of the Executive Committee, a Communications Liaison. The Communications Liaison may (but is not limited to):

- Participate in statewide communications liaison conference calls;
- Chair the chapter communication committee
- Oversee management of the chapter web site
- Oversee management and use of chapter e-mail lists
- Forward statewide communications to chapter members
- Oversee management of campus/chapter bulletin boards
- Coordinate chapter communications for statewide campaigns
- Coordinate communications with the chapter organizing chair

I. Immediate Past President:

The Immediate Past President may sit on the Executive Committee as an *ex officio* member.

Section 3. Delegates:

To the extent that the Chapter is allotted Delegates to the CSEA General Council by the Association, the delegates to the General Council shall be nominated and elected pursuant to CSUEU Policy File and applicable Association Bylaws and Policy File provisions.

The Chapter President shall be a delegate to General Council. All other delegates shall be elected at large, and when vacancies occur, shall be appointed from the list of alternates in the order of votes received. Members running for other offices may also run for Chapter General Council Delegate.

All chapter officers are encouraged to run for GC delegate.

**ARTICLE II**  
**ELECTIONS**

Section 1. Election of Officers:

Election of chapter officers shall be in accordance with CSUEU Policy File.

Section 2. Term of Office:

The term of office of all chapter officers and bargaining unit representatives shall be in accordance with the CSUEU Policy File.

Section 3. Time of Election:

The time for chapter elections shall be in accordance with the CSUEU Policy File.  
(BD 6/15/2)

Section 4. Nominating Committee:

The Chapter President shall activate a Chapter Nominating Committee in accordance with the CSUEU Policy File. (BD 6/15/2)

Section 5. Electorate:

- A. President/General Council Delegate, Vice-President, Secretary, Treasurer, and Chapter Organizing Chair are elected by active members of Chapter \_\_\_\_.
- B. Chapter Bargaining Unit Representatives are elected by the active members in their bargaining unit of Chapter \_\_\_\_.
- C. Chief Steward is elected by certified stewards of Chapter \_\_\_\_.

Section 6. Eligibility for Office:

- A. Any active member of Chapter \_\_\_\_ shall be eligible for the offices of President (President/General Council Delegate), Vice-President, Secretary, Treasurer, and Organizing Committee Chair.
- B. Any active member of Chapter \_\_\_\_ shall be eligible for the office of Campus Bargaining Unit Representative of his/her bargaining unit.

Section 7. Elections:

- A. Election of chapter officers and chapter bargaining unit representatives shall be either by (a) mail ballot, conducted by CSUEU headquarters; or

(b) Open chapter meeting.

In the event that chapters want the elections to be handled by Headquarters, notification must be sent to CSUEU by December 16th. The Chapters must provide a list of nominees to CSUEU Headquarters no later than February 1st in the year of election. (BD 6/15/2)

B. If the election is to be held in an open meeting, the Nominating Committee shall conduct the election and shall provide a slate of candidates to each chapter member at least 30 days prior to the meeting scheduled for elections. This announcement shall include the date, time, and location of chapter elections. Nominations from the floor are also acceptable.

C. The Nominating Committee shall serve as the Tellers Committee and will notify all chapter members and CSUEU Headquarters of the results of the election by February 28th. New chapter officers assume the duties of their office when election results are announced. The new officers will be installed at the next open chapter meeting. (BD 6/15/2)

Section 8. Officer Training:

Pursuant to the CSUEU Bylaws and Policy Files, all chapter officers shall attend required training within six (6) months of election/appointment.

### **ARTICLE III**

#### **MEETINGS**

Section 1. Chapter Meetings:

Chapter meetings shall be held at least quarterly at times and places determined by the president. Special meetings may be called at any time by the President, by a majority of the Executive Committee, or by petition signed by any 10 members. A special meeting called by the Executive committee, or by petition, must be held within ten (10 days).

Section 2. Executive Committee:

The Executive Committee shall meet monthly at times and places determined by the President. Only members of the Executive Committee may make motions or vote, although any represented employee may address the Executive Committee on the subject under consideration. Represented employees who wish to address the Executive Committee on an Agenda item, or who wish to request an item be added to the Agenda, should do so at least twenty-four (24) hours in advance of the meeting date. Requests to add new items to the Agenda may be taken under consideration at

the scheduled meeting or at a subsequently scheduled meeting, at the discretion of the Executive Committee.

### Section 3. Notice:

For business to be conducted and actions taken, the notice requirements of this section must be met. Notice of regular chapter and Executive Committee meetings shall be given to all Represented employees at least ten (10) days in advance of the meeting by publication in the chapter newsletter, mailing such notice to the address of record of all represented Employees, or posting on the bulletin boards at each work location in the chapter's jurisdiction. Notice of special meetings shall be given to all represented employees at least five (5) days in advance by the same means. No notice is needed for meetings of committees other than the Executive committee.

### Section 4. Quorum:

For business to be conducted and actions taken, the quorum requirements of the section must be met:

A. Regular Meetings: A quorum consists of at least 3 members present.  
(BD 6/15/2)

Special Meetings: A quorum consists of at least ten (10) members.

Executive Committee meetings: A quorum consists of at least 3 Executive Committee members present. (BD 6/15/2)

### Section 5. Open and Closed Meetings:

All meetings of this chapter shall be open to all represented employees. Executive Committee Meetings and Steward Council Meetings may be closed in accordance with the CSUEU Policy File. (BD 6/15/2)

### Section 6. Emergency Meetings:

Notwithstanding the provisions of Sections 3 and 4 of this article, an emergency meeting of the Executive Committee or Chapter may be called by the President or Executive Committee. Actions taken at such meetings are subject to review at the next regularly scheduled meeting of that body. (BD 6/15/2)

### Section 7. Minutes:

Minutes of all meetings shall be made available to all represented employees prior to the next scheduled meeting.

**ARTICLE IV**  
**ORDER OF BUSINESS**

The recommended order of business at all meetings of the chapter may be as follows:

- (1) Call to order
- (2) Approval of Minutes
- (3) Report of President
- (4) Report of Treasurer
- (5) Report of Secretary
- (6) Report of Committees as needed
- (7) Old Business
- (8) New Business
- (9) Adjournment

Robert's Rules of Order, latest revision, shall govern meetings of this chapter, in so far as it does not conflict with the CSUEU Bylaws and Policy file, and the Bylaws of this chapter.

Any actions that are in conflict with the Association and CSUEU Bylaws or Policy Files are null and void.

**ARTICLE V**  
**COMMITTEES**

Section 1. Standing Committees:

Standing Committees of the Chapter are Finance Committee, Chapter Organizing Committee, and the Stewards Council.

Section 2. Special Committees:

Special committees may be authorized as needed by the Chapter President or Executive Committee. The President shall appoint members to those committees so authorized.



## **ARTICLE VI**

### **FINANCES**

#### Section 1. Budget Year:

The Budget year for the chapter shall be January 1 through December 31.

#### Section 2. Income:

The primary source of income for the chapter shall be that portion of dues and fees due allotted to the Chapter as determined by the CSUEU Policy File. Additional income may be in the form of grants from the Association or CSUEU, and/or special fund-raising.

#### Section 3. Budget:

The Chapter shall operate under a program budget directed by CSUEU, which shall guide the priorities under which the Chapter shall spend its money.

#### Section 4. Budget Adoption:

Each year, prior to December, the Treasurer assisted by the President shall prepare a budget based on the projected income. The proposed budget shall be presented to the Executive Committee in such time as to meet the requirements of the CSUEU Policy File. The Executive Committee shall make whatever changes it deems necessary before approving the proposed budget for presentation to the chapter membership. The proposed budget shall then be presented to the membership for approval, in a timely manner to meet the requirements of the CSUEU Policy File, at the next regularly scheduled chapter meeting in the budget year for final approval. After adoption a copy shall be sent to the CSUEU Vice President of Finance.

#### Section 5. Disbursements:

Once approved by the Chapter Executive Board, the treasurer shall authorize Central Accounting to pay the Chapter obligations. Such authorizations to Central Accounting require the written approval of the Chapter Treasurer and Chapter President or the President's designee. Disbursements in any program may not exceed the amount budgeted for that program. The Executive Committee is authorized to transfer budgeted funds from one program to another.

#### Section 6. Reserves:

Reserve funds shall be in accordance with the CSUEU Policy File.

Section 7. Audit:

The Executive Committee shall cause an audit of all chapter financial records to be conducted in accordance with the requirements of the CSUEU Policy File.

**ARTICLE VII**

**COMMUNICATIONS**

The Chapter shall communicate with those state employees it represents by any means available to it. It may publish a newsletter on a regular periodic basis to be determined by the Executive Committee. It shall be distributed by (1) mailing to the campus address of record of the chapter constituency, (2) hand delivery to each work site represented by the chapter or (3) by electronic means so long as print copies are delivered to areas where electronic communication is limited and shall contain the official meeting notice for the chapter.

**ARTICLE VIII**

**DISCIPLINE**

Discipline of members and recall of officers, and stewards will be in accordance with the CSUEU Bylaws and Policy File.

**ARTICLE IX**

**VACANCIES**

Chapter vacancies shall be filled in accordance with the CSUEU Policy File. (BD 36/11/14)

**ARTICLE X**

**AMENDMENT**

Section 1. Proposals:

Amendments to the Bylaws may be proposed by the Executive Committee, or by petition signed by (a) any ten (10) members or (b) by 10% of the chapter membership, whichever is lower.

Section 2. Publication:

The proposed amendment must be made available to every member. If the amendment is distributed electronically a paper copy shall be made available to

members who do not have electronic access, at least ten (10) days prior to the Chapter meeting at which time the amendment is to be acted upon.

**Section 3. Adoption:**

The amendment must be adopted by two-thirds (2/3) vote of the members present and voting at the next regular chapter meetings following publication.

**ARTICLE XI**

**ADOPTION OF NEW BYLAWS**

From time to time, it may be necessary or desirable to update several sections of the Bylaws at one time. When such an action occurs, a copy of these Bylaws shall be transmitted to the members of the Chapter at least thirty (30) days prior to the meeting at which time they are to be acted upon. They shall be considered at an open meeting held prior to the meeting at which time they are to be acted on and shall be approved by a majority vote of those voting. A copy of these Bylaws shall be transmitted to the Vice President for Organizing and CSUEU Policy File Committee Chair within two weeks of adoption.

**Date Adopted:** \_\_\_\_\_

Officers Present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **CSUEU Officer Oath of Office**

I do hereby solemnly affirm that I will, to the best of my ability and in accordance with the California State University Employees Union (CSUEU) Bylaws and Policy File and California State Employees Association (CSEA) Bylaws, faithfully discharge the duties of the office to which I have been elected or appointed.

I will deliver to my successor in office or CSUEU, all books, papers and other CSUEU property, including electronic equipment and files that are in my possession or control at the end of my term.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

# CSUEU Steward Oath

I do hereby solemnly affirm that I will, to the best of my ability and in accordance with the California State University Employees Union (CSUEU) Bylaws and Policy File and California State Employees Association (CSEA) Bylaws, enforce the collective bargaining agreement (contract) and faithfully discharge my steward duties.

I will deliver to the Chapter Chief Steward or Chapter President, all books, papers and other CSUEU property, including electronic equipment and files, that are in my possession or control at the end of my term.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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