

Constitution

for

Humboldt County Public Employees Union

Local 1684

Article I Name

The name of this organization shall be Humboldt County Public Employees Union Local 1684 of the American Federation of State, County and Municipal Employees, AFL-CIO.

And this union sets forth:

“Our mission is to support the workforce of our community by providing solidarity and building understanding of workers’ rights, while being a catalyst for change and treating our diverse membership with respect and dignity.”

Article II Affiliations

This local union shall be affiliated with California District Council 57 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Article III Objectives

The objectives of this local union shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

Article IV Membership and Dues

Section 1. All employees of Humboldt County, the Humboldt Transit Authority, the Superior Court of Humboldt County and the Superior Court of Del Norte County, California, excluding county employees within the jurisdiction of Local 3930, are eligible for membership in this local union, subject to the requirements of the constitution of the International Union.

Section 2. Application for membership shall be made on a standard application membership agreement and authorization for dues deduction form.

Section 3. The biweekly membership dues of this local shall be 1.3% of gross salary. The maximum biweekly dues (cap) shall be \$21.00 effective January 1, 2007, the cap to increase by fifty cents (\$.50) every January 1 thereafter. The executive board shall make recommendations to the membership regarding any changes in the dues structure. The members of this local shall vote on any proposed change to the dues structure in accordance with the amendment procedure contained in Article X of this constitution.

Section 4. Membership dues shall be payable biweekly by payroll deduction, bank draft, or similar system transmitted to the union by the employer; provided, however, that any person who cannot pay their dues through a system of regular payroll deduction shall remit to the union their dues within one week of receipt of their normal biweekly payroll schedule as published by their employer, and for so long as they continue to pay through such method, be considered in good standing. Membership dues shall continue being paid

as specified in this constitution and the application for membership adopted by the local. Any member who fails to pay dues through regular payroll deduction, or who has failed to pay by remittance in the case of inability to pay through regular payroll deduction within two weeks of receipt of their regular payroll as described above, shall be considered delinquent, and upon failure to pay dues for two successive months shall lose their good standing status and stand to have their membership in this union suspended.

Section 5. Employees on unpaid leave will remain members in good standing and have their dues waived for a maximum of six months provided such employees meet the conditions established in Article III, Section 9, of the International Constitution.

Section 6. A member suspended under Section 4 may be reinstated to membership in the local on payment of all arrearages or upon payment of a reinstatement fee of \$5.00 plus the current month's dues.

Section 7. Employees who have been laid off will remain members in good standing with dues waived for a maximum period of six (6) months in any calendar year or until they return to work in any position encompassed by this local, subject to Article III, Section 9, of the International Constitution. If any employees should accept work in a position not encompassed by this local during that six (6) months, their union membership will end on the day when their work begins.

Article V Structure

Section 1. The general membership is the final authority of this local and is authorized to take lawful action, consistent with the constitution to act on behalf of the local.

Section 2. The general membership shall elect the following officers: president, vice-president, recording secretary, secretary-treasurer, and three trustees.

Section 3. The affairs of the local shall be conducted through the authority vested in the executive board. The executive board shall ensure that the policies and directives of the general membership are being followed.

Section 4. Jurisdiction and composition of this local shall be divided into chapters. Chapters have authority to ratify or reject their negotiated contracts or agreements, to strike, to elect chapter officers, all in accordance with the appropriate procedures set forth in this constitution.

Section 5. Chapters shall generally be composed of members who are employed by the same employer, except that the executive board may form a chapter composed of members who are employed by more than one employer. There shall be the following chapters in the local: the County of Humboldt; the Humboldt Transit Authority; and each of the Superior Courts of Humboldt County and Del Norte County. The executive board shall have the authority to form additional chapters or reorganize chapters based on the ratification of representation of employees not yet affiliated with this union or based on other presenting significant structural changes experienced by existing chapters.

Section 6. For the County of Humboldt Chapter, there shall be chapter delegates elected from each of the represented bargaining units; however, if there is no candidate from a represented bargaining unit, then that chapter delegate position may be filled by a candidate elected by the chapter's membership from one of the other County of Humboldt represented bargaining units. All other chapters shall have one delegate to the executive board of this local union. If there is not a candidate for a chapter, then that delegate position may be elected at-large.

Section 7. No chapter or bargaining unit herein shall call a strike without a majority vote by a secret ballot of the membership of that chapter or bargaining unit. In addition to the aforementioned, each chapter acquiring a positive strike vote must notify the president of

this local of such affirmative vote in order to allow the staff ample opportunity to satisfactorily resolve the issues. If no acceptable resolution to the chapter or bargaining unit membership is at hand, the chapter or bargaining unit may then strike.

Article VI Meetings

Section 1. Regular meetings of the local membership shall be held once each quarter, at a time and place to be fixed by the executive board.

Section 2. A special membership meeting of this local may be called by the president, a majority of the executive board, or by petition filed with the president and signed by 10% of the members. A special meeting may also be called by the International President or their designee.

Section 3. A quorum at any regular or special general membership meeting shall be consistent with Article IX, Section 17, of the AFSCME International Constitution, as amended, which sets forth quorum recommendations for subordinate bodies. The quorum shall not be less than the voting members of the executive board.

Section 4. The executive board shall meet once each month at a time and place to be fixed by the members of the executive board.

Section 5. Special meetings of the executive board may be called by the president, a majority of the executive board, or by the International President or their designee.

Section 6. A special meeting of any chapter may be called by the president, a majority of the executive board, or by petition filed with the president and signed by 10 percent of the members in the chapter. A special chapter meeting may also be called by the International President or their designee. A quorum at a special chapter meeting shall be 5 percent of the chapter membership.

Section 7. Electronic meetings may be held by this local union in accordance with the Policy for Conducting Audio and/or Video Teleconference Meetings of a Subordinate Body, as amended, as set forth in Appendix E of the AFSCME International Constitution as though fully incorporated here.

Article VII Officers and Trustees

Section 1. The officers of this local shall be a president, vice-president, a recording secretary, and a secretary-treasurer, all of whom shall be elected at-large. Three trustees shall also be elected at-large.

Section 2. The officers, along with the chapter delegates, excluding the trustees, shall constitute the executive board of this local.

Section 3. Officers and chapter delegates shall be elected for a two-year term each January in staggered succession and shall assume office upon acceptance of the election committee report.

Section 4. In the even-numbered years, the following officers and chapter delegates shall be up for election: president and recording secretary; of the chapter delegates, two from the County of Humboldt (one from the blue-collar and professional bargaining units), one from Humboldt Transit Authority, and one from Courts.

Section 5. In the odd-numbered years, the following officers shall be up for election: vice-president and secretary-treasurer; and of the chapter delegates, two from the County of Humboldt (one each from the white-collar and supervisory bargaining units).

Section 6. If additional chapters are added, the executive board shall determine whether the delegate from such chapter will be elected in odd or even years, with the only provision being that the election years be staggered according to this article.

Section 7. The trustees shall be elected for staggered three-year terms in the month of January, with one elected each January.

Section 8. The local election committee may be appointed by the executive board to report its selection of nominees to the last quarterly general membership meeting of the calendar year. Whether or not such election committee is used, nominations shall be permitted from the floor.

Section 9. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in cases where the member is running unopposed.

Section 10. All matters concerning nominations and elections shall be subject to the provisions of Appendix D, entitled Elections Code of the International Constitution, which is part of this constitution by reference.

Section 11. Vacancies in office of the vice-president, recording secretary, secretary-treasurer, chapter delegates and trustees shall be immediately filled for the remainder of the unexpired term by majority vote of the executive board. In the event that the office of president falls vacant, the vice-president shall become president for the remainder of the unexpired term.

Section 12. No member shall hold two offices concurrently.

Section 13. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer, contained in Appendix B of the International Constitution, which is part of this constitution by reference. New officers shall be installed by the president.

Article VIII Duties of Officers and Executive Board

Section 1. The president shall:

- a. Preside at all general membership meetings of this local union and of the local executive board.
- b. Be a member of all local union committees except election committees.
- c. Countersign all checks drawn against the funds of the local.
- d. Provide immediate supervision of all employees of the local.
- e. Appoint all standing committees and all special committees of the local, subject to the approval of the executive board.
- f. Report at each general membership meeting to the membership regarding the progress and standing of the local and regarding their official acts.

Section 2. The vice-president shall:

- a. Assist the president in the work of their office.
- b. In the absence of the president or in their inability to serve, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president.

- c. With the approval of the executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.
- d. Serve as chair of the steward's committee.

Section 3. The recording secretary shall:

- a. Keep a record of the proceedings of all membership meetings and of all executive board meetings.
- b. Carry on the official correspondence of the local, except as the executive board may direct otherwise.
- c. Keep an attendance record of executive board members and trustees at executive board meetings and general membership meetings.
- d. Perform such other duties as the executive board may require.
- e. Act as union librarian, keeping or causing to be kept all records and written or tape resources of this local.

Section 4. The secretary-treasurer shall:

- a. Receive and receipt for all monies of the local union.
- b. Direct deposit of all money so received in the name of the local union in a bank, banks or credit unions insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer, except as otherwise provided herein.
- c. Prepare and sign checks for such purposes only as required by the constitution or authorized by the membership or the executive board.
- d. Direct preparation and submission of the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Union.
- e. Keep an accurate record of receipts and disbursements.
- f. Once each month, submit to the executive board a monthly operating statement of the financial transactions of the local for the previous month and submit copies of such statements to the membership at the quarterly membership meetings of the local.
- g. Act as custodian of all properties of the local union.
- h. At the expense of the local union and subject to the International Union, give a surety bond for an amount to be fixed by the executive board of the local union. The minimum bond shall be no less than ten (10) percent of the assets handled by the local annually.

Section 5. A terminating employee who holds office must immediately resign their position upon termination of employment.

Section 6. Each of the chapter delegates shall take upon himself/herself the responsibility to chair a committee or independently direct a special project during the term of their office.

Section 7. The trustees shall make or cause to be made at least annually an audit of the local's finances and shall report to the executive board and the membership on the results of such audit.

Section 8. The executive board shall:

- a. Be the governing body of the local union, except when regular or special meetings of the local union are in session.
- b. Decide all matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting.
- c. Make a report on all actions taken by the executive board to the membership at the following general membership meeting.
- d. Require a simple majority of the members of the executive board for a quorum.
- e. Distribute the most recently approved financial report to the membership at the general membership meetings.

Section 10. Any member of the executive board having three consecutive unexcused absences from such board meetings, or general membership meetings shall automatically be removed from office. Such vacancy in office shall be filled in accordance with Article VII of this constitution.

Article IX Miscellaneous Provisions

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the local president, the local executive board, or local membership.

Section 3. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. All judicial procedure shall be conducted in accordance with Article X of the International Constitution. Local 1684 employee-employer regulations shall constitute grievance procedures for local employees.

Section 5. The members of this local union shall elect, from among themselves, delegates to all organizations with which the local is affiliated including, but not limited to, the AFSCME District Council and AFL-CIO Central Labor Council(s) with which the local union is affiliated, and to conventions of all organizations with which the local is affiliated; provided, however, that the president, vice-president and secretary-treasurer shall be automatic delegates to all affiliated organizations and all conventions of affiliated organizations, including the AFL-CIO Convention and the AFSCME International Convention. If the president, vice-president or secretary-treasurer was appointed to his or her office pursuant to the provisions of Article 7, Section 11, of this constitution, then the automatic delegate provisions, as to that officer only, shall be null and void.

Article X
Amendments and Savings Clause

Section 1. This constitution may be amended, revised, or otherwise changed by a two-thirds vote of the members voting. Such amendment, revision or change shall take effect only upon written approval of the International President.

Section 2. Proposed amendments, revisions or changes to this constitution shall be voted on by secret mail ballot. Not less than twenty days prior to the date set as the deadline for voting, as outlined on the ballot instructions, a ballot, ballot instructions, a stamped return envelope, and a copy of the proposal to amend, revise or otherwise change the constitution shall be mailed to each member at the member's last known address. Mail balloting will be conducted in such a way as to guarantee the anonymity of the voter.

Section 3. If any article or section of this constitution should be held invalid by operation of law or by a tribunal of competent jurisdiction, or if compliance or enforcement of any article or section should be restrained by such tribunal or the enactment of superceding law by any governmental authority, such article or provision shall be immediately suspended and be of no force or effect. Such invalidation of a part or portion of this constitution shall not invalidate any remaining portions and those remaining portions shall remain in full force and effect unless those remaining portions were contingent upon the operation of the invalidated section.

Section 4 In the event an article or provision of this constitution is suspended pursuant to the above, the executive board shall meet forthwith on the effect of such suspension.

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive, flowing style.

LEE SAUNDERS
President

Approval date: September 22, 2021