

**Constitution of  
Jefferson County 509J Classified School Employees,  
Chapter No. 54, OSEA  
Adopted May 15, 2002  
Latest Revision March 20, 2007**

This Constitution is the local operating document for this Chapter as formulated under Article III, Section 8 of the State Association Constitution.

Where used throughout this document, “State Association” or “Association” means the Oregon School Employees Association, the statewide governing body for this organization; “organization” and “Chapter” are interchangeable and mean Jefferson County 509J Classified School Employees, Chapter No. 54, OSEA.

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## **Article I**

### **Names and Objects**

**Section 1: Name.** The name of this organization shall be Jefferson County 509J Classified School Employees, Chapter No. 54 of the Oregon School Employees Association.

**Section 2: Objects.** The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system, and to secure for them reasonable hours, fair wages, and improved working conditions; to establish a spirit of cooperation, good faith, and fair dealings with the employer; to safeguard, advance, and promote the principle of free collective bargaining in a democratic society; to promote such legislation as may be in the best interests of the members of this organization; to promote the efficiency and raise the standards of service of its members and other public service workers; to instill confidence, good will, and understanding among the members and their employers; to promote the economic and social welfare of the members of the Association through unity of action and mutual cooperation.

## **Article II**

### **Membership**

**Section 1:** Membership in this Chapter shall be as follows:

- (a) Active. “Active” membership, which carries with it the privilege of full participation in Chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in a bargaining unit represented by this Chapter, without regard to race, creed, color, national origin, sex, age, sexual orientation, or political belief. “Active” membership status shall cease at such time as the member becomes eligible for any other category of membership defined herein, except as follows:
- (b) “Active” membership shall be effective upon the completion, dating, and signing of an official OSEA Membership application form as provided by the State Association, and execution of a valid authorization for payroll deduction of at least one month’s dues or payment of at least one month’s dues in advance.

**Section 2: Membership “In Good Standing.”** Membership “in good standing” shall be effective and shall continue upon receipt of the required dues for the current month. For purposes of establishing voting rights, members in good standing must be current in dues for the month in which voting is taking place. The signing and authorization of dues deduction for that month’s dues shall constitute member-in-good-standing status for purposes of voting rights.

**Section 3: Fair Share Payers.** Such persons shall pay fair share fees in an amount equal to the dues required of “active” members of the Chapter, less any local Chapter fees, subject to annual requests for advance refunds of the portion of fair share fees that OSEA determines will be used for purposes not related to collective bargaining, in accordance with the policies of the State Association.

“Fair Share Payers” shall be entitled to full rights of representation in all matters related to their collective bargaining agreement. They shall not, however, have the right of voice, or vote in Chapter or State Association affairs, unless otherwise required by law.

## **Article III**

### **Dues and Assessments**

**Section 1: State Per Capita Dues.** Per capita dues to the State Association for “active” members shall be determined by the OSEA Finance Committee with the approval of the voting body at the Annual Conference of OSEA. Said dues shall be payable by payroll deduction or annually in advance direct to the State Association.

**Section 2: Chapter Dues.** Local Chapter dues for “active” members of this Chapter shall be \$1.50 per month, payable by payroll deduction during each of the months worked in which the member is in regular paid status, or payable annually, in advance, to the Chapter Treasurer.

**Section 3:** The local Chapter dues plus the State per capita dues equals the member’s total dues requirement.

**Section 4: Assessments.** No assessments shall be levied in this Chapter other than those approved by the majority of the Chapter membership present and voting on the question by secret ballot, provided that each member has been notified in writing at least fifteen (15) days in advance of the nature of the proposal and the time, date, and place where the matter will be voted on.

## **Article IV**

### **Officers and Executive Board/Election Procedures**

**Section 1: Officers.** The following officers shall be elected at large by and from among the total “active” membership of the Chapter: President, Vice President, Secretary, Treasurer, Executive Board Member 1, Executive Board Member 2, and Executive Board Member 3.

**Section 2: Executive Board.** The elected officers designated in Section 1 shall constitute the Executive Board of this Chapter.

**Section 3: Eligibility to Hold Office.** Officers shall be elected from among the “active” members of the Chapter who are in good standing. Nominees for elected office shall be “active” members of the Chapter in good standing for a minimum of one (1) year at the time of nomination and can only accept nomination for one Executive Board office.

**Section 4: Nominating and Election Procedures.**

- (a) Nominations to fill the elective offices listed in Section 1 shall be accepted in the even-numbered years.
- (b) Nominations for these offices shall be accepted from the floor at the February and March Chapter meetings.
- (c) If, after nominations are closed at the March Chapter meeting, there is only one nomination for an office, the single nominee shall be declared elected to the office, and no balloting or other action shall be required. The Chapter President shall so notify the membership in writing as soon thereafter as possible.
- (d) When there is more than one nominee for an office, an election shall be conducted at the April Chapter meeting by secret ballot vote of “active” members in good standing present at said meeting. It shall require a majority vote to elect any officer.
- (e) Notices of the time, date, and place for nominations and balloting, and all other procedural matters relating to conducting these elections, shall be posted for all members, with at least fifteen (15) days notice.
- (f) All candidates shall be provided an opportunity to address the members present at the election meeting prior to the balloting, and they or their designated representative shall be accorded the right to observe the ballot tally process.
- (g) All ballots, including used, unused, invalid, and challenged ballots, tally sheets, and related election documents, including notices of nomination and election procedures, shall be retained by the Chapter Secretary for one year, or until any and all challenges to the election or charges of misconduct in the running of the election have been resolved, whichever is the longer period.

**Section 5: Terms of Office.** Elected officers shall take office and assume their duties on August 1<sup>st</sup> following their election and shall continue to serve two (2) years or until their successors are elected, provided that any officer shall automatically forfeit such office if they cease to be an “active” member in good standing.

**Section 6: Vacancies.**

- (a) A vacancy in the office of President shall be filled by the Vice President. Should the vacancy in the office of President occur in the first year of the two- (2-) year term of office, an election shall be held for the second year of the two- (2-) year term. This election shall be held as outlined in Article IV, Section 4: Nominating and Election Procedures, Subsections (b) through (g). A President elected in this manner shall remain in office until the end of the original two- (2-) year term of office.
- (b) For vacancies in any other elected office, the Executive Board shall submit its recommendation to fill the office in writing to the members at least fifteen (15) days in advance of a designated Chapter meeting. Nominations from the floor shall also be accepted at said meeting. If there are no nominations from the floor, the Executive Board's candidate shall be declared elected. If nominations from the floor are made, a secret ballot election shall be conducted among the "active" members in good standing present. Officers elected in this manner shall remain in office until the end of the original two- (2-) year term of office or until their successors are elected.

## **Article V**

### **Authority of Executive Board/Duties of Officers**

**Section 1: Executive Board.** The Executive Board shall have general supervision of the affairs of the Chapter between the general membership meetings. It shall transact the routine business of the Chapter as authorized and required herein, prioritize and determine recommendations on matters requiring discussion and action by the general membership, and perform such other duties as are specified in this Constitution. The Board shall be subject to the orders of the Chapter membership, and none of its actions shall conflict with actions taken by the Chapter membership.

A report on all actions taken by the Executive Board shall be made to the membership at the next regular or special Chapter meeting, with such actions subject to membership ratification if appropriate. Minutes of Executive Board meetings shall be kept on file for at least two (2) years.

The executive Board shall meet at the call of the President or at such times and places as mutually agreed upon by the Executive Board. Special meetings of the Executive Board shall be called by the President upon the written request of a majority of the Board.

A majority of the members of the Executive Board shall constitute a quorum.

**Section 2: Duties of Officers, General.** Upon separation from office, an officer shall immediately turn over to his/her successor or other properly designated OSEA official, all books, records, money, and other effects of the Chapter in his/her possession.

**Section 3: President.** The President shall:

- (a) Be Chairperson of the Executive Board, call, and preside over all meetings of the Chapter and Executive Board at which she/he is in attendance.
- (b) Fix the time and place of meetings except as otherwise directed by the membership
- (c) Set the agenda for Chapter meetings, as noted in Article VI.
- (d) Appoint and oversee the activities of the various committees, standing or special, required by this Constitution or established by the Executive Board, or as may be ordered by vote of the "active" members, except as otherwise provided herein.
- (e) Attend all Zone meetings and such other meetings as required by the State Association or direction of the Chapter, and report back to the Executive Board and Chapter membership at the next Chapter meeting, with recommendations for Chapter action or as otherwise required.
- (f) Perform such other duties as normally pertain to the office of President or ordered by this Constitution.

**Section 4: Vice President.** The Vice President shall:

- (a) In the absence or disability of the President, possess all of the powers and perform all of the duties in his/her stead.
- (b) At all times assist the President in the performance of his/her duties.

- (c) Assume the office of President if a vacancy occurs.
- (d) Serve as Chairperson of the Membership Committee, and as such promptly process and forward membership applications to State Headquarters.
- (e) Coordinate and direct the activities of the Stewards.
- (f) In coordination with the Grievance Chair, call and conduct periodic meetings between the Stewards to ensure an appropriate level of communication and coordination between these two programs.
- (g) Coordinate the activities of the Standing Committees.
- (h) Perform such other duties as may be assigned by the President or ordered by this Constitution.

**Section 5: Secretary.** The Secretary shall:

- (a) Keep an accurate record of all proceedings of Chapter and Executive Board meetings, including an accurate roll of members and officers in attendance at each.
- (b) Keep an accurate roster of the officers of the Chapter and see that such information is forwarded to the State Association as required.
- (c) Issue notices of all meetings of the Executive Board and Chapter meetings, which shall include notice of matters for discussion at same.
- (d) Notify members of all committees of their appointment/election.
- (e) Have custody of all correspondence, official documents, and historical records of the Chapter, which shall be open at all times for inspection by the President or his/her agent and members of the Executive Board.
- (f) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the State Association and the Constitution of this Chapter and see that copies of same are available for reference at all Executive Board and Chapter meetings, and available for inspection by the general membership upon request.
- (g) Perform such other duties as normally pertain to the office of Secretary or as may be directed by the President or required by this Constitution.

**Section 6: Treasurer.** The Treasurer shall:

- (a) Receive all funds of the Chapter and keep and disburse same under the direction of the President and as required by the Constitution & Bylaws of the State Association and this Chapter.
- (b) Keep or cause to be kept regular books and full accounts which shall be open at all times to inspection by the President or his/her agent and the Auditing Committee.
- (c) Provide access to all records, vouchers, and statements to the Auditing Committee for annual inspection at the close of each fiscal year.
- (d) Make available a written and oral report at each meeting of the Chapter as to the financial condition of the treasury with a detailed statement of receipts and expenditures and accounts payable, to include per capita dues/fees paid and owed to the State Association, if any.
- (e) Promptly process and forward dues payments to State Headquarters and payroll deduction authorizations to the District Office for processing.

- (f) Maintain an accurate record of members in good standing, and prepare such monthly reports and remittances as may be required by the State Association and promptly forward to State Headquarters within thirty (30) days of request.
- (g) Assist in preparation of the Chapter budget, and perform such other duties as may be directed by the President.
- (h) Upon leaving office, sign such bank signature cards or other documents necessary for the transfer of all Chapter accounts to the new Treasurer.

Section 7: Executive Board Member. The Executive Board member shall:

- (a) Be a voting member of the Chapter Executive Board.
- (b) Carry out the duties assigned to him/her by the Executive Board.
- (c) Represent the best interests of all Chapter members.
- (d) Assist other Executive Board officers in the performance of their duties.

## **Article VI**

### **Meetings**

**Section 1.** Regular business meetings of this Chapter shall be held during the months of September through May, inclusive. The schedule of such meetings shall be established in September of each year for the succeeding twelve- (12-) month period and shall be provided to the membership.

**Section 2.** Special meetings may be called by the Chapter President as deemed necessary, or shall be called by a majority vote of the Executive Board or upon petition to the President of twenty percent (20%) of the “active” Chapter members.

**Section 3: Meeting Notices.**

- (a) Regular Meetings. Unless otherwise specified herein, a meeting notice shall precede all Chapter meetings by at least five (5) days in advance to allow members a reasonable opportunity to attend. Said notice shall include a summary of the business to be acted upon, and the time, date, and place of the meeting.
- (b) Special Meetings. Notice for special meetings shall include the specific topic(s) for discussion/action at said meeting, and unless otherwise required herein, a notice of less than five (5) days, but not less than twenty-four (24) hours in advance, may be given in an emergency situation.

**Section 4.** Unless otherwise ordered by a majority vote of the “active” members present, the Order of Business at regular Chapter meetings shall be:

- (1) Pledge of Allegiance to the American Flag
- (2) Approval of the Minutes of the previous meeting
- (3) Report of Executive Board Actions
- (4) Treasurer’s Report
- (5) Committee Reports
- (6) Communications
- (7) Unfinished Business
- (8) New Business
- (9) Good of the Order
- (10) Adjournment

## **Article VII**

### **Control of Funds/Budget**

**Section 1.** All funds received shall be deposited in the name of Jefferson County 509J Classified Employees, Chapter No. 54, OSEA, in such bank or other financial institution as approved by the Executive Board. No funds shall be disbursed except by check, duly authorized and signed by the Treasurer and the President or Vice President. In the event of absence of, inability to act by, or vacancy in the office of Treasurer, funds shall only be disbursed upon signature of the President and one of the following: Vice President, Secretary.

**Section 2.** The Executive Board shall prepare an annual budget for approval by the Chapter membership no later than September of each year, which shall contain itemized estimated receipts and expenditures, and amounts to be set aside as a reserve fund, if any. The approved budget shall then regulate the expenditures of the Chapter. Any expenditure of budgeted items which exceeds the budgeted amounts must be approved by a majority of “active” Chapter members at a regular or special Chapter meeting. Any non-budgeted expenditures which are \$50 or less may be approved with a majority vote of the Executive Board. Any non-budgeted expenditures which are more than \$50 must be approved by a majority of the “active” Chapter members at a regular or special Chapter meeting.

## **Article VIII Committees**

All appointments to committees by the President may be overturned by a majority vote at a regular or special Chapter meeting.

**Section 1: Standing Committees.** The following shall be the standing committees of the Chapter: Auditing, Elections, Grievance, Membership, Negotiating, Government Relations. Unless otherwise specified herein, the President shall, as soon as possible after October 1 of each year, appoint members of the standing committees, which appointment shall be subject to the ratification by the Executive Board. The individual committees shall appoint the chair. The President shall determine the number of members to be appointed to each, except as otherwise provided herein. No committee shall have fewer than three (3) members.

**Section 2: Ad Hoc Committees.** Such other committees as the President or the Chapter membership may deem necessary to perform a specified task for the welfare of the Chapter may be appointed. The President shall determine the composition of such committees and the timelines for completion of their assigned duties. Such Ad Hoc committees shall cease to function upon completion of their specified task.

**Section 3.** The Vice President shall act as coordinator of all appointed committees, and shall be Chairperson of the Membership Committee.

**Section 4.** The President shall be, ex-officio, a member of all committees.

**Section 5: Quorum.** A majority of the members of any committee must be present at any meeting to constitute a quorum.

**Section 6: Terms.** Unless otherwise provided herein, the term of office for all committees shall be from October 1 until September 30 or until their successors are appointed, provided that any committee member shall automatically forfeit the office if they cease to be an “active” member in good standing.

**Section 7: Negotiating Committee (Team).**

- (a) The Negotiating Committee shall consist of the Chapter President or his/her designee as Chairperson, plus one representative from each of the major job groupings represented by this Chapter as follows: Educational Assistants, Maintenance/Custodial, Transportation, Clerical, Nutrition Services.
- (b) The committee members shall be appointed by the President from among the members in good standing employed in each of the job groupings designated above.
- (c) Term of office for the appointed members shall commence upon their appointment and continue for two (2) years or until their successors are appointed. In the event negotiations for any year are still in progress at the time of committee

appointment, the designated Negotiating Committee shall remain in place until negotiations have been completed and the contract ratified.

- (d) Vacancies shall be filled by appointment by the President within the affected job grouping for the remainder of the original term only.
- (e) Duties. It shall be the duty of the Negotiating Committee to:
  - (1) Research issues and prepare and submit initial bargaining proposals (including proposals on reopeners) for review and approval of members in good standing of the bargaining unit-prior to commencement of negotiations.
  - (2) Negotiate the contract (including reopeners and modifications) for and on behalf of the Chapter with assistance from State Association field staff.
  - (3) Keep the Executive Board and the membership informed of the progress of negotiations and solicit membership input where advisable.
  - (4) Ensure that all bargained agreements are submitted for ratification of the bargaining unit in accordance with Article XI of this Constitution.

**Section 8: Auditing Committee.** It shall be the duty of this committee to receive and audit the books and records of the Treasurer immediately after the May Chapter meeting, and at such other times as may be directed by the President, and report its findings to the Chapter membership.

**Section 9: Elections Committee.** It shall be the duty of this committee to supervise and assist in the preparation, distribution, and counting of the ballots at meetings in all elections (including contract ratifications) within the Chapter, and certify the results to the Chapter President. In addition, the committee shall ensure that election procedures are in accordance with applicable provisions of the State Association's Constitution & Bylaws Policy, and this Constitution.

**Section 10: Grievance Committee.**

- (a) It shall be the duty of the Grievance Committee to supervise and assist the operation of the Chapter's grievance program. The committee shall ensure that all grievances are handled properly in their investigation and filing and consistent in their resolution.
- (b) The committee shall be empowered to review proposed settlements of grievances undertaken by individual members of the bargaining unit (i.e., without representation of a Steward or OSEA staff) to ensure they are resolved consistent with provisions of the collective bargaining agreement.

**Section 11: Membership Committee.** It shall be the duty of this committee to strive for 100% OSEA membership within the represented bargaining unit, and to prepare and execute a program designed to secure new members and stimulate membership attendance at Chapter meetings on an ongoing basis.

**Section 12: Government Relations Committee.** It shall be the duty of this committee to:

- (a) Develop and implement a Chapter Alert System designed for emergency contact of the membership when immediate Chapter action is necessary on contract matters, legislative and political issues, and other items of importance to the Association and Chapter.
- (b) Keep the members informed about the legislative program of the State Association, and recommend to the Chapter membership legislative proposals it deems desirable for submission to the Association's Legislative Committee for consideration and inclusion in the Association's legislative program.
- (c) Work cooperatively with the State Government Relations Committee and appropriate staff in furtherance of the Association's legislative and political goals, rendering regular reports at Chapter meetings regarding the same and recommending any Chapter support or activity it considers appropriate.
- (d) Encourage all members to financially support VOICE and SEED of OSEA, and educate the membership regarding the necessity for active participation in the political process in accordance with Association and Chapter goals.
- (e) Make recommendations to the Chapter membership regarding endorsement of candidates for school board, in accordance with the following procedures:
  - (1) The committee shall conduct a pre-screening of candidates to be recommended for endorsement through direct interviews or questionnaires sent to the candidates. Following the pre-screening process, the committee shall present its recommendations for endorsement at a designated Chapter meeting for action by the Chapter membership. A majority vote of "active" members present shall be required for endorsement.
  - (2) Whenever possible, the Committee shall arrange for a candidates' forum to provide Chapter members an opportunity to hear and question the candidates on relevant issues prior to hearing the committee's recommendation and the endorsement vote being taken.
- (f) The committee shall solicit volunteer activity by the chapter membership on behalf of endorsed candidates, and shall be responsible for coordinating and directing such member activities.

**Section 13: Member Organizer Program.** The Chapter leadership shall implement a Member Organizing program aimed at assisting the Chapter in membership growth, Chapter building, and any other program that would require recruitment of chapter volunteers. Members participating shall attend the State Association's Member Organizing Training.

## **Article IX**

### **Stewards**

**Section 1: Appointment.** The Chapter President will appoint a Grievance Chair, which appointment shall be subject to ratification by the Chapter membership. The Chapter President will, with the advice and consent of the Executive Board, appoint, in sufficient numbers to serve the needs of the membership, Stewards to serve each work site. The President shall determine the number to be appointed for each area of representation. All Stewards are required to complete the OSEA Basic Steward Training Program. Each Steward will be administered and subscribe to the Steward's Oath of Office. Stewards shall ensure employer compliance with the Collective Bargaining Agreement; investigate employee complaints and grievances; represent bargaining unit employees at investigatory meetings; and represent members at least at the informational and first formal stages of the grievance procedure.

**Section 2: Terms of Office.** Stewards shall be appointed and assume their duties at the September Chapter meeting and shall continue to serve for two (2) years or until their successors are appointed, provided that any Steward shall automatically forfeit such office if they cease to be an "active" member in good standing employed within the designated service area. Vacancies shall be filled by appointment of the President, ratified by the Executive Board, from among the qualified members in good standing employed within the affected service area, for the remainder of the original term.

**Section 3: Duties.**

(a) The Grievance Chair shall:

- (1) Ensure that the Steward program of the Chapter functions according to the requirements set forth in this Constitution and maintain the necessary records on matters of contract enforcement to permit the Chapter to effectively represent bargaining unit employees.
- (2) Process all grievances not settled at the immediate-supervisory level, unless OSEA staff assistance is required.
- (3) Serve as Chairperson of the Grievance Committee and keep the Executive Board informed of all grievance activity.
- (4) In coordination with the Vice President, call and conduct periodic meetings between the Stewards to ensure an appropriate level of communication and coordination between these two programs.

(b) Stewards shall:

- (1) Attend annual training sessions for Stewards provided by the State Association and/or other appropriate training as directed by the President.
- (2) Attend periodic Steward meetings as directed by the Grievance Chair.

- (3) Educate bargaining unit employees about their rights under the contract and determine how problems arising under the contract can best be handled.
  - (4) Act as the basic channel of communication between the employees and the Chapter and relate specific member concerns to the Chapter's Negotiating Committee for incorporation into the bargaining proposals.
  - (5) Investigate and prepare grievances for processing, handle grievances at the immediate-supervisory level, and be present as required during other steps of the grievance procedure.
  - (6) Immediately inform the Grievance Chair of all grievances received and immediately report to the Grievance Chair the settlement of grievances processed or the failure to settle within contractual timelines.
  - (7) Preserve the confidentiality of personal grievances, resolve differences among the membership in grievance handling, and maintain a file on all grievances handled which shall be turned over to the Grievance Chair upon completion.
  - (8) Recruit employees into OSEA membership and educate employees about OSEA.
  - (9) Distribute Chapter newsletters, bulletins, and other OSEA information at the work site; keep OSEA bulletin boards up to date and clear of non-OSEA material.
  - (10) Conduct periodic site-level meetings to keep the members informed of actions taken at Chapter meetings, to explain OSEA benefit plans and services, and to keep members informed of Association and/or Chapter activity regarding grievances, ERB decisions, contract negotiations, legislative and political activity, and other matters of importance.
  - (11) Relay member concerns to the Vice President.
  - (12) Attend Chapter meetings, attend training workshops and other seminars as directed and approved by the Chapter President, and attend Steward meetings as may be called by the Grievance Chair and/or the Vice President.
- (c) Building Site Representatives shall:
- (1) Distribute Chapter newsletters, bulletins, and other OSEA information at the work site; keep OSEA bulletin boards up to date and clear of non-OSEA material.
  - (2) Relay member concerns to the Vice President.
  - (3) Attend Chapter meetings, attend training workshops and other seminars as directed and approved by the Chapter President, and attend Steward meetings as may be called by the Grievance Chair and/or the Vice President.

## **Article X**

### **Delegates to Conference**

**Section 1: Delegates.** Voting delegates to an annual conference of the State Association (and their alternates) shall be nominated from among the “active” members in good standing as follows:

- (a) The Chapter President and at least one (1) Executive Board Member.
- (b) Additional delegates in such number as may be authorized by the Chapter for attendance, but not to exceed the total number authorized by the Bylaws of the State Association, shall be elected as provided in Section 2 below.

**Section 2: Election.**

- (a) Nominations for the authorized delegate positions, other than the President, shall be taken at the regular Chapter meeting in March, and election shall be by secret ballot at the regular Chapter meeting in April. Alternates in sufficient numbers for each of the authorized delegates, to include an alternate for the President, shall also be elected.
- (b) Notification of nominations and election and all other procedural matters relating to delegate and alternate election shall conform to Article IV and shall be conducted under the supervision of the Elections Committee.
- (c) In the event a delegate cannot attend, the Executive Board shall determine which alternate shall replace the authorized delegate.

**Section 3: Responsibilities.** Delegates shall attend all conference business and other sessions of importance to the Chapter.

## **Article XI**

### **Contract Ratification**

**Section 1: Negotiated Agreement.** When the Negotiating Committee has negotiated a contract, tentative agreement, or modifications to an existing contract, it shall immediately submit one copy to the OSEA Field Representative assigned to service the Chapter for review and recommendation by the State Association prior to membership ratification.

**Section 2: Ratification Procedures.**

- (a) A copy of the Tentative Agreement, or a summary of the Tentative Agreement, and a statement as to whether the Negotiating Committee is recommending ratification or rejection of the Agreement shall be provided each OSEA member of the bargaining unit prior to the ratification meeting. If a summary only is provided, copies of the Tentative Agreement containing the exact language of the proposal shall be provided at the meeting.
- (b) The Chapter President shall set the date, time, and place for the ratification meeting, which shall be open to attendance by all employees within the bargaining unit.
- (c) Notification of the ratification meeting shall be issued to all bargaining unit employees no less than five (5) working days in advance of the scheduled date. Distribution of said meeting notice shall be at the discretion of the Chapter President, utilizing any of the following methods which she/he determines to be most efficient:
  - (1) To individual bargaining unit employees utilizing the district mail system;
  - (2) Distribution by Stewards, Building Site Representatives, or others;
  - (3) Posting in prominent locations at each work site.
- (d) Conduct of Meeting and Vote.
  - (1) The Negotiating Committee shall review the provisions of the Tentative Agreement and indicate its recommendations for ratification or rejection and reasons therefore.
  - (2) If the State Association is recommending rejection of the Tentative Agreement, a State Association representative shall be in attendance at the ratification meeting and shall be provided ample opportunity to outline the recommendation for rejection and the reasons therefore.
  - (3) Adequate opportunity for discussion, debate, and answering of questions shall be provided prior to a vote being taken. "Fair Share Fee Payers" shall be entitled to full rights of representation in all matters related to their collective bargaining agreement. They shall not, however, have the right of voice or vote in Chapter or State Association affairs, unless otherwise required by law.

- (4) The ratification vote shall be by secret ballot conducted at the ratification meeting under the supervision of the Elections Committee. Only “active” OSEA members of the bargaining unit who are in good standing and present at the ratification meeting shall be entitled to the right of voice or vote on the ratification or rejection of the Agreement. Absentee or proxy votes shall not be permitted.
- (5) Ballots shall be tallied and results announced prior to the close of the meeting. A majority vote shall ratify.

**Section 3: Executed Agreement.** Every collective bargaining agreement shall be executed by the State Association and appropriate representatives of this Chapter. No contract shall be valid which has not been ratified by the Chapter membership.

## **Article XII**

### **Amendments to Constitution**

**Section 1.** This Constitution shall at all times conform to all provisions of the State Association Constitution & Bylaws and Board Policy, and where any conflict should occur, the State Association Constitution & Bylaws and/or Board Policy shall prevail.

**Section 2.** Any member in good standing of the Chapter (or the Executive Board) may submit a written proposal to amend this Constitution which contains the exact text of the proposed change at any Chapter meeting, which shall constitute a first reading. The Chapter President shall then cause the proposed amendment(s) to be placed on the agenda of the next regular or special Chapter meeting where the matter will be read a second time and acted upon, and shall cause written notification of the proposed amendment(s) and the date, time, and place of the designated Chapter meeting to be issued to all members in good standing at least fifteen (15) days in advance of said meeting. Said notification shall include at least a written summary of the proposed changes. The exact text of the proposed changes shall be made available for review by members upon request prior to the second reading if not provided with said notification, and shall be distributed to all members in attendance at the second reading.

**Section 3.** Approval by two-thirds (2/3) of the “active” members in good standing present and voting at the second reading shall be required to adopt the amendment(s). If the amendment(s) relate to a revision of Chapter dues, the vote shall be conducted by secret ballot.

## **Article XIII**

### **Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* are the parliamentary authority of the Chapter when *Robert's Rules of Order, Newly Revised* are not in conflict with the following hierarchy of rules:

- (a) OSEA State Constitution & Bylaws and Board Policy;
- (b) The Chapter Constitution;
- (c) Special rules of order and standing rules adopted by the Chapter.

If the hierarchy of rules is silent on a subject or procedure, *Roberts Rules of Order, Newly Revised* shall prevail.