

Solano County

*675 Texas Street
Fairfield, California 94533
www.solanocounty.com*



Agenda - Final

Wednesday, January 14, 2015

6:30 PM

Solano County Board of Supervisors Chambers

Civil Service Commission

SOLANO COUNTY CIVIL SERVICE COMMISSION

*Regular Meeting
January 14, 2015
Wednesday - 6:30 p.m.
Board of Supervisors Chambers*

TO THE PUBLIC

In compliance with the Americans with Disabilities Act (ADA of 1990), the County will provide accommodations for persons with disabilities who attend public meetings. If you have the need for an accommodation such as interpreters or materials in alternative format, please contact Yvonne Liid at 707-784-6180.

If you wish to address the Commission on a matter not listed on the Agenda, you may do so under Items from the Public. The subject matter must be within the jurisdiction of the Commission.

If you wish to address any item listed on the Agenda, please submit a Speaker Card to the Recording Secretary of the Commission before the Commission considers the specific item. Cards are available on the podium in the Board Chambers.

Please limit your comments to five minutes.

For items not listed on the Agenda, please see Item #3, Items from the Public.

1. Call to Order/Roll Call
2. Pledge Of Allegiance
3. Items from the Public

This is your opportunity to address the Commission on a matter not heard on the Agenda, but it must be within the subject matter jurisdiction of the Commission. Please submit a Speaker Card before the first speaker is called and limit your comments to five minutes. Items from the public will be taken under consideration without discussion by the Commission and may be referred to staff.

4. Approval of Minutes of the Commission Meeting of January 14, 2015

[CSC 15-0004](#) Approval of Minutes of the Commission Meeting of November 12, 2014

Attachments: [A - Minutes](#)

5. Communications
6. Information Items (No Action Required by Commissions)
7. Additions to, or deletions from, the Agenda
8. Approval of the Agenda

SCHEDULED CALENDAR

(All items under Scheduled Calendar require Commission Action)

- [CSC 15-0001](#) Accept the Civil Service Commission Regular Meeting Calendar for 2015
- [CSC 15-0002](#) Annual Election of the Civil Service Commission President and Vice President
- [CSC 15-0003](#) Approve the Continued Registration of Employee Organizations
- Attachments:*** [Requests for Continued Registration](#)
- [CSC 15-0005](#) Set the hearing date regarding the “community of interests” determination for a bargaining unit modification (Solano County Sheriff’s Employee Association) and establish the hearing process
- [CSC 15-0006](#) Set the hearing date regarding the “community of interests” determination for a bargaining unit modification (Unit 19, Executive and Senior Management, represented by Professional and Technical Engineers, Local 21) and establish the hearing process
- [CSC 15-0007](#) Approve the 2014 Annual Report of the Civil Service Commission
- Attachments:*** [A - 2014 Annual Report](#)

MISCELLANEOUS ITEMS

9. Commission/Staff Comments

Adjourn

To the Civil Service Commission meeting of February 11, 2015 at 6:30 P.M., Board Chambers, 675 Texas Street, Fairfield, CA



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

Agenda #: **Status:** CSC Minutes
Type: CSC-Document **Department:** Civil Service Commission
File #: CSC 15-0004 **Contact:** Marc Fox, 784-2552
Agenda date: 1/14/2015 **Final action:**
Title: Approval of Minutes of the Commission Meeting of November 12, 2014

Governing body: Civil Service Commission
District: All
Attachments: [A - Minutes](#)

Date	Ver.	Action By	Action	Result
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Published Notice Required? Yes No
Public Hearing Required? Yes No

HUMAN RESOURCES' RECOMMENDATION:

The minutes of the Civil Service Commission meeting of November 12, 2014 are presented for your approval.

**MINUTES OF THE SOLANO COUNTY
CIVIL SERVICE COMMISSION**

Regular Meeting
Wednesday, November 12, 2014
Board of Supervisors Chambers
County Administration Center
Fairfield, CA 94533

1. Call to Order/Roll Call

President Neal called the meeting to order at 6:30 p.m. Roll was called, and the following Commissioners were present: Commissioner Neal, Commissioner Booe, Commissioner Riley, Commissioner Burton, and Commissioner Tedford. Commission Staff present were Marc Fox, Director of Human Resources and Commission Secretary; JoAnn Parker, Deputy County Counsel; and Yvonne Liid, Recording Secretary.

2. Pledge of Allegiance

3. Items from the Public

There were no items from the public.

4. Approval of the Minutes of the Commission Meeting of October 8, 2014

A motion to approve the minutes of the October 8, 2014 Commission meeting was made by Commissioner Booe with a second by Commissioner Tedford. The motion to approve the minutes carried 5/0.

5. Communications

There were no Communications items.

6. Information Items (No Action Required by Commission)

There were no information items.

7. Additions to, or deletions from, the Agenda

There were no additions to or deletions from the Agenda.

8. Approval of the Agenda

A motion was made to approve the agenda by Commissioner Riley with a second by Commissioner Booe. The motion to approve the agenda carried 5/0.

SCHEDULED CALENDAR

(All items under Scheduled Calendar require Commission Action)

CSC 14-0031: Revise and Retitle the Classification of Mental Health Services

Human Resources Director Marc Fox stated that the Human Resources Department is recommending the Commission revise and retitle the classification of Mental Health Services Coordinator. The class would be retitled "Community Services Coordinator", and the duties and responsibilities would be revised to broaden the example programs listed to include HUD funded/sponsored housing assistance programs. The Commissioners expressed their appreciation to Director Fox for how the attachments to the agenda item clearly laid out the proposed changes. A motion was made to approve the revisions and retitling of the classification of Mental Health Services by Commissioner Booe with a second by Commissioner Riley. The motion carried 5/0.

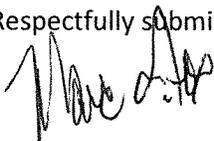
9. Commission/Staff Comments

Commissioner Booe requested that issues in her memorandum dated November 12, 2014 (Attachment A) be put on the agenda of the next Civil Service Commission meeting; specifically concerning Civil Service Rules 4.09 and 5.24. Commissioner Booe requested that the Director of Human Resources review the wording of these rules and recommend revisions to remove any confusion in the language. Human Resources Director Fox noted that this was already discussed at the April 10, 2013 meeting with several Department Heads telling the Commission that the changing of Section 4.09 would have a serious negative impact on their operations, and responded that if the Commission wants it brought back for discussion, he will include it on the December 10, 2014 agenda. Commissioner Booe responded that she is not objecting to the procedure; what she is asking for is a change of the language for clarity. President Neal requested the item be put on the December 10, 2014 agenda, and Director Fox agreed to do this.

10. Adjourn

President Neal adjourned the meeting at 6:37 p.m.

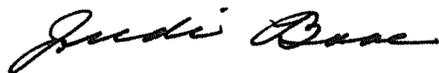
Respectfully submitted,



Marc A. Fox
Director of Human Resources

November 12, 2014

TO: The Civil Service Commission Members



FROM: Judi Booe, Civil Service Commissioner

Commission matters:

In view of the recent confusion and issues regarding Disqualification of two employees from recruitment #14-35020-DL (Deputy Probation Officer – Supervising), I am asking the Human Resources Department to review and revise the following Civil Service rules;

4.09 – Notice of action on application /right of appeal

A. Applications found incomplete or deficient must be corrected by the final filing date.(current language)

My concern is how must they be corrected? Who notifies the employee of the deficiency? Is it in writing? What is the time frame required?

Example: The web page that advised two employees - “ No items are required to be sent by mail, fax or email”. (see attachment)

5.24 – Appeals from disqualification in further examinations and selections

D. Scheduling of a hearing date will be placed on the agenda of the next regular meeting of the Civil Service Commission.(current language)

It does not say “ it is not appealable” as previously stated in the above cases. The two employees followed this section A through C- why were these appeals not scheduled. The wording is clear – it says IT WILL BE PLACED ON THE AGENDA. It is a positive active statement, not a decision to be made.

*Cc: Marc Fox, Human Resource Director
JoAnn Parker, Deputy County Counsel
Yvonne Liid , Recording Secretary*

Help | **County of Solano Employment Application** | **Job Info**
 Deputy Probation Officer (Supervising) #14-315020-D1

EEO/AA | **Profile** | **School** | **Work** | **Review** | **Send** | **Exit**

Ready to Send App | **Print My Application** | **Printing Tips**

Name: WEST, SHANNON
 Job Number: 14-315020-D1

ID Number: LEW-50-4656
 Job Title: Deputy Probation Officer (S

The following materials are required to support the Employment Application:
 No items are required to be sent by mail, fax or e-mail.

EDIT

If there are any additional materials to be mailed, please send them to the following address:

Human Resources Department
 675 Texas Street, Suite 1800
 Fairfield CA 94533

County of Solano Employment Application

Job Title: Deputy Probation Officer (Supervising) **Job Number:** 14-315020-D1 **EDIT**

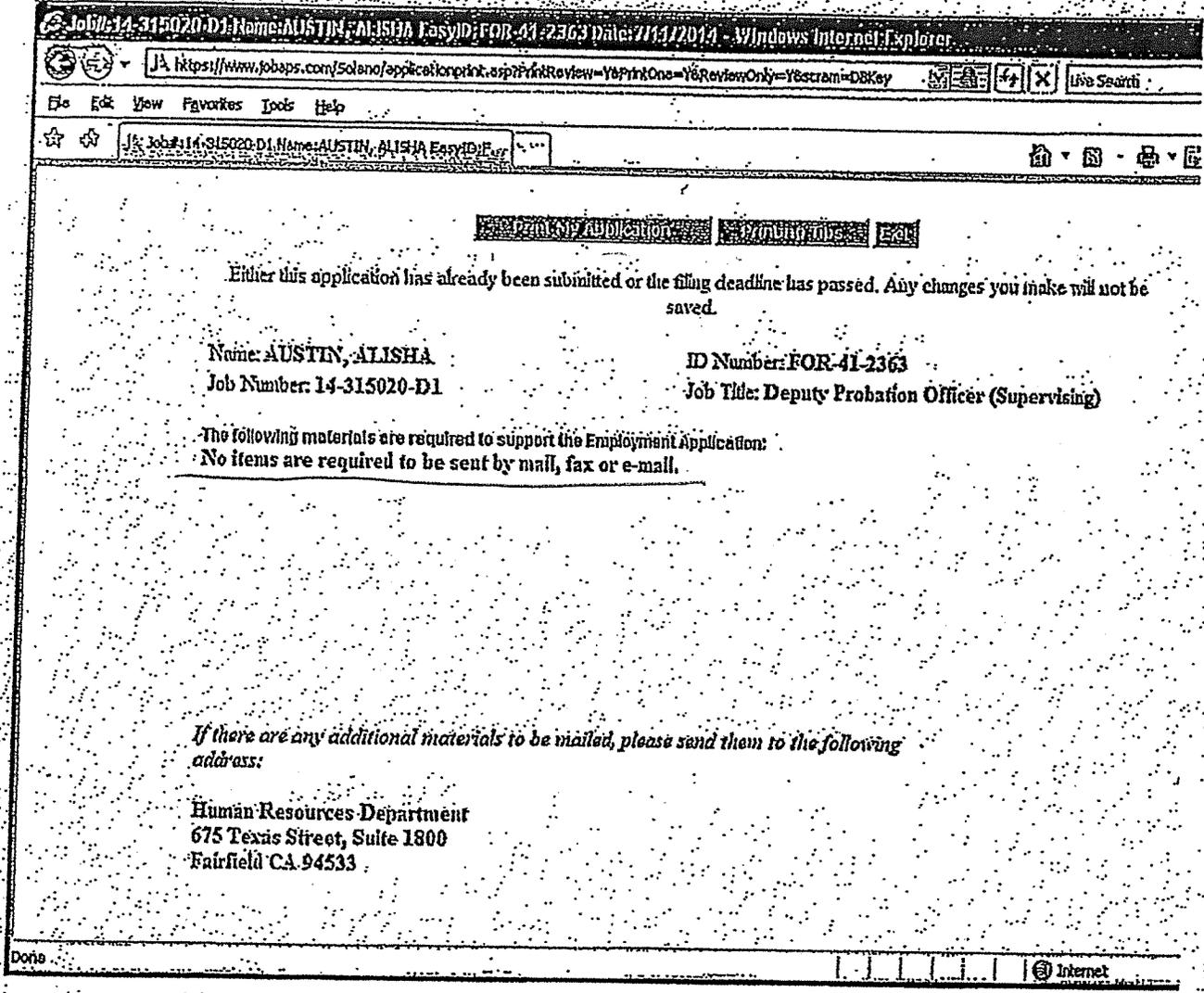
Legal Name:

WEST	SHANNON		lew-50-4656
Last Name	First Name	Initial	ID

Contact Information:

PO BOX 3037	SUISUN	CA	94585-6037
Street address	City	State	ZIP
srwest@solanocounty.com	707-416-1704	707-416-1704 ex	707-784-6541 ex
Email	Evening Phone	Day Phone	Alternate Phone

Phone: 707-784-6170 | 8am - 6pm M-F | Powered by **JobApp**



*Alisha Austin
Deputy Probation Officer
Solano County Probation
(707) 784-7552*



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

Agenda #: **Status:** Agenda Ready
Type: CSC-Document **Department:** Civil Service Commission
File #: CSC 15-0001 **Contact:** Marc Fox, 784-2552
Agenda date: 1/14/2015 **Final action:**
Title: Accept the Civil Service Commission Regular Meeting Calendar for 2015

Governing body: Civil Service Commission
District: All

Attachments:

Date	Ver.	Action By	Action	Result
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Published Notice Required? Yes No
Public Hearing Required? Yes No

HUMAN RESOURCES' RECOMMENDATION:

It is recommended that the Commission take the following action for the Civil Service Commission's regular meeting calendar for calendar year 2015:

- A. Accept the Civil Service Commission calendar for 2015, setting the meeting start time at 6:30 p.m.; and
- B. Approve cancellation of the Civil Service Commission meetings of July 8, 2015 and November 11, 2015.

SUMMARY:

Civil Service Rule 3.01, Meetings of the Civil Service Commission, paragraph A provides that the Civil Service Commission shall meet at least monthly, normally on the second Wednesday of the month, at the hour and place designated by the President. The Commission may meet at other times at the call of the President or of a quorum of the Commission, providing four days' notice is given.

DISCUSSION:

The 2015 calendar year Civil Service Commission meeting calendar continues the Commission's regular meetings on the second Wednesday of each month, beginning at 6:30 p.m. Like prior calendar years, there is no scheduled meeting for July 2015, and the November 2015 meeting is cancelled as it falls on Veterans' Day. Additional special meetings may be called as provided by the Civil Service Rules.

The 2015 Civil Service Commission meeting calendar will be:

- January 14, 2015 starting at 6:30 p.m.
- February 11, 2015 starting at 6:30 p.m.

- March 11, 2015 starting at 6:30 p.m.
- April 8, 2015 starting at 6:30 p.m.
- May 13, 2015 starting at 6:30 p.m.
- June 10, 2015 starting at 6:30 p.m.
- August 12, 2015 starting at 6:30 p.m.
- September 9, 2015 starting at 6:30 p.m.
- October 14, 2015 starting at 6:30 p.m.
- December 9, 2015 starting at 6:30 p.m.

ALTERNATIVES:

The Commission could elect to have a different meeting starting time; however, this is not recommended as some Commissions have expressed interest in maintaining the 6:30 p.m. meeting start time. The Commission could elect to hold a regular Commission meeting on July 8, 2015; however, this is not recommended as Human Resources Department staff will be unavailable due to planned vacations.

OTHER AGENCY INVOLVEMENT:

Not applicable.



Solano County

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Fairfield, California 94533
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Agenda Submittal

Agenda #: **Status:** Agenda Ready
Type: CSC-Document **Department:** Civil Service Commission
File #: CSC 15-0002 **Contact:** Marc Fox, 784-2552
Agenda date: 1/14/2015 **Final action:**
Title: Annual Election of the Civil Service Commission President and Vice President

Governing body: Civil Service Commission
District: All

Attachments:

Date	Ver.	Action By	Action	Result
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Published Notice Required? Yes No
Public Hearing Required? Yes No

HUMAN RESOURCES' RECOMMENDATION:

Staff has no recommendation.

SUMMARY:

Civil Service Rule 30.1, Meetings of the Civil Service Commission, paragraph G provides that the Civil Service Commission shall elect one member as President and one member as Vice President during the Commission's first meeting of each calendar year.

DISCUSSION:

At the January 8, 2003 Civil Service Commission, the Commission adopted the following procedure for the election of the President and Vice President:

The purpose of this policy is to ensure that the procedure for the election of the President and Vice-President of the Civil Service Commission is in accordance with the Civil Service Rules Section 3.06. [Staff note: Section citation has been updated; new cite is 3.01G.]

1. At the first regular meeting of the calendar year, a President and Vice President shall be elected by the majority vote of the Commissioners present.
2. The newly elected President shall preside for one year.
3. The newly elected Vice-President shall perform all the duties of the President in his or her absence or inability to act.
4. In the absence of both the President and Vice-President, the Commissions present shall elect a Chairperson pro tem.

5. After the President and Vice-President have been seated, the remaining Commissioners shall select their respective seats in the order of their relative seniorities in office and occupy them until the new regular reorganization of the Commission; however, any two Commissioners may change seats at any time by mutual consent.

ALTERNATIVES:

The Commission could adopt a different procedure for the election of the President and Vice President and/or adopt a different procedure for selection of seats; however, neither is recommended as the Commission's adopted procedure has continued to work well.

OTHER AGENCY INVOLVEMENT:

Not applicable.



Agenda Submittal

Agenda #: **Status:** Agenda Ready
Type: CSC-Document **Department:** Civil Service Commission
File #: CSC 15-0003 **Contact:** Marc Fox, 784-2552
Agenda date: 1/14/2015 **Final action:**
Title: Approve the Continued Registration of Employee Organizations

Governing body: Civil Service Commission
District: All
Attachments: [Requests for Continued Registration](#)

Date	Ver.	Action By	Action	Result
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

HUMAN RESOURCES' RECOMMENDATION:

It is recommended that the Civil Service Commission approve the requests for continued registration for the following employee organizations:

Unit No.	Name
1	Attorneys; represented by Teamsters, Local 150
3	Law Enforcement Employees; represented by Solano County Deputy Sheriff's Assoc.
10	Skilled Craft & Service Maintenance Employees; represented by Stationary Engineers, Local 39
12	Probation Employees; represented by Solano County Probation Peace Officer Assoc.
13	Correctional Officers; represented by Solano County Sheriff's Custody Assoc.
14	Correctional Supervisors; represented by Solano County Sheriff's Custody Assoc.
15	Probation Supervisors; represented by Solano County Probation Peace Officer Assoc.
17	Law Enforcement Management; represented by Solano County Law Enforcement Management Assoc.
18	Sheriff's Office Management; represented by Solano County Law Enforcement Management Assoc.

Additionally, it is recommended that the Civil Service Commission authorize the Commission Secretary to approve the continued registration of the following organizations if the required documentation is submitted by January 15, 2015:

Unit

<u>No.</u>	<u>Name</u>
2	Nurses; represented by SEIU, Local 1021
4	Law Enforcement Supervisors; represented by Solano County Deputy Sheriff's Assoc.
5	Health & Welfare Employees; represented by SEIU, Local 1021
6	Health & Social Services Supervisors; represented by Public Employees Union, Local One
7	Regulatory, Technical & General Services Employees; represented by SEIU, Local 1021
8	General Services Supervisors; represented by SEIU, Local 1021
9	Clerical Employees; represented by SEIU, Local 1021
11	Psychiatrists, Physicians & Dentists; represented by Union of American Physicians & Dentists
16	Mid-Management; represented by Public Employees Union, Local One
19	Executive & Senior Management; represented by Professional & Technical Engineers, Local 21

SUMMARY:

The Employer-Employee Relations Rules and Regulations (EERRR) Section 7, Employee Organization Registration Procedures, paragraph B provides that requests for continued registration shall be submitted annually between January 1 and 15 of each year.

DISCUSSION:

In November 2014, the Human Resources Department sent to each recognized employee organization the request for annual recognition. Information to be provided by the recognized employee organization is:

1. Name and mailing address of the organization.
2. A statement whether the organization is a chapter or local of, or affiliated with, a regional, state, national or international organization and, if so, the name and address of each such regional, state, national or international organization.
3. A list of principal officers of the organization.
4. A statement that the organization has, as one of its primary purposes, representation of its members in their employer-employee relations with the County.
5. A designation of those persons, not exceeding two (2) in number, and their addresses, to whom notice, sent by regular United States mail will be deemed sufficient notice to the organization for any purpose.
6. A statement that the organization has no restriction on membership based on race, color, creed, national origin, sex, age, or physical or mental impairment.
7. Current copies of the organization's constitution and by-laws.
8. A designation of those persons who are authorized as representatives of the organization in any communications with the Director, the Commission or Board.

Recognized employee organizations began submitting the required recognition documentation shortly following the Human Resources November 2014 letter.

The above recommendations reflect those employee organization continued registration submittals received through January 2, 2015. Copies of the employee organization continued registration submittals are attached.

The Commission Secretary will update the list of employee organization continued registration submittals at the Commission's meeting.

ALTERNATIVES:

The Civil Service Commission could elect to not delegate authority to the Commission Secretary to receive and approve recognition to those employee organizations which submit their documentation between the Commission's meeting date and January 15.

OTHER AGENCY INVOLVEMENT:

The Human Resources Department has worked with each recognized employee organization in gathering the required information for continued recognition.

JIM TOBIN
SECRETARY - TREASURER



CHAUFFEURS, TEAMSTERS AND HELPERS

LOCAL NO. 150

7120 EAST PARKWAY – SACRAMENTO, CALIFORNIA 95823

TELEPHONE (916) 392-7070 FAX 392-7675



AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

December 1, 2014

Mark A. Fox
Director of Human Resources
County of Solano
675 Texas Street Suite 1800
Fairfield, Ca 94533-6336

Certified Mail 7012 2210 0000 1511 2739

Dear Mr. Fox,

This is to advise you that it is the desire of Teamsters Local 150 to continue to be recognized as the employee organization representing the employees of the Public Defender's office and District Attorney's office, Solano County. In accordance with Article 3, Section 7 of the Solano County Employer-Employee Relations, Rules and Regulations, the following provided:

- The name and address of the Organizations

Chauffeurs, Teamsters & Helpers, Local No. 150
7120 East Parkway
Sacramento, Ca 95823

- Teamsters Local 150 is directly affiliated with the International Brotherhood of Teamsters, an international labor organization federally chartered. The International Union's address is:

25 Louisiana Avenue, N.W.
Washington, Dc 20001

- The officers of Local 150 are:

Jim Tobin, Secretary-Treasurer
Doug Secord, President
Nancy Linch, Vice-President
Jesus Sanders, Recording-Secretary
David Barrows, Matt Andrakowkz & Robert Williams., Trustees

2014 DEC -4 PM 1:21
COUNTY OF SOLANO
HUMAN RESOURCES

- Teamsters Local 150 has, as one of its primary purposes, representation of our members in their employer-employee relations with the County of Solano.
- The following persons are designed by the Local for receipt of notices:

Jim Tobin
Secretary-Treasurer
TEAMSTERS LOCAL 150
7120 East Parkway
Sacramento, Ca 95823

Kenneth L. Akins
UNIVERSITY RESEARCH & ASSOCIATES
6355 Riverside Blvd., Ste E
Sacramento, Ca 95831

- Neither the Local nor the International have any restrictions on membership based upon race, color, creed, national origin, sex, age, or physical or mental impairment.
- Copies of the current Constitution of the International Union and the Bylaws of the Local Union are on file with the County of Solano.
- The authorized representatives are:

Jim Tobin
Secretary-Treasurer
Teamsters Local 150

and Kenneth L. Akins
University Research & Associates

Respectfully submitted,

TEAMSTERS LOCAL 150



James E. Tobin
Secretary-Treasurer

JT/tc



Solano County Deputy Sheriff Association

P.O. Box 1
Suisun, CA 94585

www.SolanoDSA.com

Unit 3

Ken Kramer
President

Glen Myer
Vice-President

Ashish Chandra
Secretary

Brian Travis
Treasurer

November 12, 2014

Marc Fox, Director
Solano County Human Resource Department

Dear Mr. Fox,

The Solano County Deputy Sheriff's Association (DSA) would like to submit a request for continued registration for the calendar year 2015 in accordance with the Employer-Employee Relations Rules and regulations (EERRR).

Here is the following information required by EERRR;

- 1) Our association is named Solano County Deputy Sheriff's Association (DSA) and our mailing address is P.O. Box 1, Suisun City, CA 94585.
- 2) The Solano DSA is a local organization and not affiliated with any regional, state, national or international organization.
- 3) We have five principal officers – Daryl Snedeker (President), Dax West (Vice-President), Ashish Chandra (Secretary) Brian Travis (Treasurer), Ken Kramer (Past-President).
- 4) The primary purpose of this Solano County DSA is to actively represent its members, both individually and collectively, in matters relating to their wages, hours, terms, and conditions of their employment, and their employment benefits and status, and in employer-employee relations.

The Solano County DSA is also here to promote the professional welfare of all members, to foster a positive influence in the community, to keep informed of County policies and functions in order to more effectively represent the Association members, to provide a forum for exchange of ideas, to bring together members for social fellowship, and the Board of Supervisors, the State Legislature, and all other public and private forums on a political but non-partisan basis.

- 5) All notices to the Solano County DSA can be addressed to the DSA President, Daryl Snedeker and in his absence to Vice-President, Dax West. The notices can be mailed to Solano County Deputy Sheriff's Association at P. O. Box 1, Suisun City, CA 94585.

District Attorney Investigators

Deputy Sheriffs

Welfare Fraud Investigators

Proudly Serving Solano County's Public Safety & Criminal Investigators



Solano County Deputy Sheriff Association

P.O. Box 1
Suisun, CA 94585

www.SolanoDSA.com

Ken Kramer
President

Glen Myer
Vice-President

Asish Chandra
Secretary

Brian Travis
Treasurer

- 6) The Solano County DSA has no restriction on membership based on race, color, creed, national origin, age, sex or physical or mental impairment.
- 7) Please see the attached copies of our by-laws.
- 8) The Solano County DSA President, Daryl Snedeker is designated as a representative of organization in any communications with the Director, the Commission or the Board. If the president is not available the Vice-President, Dax West will be designated.

I hope this satisfies the request for continued registration of our association in accordance with the Employer-Employee Relations Rules and regulations (EERRR) for 2015. Should you require any further information please contact the Solano County DSA Secretary, Asish Chandra.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Kramer".

Ken Kramer, President (2014)
Solano County Deputy Sheriff's Association

District Attorney Investigators

Deputy Sheriffs

Welfare Fraud Investigators

Proudly Serving Solano County's Public Safety & Criminal Investigators

Stationary Engineers, Local 39

INTERNATIONAL UNION OF OPERATING ENGINEERS AFL-CIO



JERRY KALMAR
BUSINESS MANAGER-SECRETARY

November 26, 2014

*Sent via Certified U.S. Mail**7012 2920 0000 1203 9930**and via Email: MAFox@SolanoCounty.com*

Marc A. Fox, Director
Human Resources
County of Solano
675 Texas Street, Suite 1800
Fairfield, CA 94533-6342

2014 DEC -1 AM 11:38
COUNTY OF SOLANO
HUMAN RESOURCES

Re: Request for continued registration for calendar year 2015

Dear Mr. Fox,

In accordance with Section 7 of the Solano County Employer-Employee Relations Rules and Regulations, Stationary Engineers, Local 39 submits the following information:

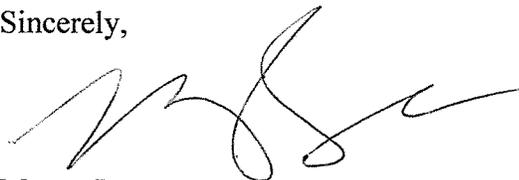
- 1) International Union of Operating Engineers, Stationary Engineers, Local 39, 1620 N. Market Blvd., Sacramento, CA 95834.
- 2) Stationary Engineers, Local 39 is a Local of the International Union of Operating Engineers, AFL-CIO, 1125 Seventeenth Street, N.W. Washington DC 20036.
- 3) President: Tony DeMarco. Vice President: Bob Aldrich. Business Manager-Secretary: Jerry Kalmar. Treasurer: Jeff Gladieux.
- 4) The object and purpose of this Local Union is to provide for the general welfare of its members and employees represented by this Local Union and all employees and working men, women and minors insofar as, in the opinion of this Local Union, their general welfare had or may be affected, directly or indirectly, by the employer.
- 5) Notice should be directed to Business Manager Jerry Kalmar or the assigned Business Representative (currently, Megan Lane). Notice should be mailed to the following address: 1620 N. Market Blvd., Sacramento, CA 95834.
- 6) Stationary Engineers, Local 39 has no restriction on membership based on race, color, creed, national origin, sex, age, or physical or mental impairment.
- 7) Copies of the International Constitution and By-Laws are enclosed.

Marc A. Fox
November 26, 2014
Page 2

- 8) Authorized representatives of the Local include: Business Manager Jerry Kalmar, District Representative Steve Crouch, and the assigned Business Representative (currently, Megan Lane).

If you need additional information, please contact me at 916-928-0399.

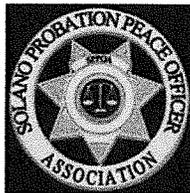
Sincerely,

A handwritten signature in black ink, appearing to read 'Megan Lane', with a long horizontal flourish extending to the right.

Megan Lane
Business Representative

Enclosure

MLane:lt:IUOE#39/afl-cio



SOLANO PROBATION PEACE OFFICER ASSOCIATION
Standing Together For Change

December 1, 2014

Solano County Human Resources Dept.
Marc Fox, Human Resources Director
675 Texas Street, Suite 1800
Fairfield, CA 94533-6336

RECEIVED
HUMAN RESOURCES
9:14:51 AM
DEC -3 2014
COUNTY OF SOLANO

Dear Mr. Fox,

Pursuant to the guidelines of Article 3, Section 7.b of the Solano County Employer-Employee Relations Rules and Regulations, the following information is provided for continued registration:

Name of Organization: Solano Probation Peace Officer Association
P.O. Box 2064
Fairfield CA 94533

The Solano Probation Peace Officer Association is not affiliated in any manner with any local, regional, state, national or international organization for any purpose.

The Association's principal officers are: Tarita Moehrke, President
Mylinh Wells, Vice President
Gabrielle McCamy, Secretary
Joseph Herman, Treasurer
Kathleen Nunez, Director
Gloria Garcia-Brock, Director
Jane Kays, Director

The Solano Probation Peace Officer Association has as its primary purpose the representation in their employment relations with the County of Solano those employees classified as:

Deputy Probation Officers (Entry and Journey), Senior Deputy Probation Officers, Group Counselors (Entry and Journey), Senior Group Counselors, Supervising Deputy Probation Officers.

PO Box 2064
Fairfield CA 94533
707-365-4227

haveavoice@sbcglobal.net



SOLANO PROBATION PEACE OFFICER ASSOCIATION
Standing Together For Change

The agent for service of process, on whom notice sent by regular U.S. mail will be deemed sufficient notice on the organization for any purpose, is:

Tarita M. Moehrke, President
PO Box 2064
Fairfield CA 94533
haveavoice@sbcglobal.net

Besides notification to the aforementioned designee, we request a courtesy copy of all correspondence be sent to Mastagni, Holstedt, Amick, Miller, and Johnsen: 1912 I Street, Sacramento, CA 95811-3151.

The Solano Probation Peace Officer Association is open to all Bargaining Unit 12 and Unit 15 employees and has no restriction on membership based on race, color, creed, handicap, sex, age, national origin, or physical or mental impairment.

The Association's current bylaws are attached.

The authorized representatives of the Solano Probation Peace Officer Association are Tarita M. Moehrke (President), Mylinh Wells (Vice-President), Gabrielle McCamy (Secretary), Joseph Herman (Treasurer), Kathleen Nunez (Director), Jane Kays (Director), and Gloria Garcia-Brock (Director).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge and belief. Executed on this 1st day of December, 2014, at Fairfield, California.



Tarita M. Moehrke, President

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SOLANO PROBATION PEACE OFFICER ASSOCIATION

BYLAWS

Original Bylaws Created 2011
Amendments approved by the Board 3/15/12
Amendments adopted by vote of the membership 6/12/12

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ARTICLE 1 - NAME

Section 1: The name of this organization shall be the Solano Probation Peace Officer Association and may be referred to herein as SPPOA or the Association.

ARTICLE 2- OFFICES

Section 1: The principal office for the transaction of the business of the Corporation ("principal office") is hereby fixed and located in FAIRFIELD, California. The Board of Directors is hereby granted all power and authority to change said principal office from one location to another within Solano County, California.

ARTICLE 3 - CORPORATION

Section 1: This Association is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Law, California Corporations Code. The terms "Corporation" and "Association" may be used interchangeably within these Bylaws.

ARTICLE 4 - PURPOSES

Section 1: General Purpose

The general purpose of this Association is to engage in any lawful act or activity for which a corporation may be organized under the California Nonprofit Mutual Benefit Corporation Law.

Section 2: Specific Purpose

A. The purpose of the SPPOA is to secure and advance member safety, promote harmonious employee relations between Solano County and the SPPOA, establishment of an equitable and peaceful procedure for the resolution of differences, the establishment of salaries, working conditions, and any other conditions of employment, and where appropriate, legislative and political programs, consistent with the mission of the SPPOA.

B. To provide representation for its members, as necessary and as provided for in these Bylaws, in matters relating to employment, working conditions and benefits:

C. To promote and encourage the continuance and improvement of a disability and retirement system for Association members;

D. To support the highest professional standards for Peace Officers by encouraging the establishment of training schools and other methods of instruction;

E. To support and encourage strict adherence to the merit system and a system of competitive examinations for both entrance and promotion; and

F. To encourage activities to improve the morale and general welfare of the members.

Section 3: Accomplishment of Purposes:

The Association shall take the necessary steps for the accomplishment of these purposes.

Section 4: Use of Association Name:

The Association's name shall not be used for any purposes without a vote of majority approval from the Board of Directors.

ARTICLE 5 - MEMBERSHIP

Section 1: Nondiscrimination:

There shall be no discrimination or restriction on membership because of race, color, creed, national origin, sex, age, religion, citizenship, sexual orientation or disability.

Section 2: Active Membership:

Active membership shall be limited to all persons employed by the Solano County Probation Department in the classification of Deputy Probation Officer (all levels), Senior Deputy Probation Officer, Group Counselor (all levels), Senior Group Counselor, and Supervising Deputy Probation Officer, including those eligible members on an approved leave of absence. Additional classifications may be added and name changes may be enacted by a majority vote of the Board.

A. Terminated members:

Any member who is dismissed or terminated and who appeals such dismissal or termination, may remain a member in good standing pending the outcome of said appeal, including any judicial review, with dues suspended until final resolution of the case.

Section 3: Retired Membership:

Retired membership may be available upon approval by a majority vote of the board to all active members in good standing upon retirement. Retired membership shall be limited to participation in non-business events of this Association. Retired members may not vote or hold office. Retired members may be required to pay dues at a rate established by a majority vote of the Board of Directors.

Section 4: Associate Members:

Employees of the Department who are not eligible for active membership may seek associate membership upon approval of a majority vote of the board. Associate membership shall be limited to participation in non-business events of this Association. Associate members shall not be eligible to vote or hold office. Associate members shall pay dues at a rate established by a majority vote of the Board of Directors.

Section 5: Responsibilities of Members:

It shall be the responsibility of all members to attend all general and special membership meetings and to be informed regarding the proceedings of all membership meetings. It is the responsibility of each member to be familiar with the operational rules of the Association, including these Bylaws. The Association may maintain a website and members are responsible for keeping current with the information contained in the website.

Section 6: Membership Application

Any employee eligible for active membership may join by payment of the required dues and by signing and submitting to the Association an enrollment agreement along with any required documentation to effect the collection of dues. The Board of Directors shall act upon all membership applications and may extend membership to all eligible persons.

ARTICLE 6 – DUES

Section 1: Dues Rates:

Monthly dues were set, as of April 2011, to be \$30 per pay period, and were calculated in such a manner as to cover the monthly cost, per member, of the Law Firm Retainer, SCOPO dues, and monthly Association expenses.

Section 2: Payment of Dues:

Payment of dues shall be by authorized payroll deduction. Dues shall be deducted from every pay check. It shall be the responsibility of each member to sign the proper forms to effect the collection of dues.

Section 3: Change of Dues:

If a change in the Association dues structure is considered, for anything other than increases in the Law Firm retainer fees or SCOPO dues, the membership shall be advised in writing. Members shall vote by secret ballot, and a simple majority (50% +1) vote of those active members in attendance shall be required to approve any such proposal. Any increase in the Law Firm retainer or SCOPO dues shall automatically increase dues to cover that additional cost.

Section 4: Assessment

General or special assessments or levies may be made from time-to-time as provided herein. In the event that the Board of Directors desires to have the matter of assessments

put before the membership, the Board shall provide reasonable notice through the Secretary. The Secretary shall provide notice to the membership at least ten (10) calendar days prior to the membership meeting at which time the membership will consider general or special assessments to be charged or levied. The notice shall indicate the assessment is to be voted on. Such a meeting may be general or special. At the meeting called, voting shall be by secret ballot, and an affirmative vote of a simple majority (50% +1) of those Active Members in attendance shall be required to approve any such proposal.

Section 5: Non Members

Upon approval of the Board, those not members shall pay a "Service fee" in accordance with the Association Security provisions under the MOU.

Section 6: Suspension of dues

Any active member who wishes to have his/her dues suspended, for any reason, may submit a written request to the Executive Board for its approval or denial.

ARTICLE 7 - OFFICERS AND DIRECTORS OF THE ASSOCIATION

Section 1: Corporate Powers:

The executive and administrative power of the corporation shall be vested in its Board of Directors. Directors shall be active members of the Association who are also members of the bargaining unit. The activities and affairs of the corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the Board of Directors. The Board of Directors shall have all powers necessary to carry out all purposes of the Corporation including, but not limited to, entering contractual agreements for purposes of providing professional services for the benefits of the members. Nothing in these Bylaws shall be construed to prohibit or limit the exercise of power by the Board of Directors insofar as such exercise is authorized by the Constitution of the State of California or by California statute.

Section 2: Access to Corporate Records:

All active members have the right to inspect Bylaws, standing rules, minutes, financial records and membership lists during normal business hours, within thirty (30) days of a written request being received by the Secretary, for purposes reasonably related to the person's interest as a member. Directors have an absolute right to inspect and copy any record of the Corporation at reasonable times.

Section 3: Appointive Officers and Committees:

The President may designate such appointive officers and establish such committees as the President deems in the best interest of the Association, and the same shall serve at the pleasure of the President of the Association. The appointment of Officers to office, as well as dismissal and the establishment or disestablishment of committees must be with the concurrence of a majority of the Board of Directors. Dismissal of an appointive Officer can

be for any cause whatsoever and need not be for dereliction of duty or malfeasance in office. The vacancy of any appointive office may be filled by the President in the same manner as an original appointment. The term of office of all appointive Officers shall expire upon the installation of a new President.

Section 4: Officers and Directors:

The Board of Directors shall consist of seven (7) members to include a President, Vice President, Secretary, Treasurer, Director Position 1 who is to be elected from active members employed in the Probation Officer classification, Director Position 2 who is to be elected from active members employed in the Group Counselor classification, and Director Position 3 who may be elected from any classification.

Section 5: Board Duties:

- **Member Assistance:** In all cases of disciplinary action by the Department against a member of which the Board of Directors becomes aware, the President or another Officer at his direction shall inform the member of the availability of professional assistance. Representation shall be provided to the member in accordance with the agreement between the Association and the provider of professional assistance.

- **Emergency Action:** The Board of Directors shall in matters they deem as urgent, or of an emergency nature, take immediate action on any and all matters that adhere to the avowed purposes of the Association, unless otherwise stated by these Bylaws.

- **Members Best Efforts:** Each member of the Board of Directors shall be familiar with the Articles of Incorporation and the Bylaws of this Corporation, and each member shall devote their energies to promote the purposes of this Corporation.

- **All elected Officers/Directors of this Association shall be entitled to vote on any matters concerning this Association. The President shall vote only in the case of a tie.**

- **Standing Rules:** The Board of Directors may establish standing rules to ensure the orderly operation of the Association.

Section 6: Duties of Officers.

President: The President shall:

- Be the chief executive Officer and shall preside at all meetings of the Association and of the Board of Directors;
- Enforce a strict observance of these Bylaws and all other laws, rules, and regulations applicable to the governing of the Association and the Board;
- Be empowered to designate committees and appoint membership thereto which are not otherwise provided for;
- Be an ex officio member of all committees;

- Require all Officers of the Association to diligently and faithfully perform their duties, and it shall be the President's duty to forthwith report to the Board of Directors any dereliction that may come to the President's notice;
- Announce the decision of the Association or the Board on all subjects;
- Sign all reports, documents or correspondence that may be required;
- Perform such other duties as the nature of said office or a majority of the Board of Directors may require;
- Call meetings of the Board of Directors and the Association;
- Act as spokesperson for the Board of Directors in all matters upon which the Board of Directors is authorized to act; and
- Make a report of their and the Board of Directors' meetings and activities at each general or special meeting of the membership of the Association.

Vice President. The Vice President shall:

- Ensure that committee reports are made on time;
- Provide direction for committees in cooperation with the chairman;
- Ensure that committee chairpersons submit reports in accordance with the Bylaws;
- Contact all new eligible employees of the Department and explain the requirements of eligibility for membership, the objectives of the Association, and shall explain to all new members their duties and obligations to the Association;
and
- Perform such other duties as delegated by these Bylaws or the President.

Secretary: The Secretary shall:

- Maintain all books and records of the Association;
- Keep the roll of the members;
- Promptly prepare and log the minutes of all meetings of the general membership and meetings of the Board of Directors and distribute to each member of the Board a copy of the minutes following a meeting;
- Establish and maintain an accurate filing system for recall of all reports, minutes and correspondence pertaining to Association business as needed;
- Attend to all correspondence and issue all notices, documents and communications not otherwise provided for and necessary in the transaction of the business of SPPOA and as provided by the Bylaws;
- Keep at all times an inventory of the contents of any safe deposit box;
- Collect and disseminate all Association mail; acknowledge all correspondence and maintain copies of all acknowledgments;
- Direct the distribution, collection and tabulation of all ballots, and to record the results of all voting and elections concerning this Association;
- Submit all the books, records, papers, documents, etc., in said possession or under said control to an authorized auditor whenever requested;
- The Secretary shall notify the general membership and the Board of Directors of all regular and special meetings of the Board of Directors and the Association at least three (3) days prior to the meeting; stating, at minimum, the time, date, and location of the meeting. Any special items to be addressed must also be included in the notice to the membership;

- At the expiration or sooner termination of the Secretary's tenure of office, the Secretary shall deliver to the successor all books, documents, files, papers, equipment and/or other matters belonging to the Association; and
- Perform such other duties as may be required by said office or the Board.

Treasurer: The Treasurer shall:

- Collect and receive all income to the Association, either by dues, donations, or any other manner whatsoever;
- Assure that all monies are properly accounted for and receipted for, and such monies, except for petty cash, shall be maintained in banks or other financial institutions as the Board of Directors may designate;
- Pay all orders, charges, and expenses as directed by the Board;
- Maintain the financial records of the Association;
- Supervise preparation of unaudited financial reports as required;
- Prepare a financial report for each meeting of the Board of Directors and each general membership meeting. The financial report shall contain no less than a report of cash assets, depository of cash assets, income received, source of income and nature and extent of disbursements since last financial report;
- Retain the services of a professional accountant or bookkeeper, subject to the approval by the Board of Directors, for the preparation of all financial statements, County, State, and Federal corporate tax returns and general accounting services as required;
- Have the Corporation's books, accounts, and records in condition for audit and ready to turn over to their successor in the office of the Treasurer;
- Ensure that all accounts are properly designated and that there is no commingling of personal or non-Corporate assets with the assets of the corporation; and
- Perform such other duties as may be required by said office or the Board.

Directors shall:

- Serve on committees as required;
- Take on any and all other duties as necessary for the functioning of the Board;
- Assume the Chair of any subcommittees as directed by the Board of Directors;
- Assume any other duties as directed by these Bylaws or by the direction of the President of the SPPOA.

Professional Staff and Assistants:

The Board of Directors has the authority to hire professional and/or administrative staff to assist in meeting any of the responsibilities outlined in these Bylaws. The decision to hire professional and/or administrative staff and the compensation of such shall be subject to approval of the Board of Directors. The hiring and firing of the staff shall be the responsibility of the Association President.

The Board of Directors, by a majority vote, may appoint an assistant to the office of the Secretary or the office of the Treasurer to assist in any and all duties of the Secretary or Treasurer at the direction of that Officer.

Section 7: Shop Stewards:

The Association may from time to time utilize a system of Shop Stewards. The method of implementation of any Shop Steward program shall be at the sole discretion of the Board of the Directors, and as set forth in standing rules which may be adopted by the Board of Directors

Section 8: Indemnification:

- Right of Indemnity: To the fullest extent permitted by law, this Corporation shall indemnify its Directors, Officers, employees, and other persons described in Section 7237(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any “proceeding,” as that term is used in that Section, and including an action by or in the right of the Corporation, by reason of the fact that the person is or was a person described in that Section. “Expenses,” as used in this Bylaw, shall have the same meaning as in Section 7237(a) of the California Corporations Code.

- Approval of Indemnity: On written request to the Board by any person seeking indemnification under Section 7237(b) or Section 7237(c) of the California Corporations Code, the Board shall promptly determine under Section 7237(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the Board shall authorize indemnification. If the Board cannot authorize indemnification because the number of Directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of the Directors who are not parties to that proceeding, the Board shall promptly call a meeting of Members. At that meeting, the Members shall determine under Section 7237(e) whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the Members present at that meeting in person shall authorize indemnification.

- Advancement of Expenses: To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by persons seeking indemnification under Sections 7237(b) or 7237(c) of these Bylaws in defending any proceeding covered by those Sections shall be advanced by the Corporation before final disposition of the proceeding, on receipt by the Corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Corporation for those expenses.

Section 9: Board of Directors Insurance:

The Corporation should maintain insurance to the full extent permitted by law on behalf of its Officers, Directors, Employees, and other Agents, against any liability asserted against or incurred by any Officer, Director, Employee, or Agent in such capacity or arising out of the Officer’s, Director’s, Employee’s, or Agent’s status as such.

ARTICLE 8 - TERMS OF OFFICE

Section 1: Executive Board:

The Board of Directors consisting of the President, Vice President, Secretary, Treasurer and Directors shall be elected for terms of two years. There shall be no limit to the number of terms an Officer may serve.

ARTICLE 9 - ELECTION AND VOTING

Section 1: Minimum Requirements:

Active members of the Association shall be eligible for any office in the Association, and may be nominated in accordance with these Bylaws, if they meet the following requirements:

- Each candidate will have completed their initial probationary period.
- Each candidate shall indicate their willingness to serve on the Board, by submitting a statement of interest endorsed by at least five (5) active members of the Association. Each name shall be printed, signed, and will indicate the date signed. Members are not allowed to endorse different candidates for the same office.
- Applications for Officer must be submitted to the Association Secretary between 1200 hours on February first (1st) and by 1200 hours on February fifteenth (15th).

Section 2: Review of Eligibility:

- After the close of the application period, and prior to preparation of the ballot, the Election Committee shall examine each statement of interest to ensure each candidate meets the minimum requirements for election.
- A list of eligible candidates will be presented to the membership for consideration via (e)mail and/or posted on the Association's Bulletin Board.

Section 3: Publication of Material Soliciting Votes:

Candidates for election to Officer or Director shall have the right to prepare and have publicized, at the cost of the candidate, on the website, bulletin board or mail box delivery, a campaign statement or position, which must be submitted to the Election Committee within seven (7) days after the close of the application period. All candidates shall be allowed equal space for their statements. Such reasonable equal space shall be one side of an 8-1/2" x 11" sheet of paper and shall be typed or printed. The Election Committee shall review each candidate's statement to ensure there are no defamatory statements about another candidate.

Section 4: Automatic Nomination:

The incumbent of any office shall automatically be re-nominated for that office unless the incumbent otherwise objects, in writing to the Board, giving at least 30 days notice.

Section 5: Election Unnecessary:

If there is no challenger for any office, the election for that office shall not be held.

Section 6: Voting Rights:

Each active member has equal voting rights.

Section 7: Proxies:

Proxy votes shall not be allowed.

Section 8: Location and Time of voting:

Elections are to be held on one day, at several locations, and at several times to be designated by the Board.

Section 9: Election Committee:

The President shall appoint an Election Committee. The Election Committee shall be responsible for overseeing the election process. The Committee shall be formed of the President or Vice President, and two members of the Association appointed by the President or Vice President and confirmed by a majority vote of the Board.

Section 10: Ballots:

The Board of Directors may use electronic, mail or in person ballot as deemed appropriate by a majority vote of the Board of Directors.

Section 11: Election and Results:

- The election shall be held during the month of March. The specific date is to be announced to the membership after the close of the application period.
- It shall be the duty of the Secretary to collect and tabulate all ballots. Tabulations of votes shall be made in the presence of two (2) Board of Director members, in addition to the Secretary, both of who shall certify to the correctness of the tabulation on a vote summary.
- Results of the election shall be certified by the Committee in writing and filed with the Secretary. Results of the election may be announced at the next General Membership meeting or via email.
- The candidates receiving the largest number of votes will then be declared by the Committee to be elected.
- The Secretary shall maintain in a secure place all written ballots, including any receipts or envelopes, for a period of three (3) weeks after the vote has been certified. Thereafter, the ballots shall be destroyed. The vote summary is a permanent record of the Corporation

Section 12: Assumption of Office:

Those Directors and Officers elected by a majority of the returned ballots shall assume office on the 1st of April.

ARTICLE 10 - VACANCY, RESIGNATION OR REMOVAL FROM OFFICE

Section 1: Termination of Employment:

An office shall be deemed vacated when the elected Officer terminates employment with the Solano County Probation Department.

Section 2: Default in Attendance:

An office shall be deemed vacated when the Officer misses two or more consecutive Board of Directors meetings and/or two or more consecutive general membership meetings without a reason acceptable to the Board. The Secretary shall keep the attendance records and advise the Board of Directors when an Officer appears in default. The Board of Directors shall review the default record at the next regular meeting to determine if the office should be deemed vacated. Any Director to be removed for absenteeism shall receive a notice of said action which states the reason for said action at least fifteen (15) days prior to the effective date of said action. Any Director to be removed shall have an opportunity to be heard by the Directors at the next regular meeting. The decision of the Board of Directors is final. The notice of removal must be sent by first-class, registered mail to the last address of the member as listed in the corporate records.

Section 3: Leaving Bargaining Unit:

An office shall be deemed vacant when the elected Officer is no longer a member of the bargaining unit.

Section 4: Recall:

Members of the bargaining unit that are entitled to vote may recall any elected Officer by submitting, in writing, a petition signed by not less than fifty percent (50%) of the members of the bargaining unit.

A petition shall be submitted to the Board of Directors and upon receipt thereof; once the petition has been deemed valid, the Board of Directors shall within thirty (30) days, prepare a secret ballot to be distributed to all voting members in accordance with the Bylaws. The ballot shall contain the name of the Officer who is being subject to recall, the office held, and the question "Shall the above-named Officer be recalled? Yes ___ No ___."

The recall shall fail unless a two-thirds (2/3) vote of all active members of the bargaining unit shall vote in the affirmative.

Section 5: Removal of Officers and/or Directors:

- The Board by majority vote may remove an Officer and/or Director who has been declared of unsound mind by a final order of the Court, or convicted of a felony.
- The Board may remove any Director or Officer for conduct or activities which are adverse or inimical to the goals, purposes, objectives, and philosophy of the Association if deliberated and approved by majority vote of the active members present and voting, or by written ballot.
- Any Officer or Director to be removed from office shall be notified of said action and given an opportunity to be heard in accordance with Article X section 2.

Section 6: Resignation from Office:

Any Officer or Director who wishes to resign their post must provide 30 days written notification, expressing such, to the Board of Directors.

ARTICLE 11 - FILLING A VACANCY OF OFFICE

Section 1: Vacancy:

When a vacancy occurs, excluding the office of President, the vacancy will be filled by appointment by the President and confirmed by a majority of the Board of Directors. The newly appointed Officer or Director shall be seated as the first order of business at the next meeting of the Board of Directors and shall serve the remainder of their term.

Section 2: Presidency:

If the office of the President is vacated, the office shall be filled by the Vice President. If the Vice President declines to serve in that capacity, the Board of Directors will appoint a member of the current Board of Directors to the Presidency for the remainder of the Presidential term.

ARTICLE 12 - GENERAL AND SPECIAL MEETINGS

Section 1: General Membership:

General Membership meetings of the Association shall be held no less than twice per year. All general membership meetings shall be held at a date, time and location as selected by the President. One meeting per year shall be designated as the Annual Meeting.

Section 2: Special Meetings:

The Board of Directors may call special meetings of the SPPOA, as they deem necessary. Written notice shall be (e)mailed to each member or placed in each members Department mailbox no less than 3 days prior to the meeting. The notice shall include meeting date, time, location, and subject of the special meeting. The Board may call a special meeting within 5 days after receiving a request for such a meeting signed by at least 20% percent of the voting membership.

Section 3: Emergency Meetings:

Emergency meetings may be called by a majority vote of the Board of Directors as they deem necessary. The Board shall endeavor to contact all members, by any means available, to advise the members of the time, place and purpose of the meeting.

Section 4: Notice of Meetings:

All notices of Association meetings shall be posted. Every effort shall be made to provide at least ten (10) days advance notice of every meeting.

Section 5: Guests:

Guests are permitted to attend general membership meetings when accompanied by an Association member, with approval of the President. No guest shall address the membership at any regular or special meeting without prior approval by the Board of Directors. The President shall limit the time and subject matter of any guest addressing the membership. Guest speakers will make their presentation prior to the Association conducting other business.

Section 6: Conduct of Business:

Association Bylaws and Robert's Rules of Order shall govern the conduct of the Association business. In the event of a conflict, the Bylaws will prevail.

Section 7: Agenda:

- Call to order
- Guest Speakers
- Approval of the minutes of the previous meeting(s)
- President's Report
- Vice President's Report
- Secretary Report
- Treasurer's Report
- Representative's Report
- Standing and/or Special Committee Reports
- Old Business
- New Business
- Adjournment

Section 8: Voice Vote:

All voting shall be by voice vote only, except in the case of amendment to the Bylaws, election, or recall of Officers, or in such other matters as are deemed appropriate by a majority of the Board of Directors.

Section 9: Secret Ballot:

When a voice vote is not permitted pursuant to the preceding section, a secret ballot shall be used. The Secretary shall prepare secret ballots with the assistance of the President. It shall be the duty of the Secretary to supply the ballot to every eligible voting member in attendance.

Section 10: Majority Vote:

All voting shall be deemed effective by a majority vote of the members present at any membership meeting unless a different ruling percentage is stated elsewhere in these Bylaws as related to specific issues.

Section 11: Proxies:

There will be no proxies allowed at any meeting of the Board or membership.

ARTICLE 13 - BOARD OF DIRECTORS MEETINGS

Section 1: Regular Meetings:

The Board of Directors shall meet once a month at a time and place determined by the President and on a date set annually at the December meeting by standing rule approved by a majority vote of the Board of Directors.

Section 2: Special Meetings:

The President, or a majority of the Board of Directors, may call for a special meeting of the Board of Directors at any time it is deemed necessary, subject to forty-eight hours notice delivered telephonically and by e-mail.

Section 3: Action Without Meeting:

Any action required or permitted to be taken by the Board of Directors may be taken without a meeting, if a majority of the members of the Board of Directors individually or collectively consent in writing, telephonically or electronically to such action.

Section 4: Board Meetings:

Meetings of the Board of Directors are closed to the general membership. Voting on corporate matters shall be by Board members only. However, any member may address the Board of Directors, make requests, provide information, or attempt to influence the Board of Directors' action. The right of a general member to speak at such meeting shall be restricted as to time and subject matter as approved by the President prior to the meeting.

Section 5: Executive Session:

The Board of Directors may meet in Executive Session according to Robert's Rules of Order.

Section 6: Minutes:

Minutes shall be kept of all Board meetings.

Section 7: Agenda:

- Call to order
- Guest Speakers
- Approval of the minutes of the previous meeting(s)
- President's Report
- Vice President's Report
- Secretary Report
- Treasurer's Report
- Representative's Report
- Standing and/or Special Committee Reports
- Old Business
- New Business
- Adjournment

ARTICLE 14: QUORUM:

Section 1: Membership Meetings:

Four present members, to include the Board of Directors, shall constitute a Quorum. If a quorum is not present, any official business conducted shall be carried over to the next meeting in accordance to Robert's Rules of Order.

Section 2: Board of Directors Meetings:

Four members, including the President or the Vice President acting in his/her place, of the Board of Directors shall constitute a Quorum of the Board of Directors. A vote of the majority of the Board of Directors is necessary to conduct the business of the Association.

ARTICLE 15 - COMMITTEES

The President shall appoint committees from time to time, as deemed necessary to carry on the business of the Association. These committees include both standing Committees and Ad Hoc Committees. The following sections detail Association Standing Committees.

Section 1: Labor Management Committee:

- For Juvenile Detention Facility JLM's, the Committee will consist of the President and any Board members employed in the Group Counselor classification.
- For Probation JLM's the Committee will consist of the President and at least one Board member representative from the Probation Officer and Supervising Probation Officer classifications if available.
- Individual members, including those who may be designated as Shop Stewards, may be invited to the meetings if it is determined they have information which may be beneficial to the meeting.
- The general purpose of the committee is to discuss labor issues with the Department. The committee also operates as the de facto committee for Meet & Confer issues.
- Labor Management meetings are scheduled to occur on a monthly basis, though those meetings may be rescheduled at the discretion of one or both parties.

Section 2: Finance/Budget Committee:

- Members of the Committee shall be comprised of the President, Vice-President, one Director, and the Treasurer as the Chair of said committee. The Chair of the Committee reserves the right to convene the Committee ad hoc regarding any budgetary issues.
- The primary function of the Finance Committee shall be to plan, develop and present an annual budget to the Board of Directors every fiscal year. The Committee shall be charged with ensuring proper budgetary guidelines are established and applied. This Committee shall solidify the financial integrity of the Board by providing full transparency to Association Members upon request. All expenditures must have approval by the Board of Directors.

Section 3. Negotiations Committee:

- After soliciting statement of interest cards from the membership, the Board of Directors, by majority vote, will select from those interested one representative from the Group Counselor Series, one representative from the Sr. Group Counselor Series, one representative from the Probation Officer series, and one representative from the Supervising Probation Officer series to sit on the committee with the President.
- The Committee will be responsible for contract negotiations with the County of Solano, and other matters as needed. The committee will be responsible for the development of contract proposals.

Section 4: Committee Membership:

- Committees shall consist of a Chairperson, to be appointed by the President, and ratified by the Board of Directors.
- The Chairperson, in conjunction with the President, shall appoint the other committee members.
- The President, or the Vice President at the direction of the President, shall serve as an ex-officio member of each committee.

Section 5: Special Committees:

In addition to the Standing Committees set forth in Section 1 of this Article, the President, subject to the approval of the Board of Directors, may from time to time establish such Special Committees as the President deems appropriate.

ARTICLE 16 - EXPENSE AUTHORIZATION AND REIMBURSEMENT

Section 1: Board Authorization:

The Board of Directors may authorize travel and related expenses by Association members for purposes relating to the business of the Association. The Board of Directors shall maintain a standing rule governing the authorization of these expenses and reimbursements.

ARTICLE 17 - FINANCIAL RESPONSIBILITY

Section 1: Fiscal Soundness:

The Board of Directors shall be responsible for maintaining the fiscal soundness of this Corporation. They shall endeavor, to the best of their ability, to maintain the expenses of the Corporation within the limits of its income and shall at all times, adhere to the Corporation's budget. Association funds shall be maintained in accounts as designated by the Board of Directors.

Section 2: Fiscal Year:

The fiscal year shall commence July 1st and end on June 30th of each year.

Section 3: Source of Funds:

The funds of the Association shall consist of all dues, fees, assessments, penalties, donations, gifts, interest, dividends, and all other monies received from whatever source.

Section 4: Accounts:

Association funds may be segregated and divided into as many accounts or funds as directed by the Board of Directors.

Section 5: Fiscal planning:

It shall be the duty of the Board of Directors to conduct the fiscal affairs of the Corporation in such a manner so as to anticipate reasonable emergency expenditures not provided for in the budget and to provide a reserve fund to meet these emergencies.

Section 6: Budget Preparation:

It shall be the duty of the Treasurer and Budget Committee to propose a budget for the upcoming fiscal year no later than the April meeting of the current year. The Board of Directors shall review the budget, make any modifications and duly adopt the budget, pursuant to a Board of Directors vote no later than the May Board of Directors meeting of the current fiscal year. The budget adopted shall be presented to the membership at the annual membership meeting in June of the current fiscal year.

Section 7: Deficit:

If in any fiscal year, there is a deficit in regard to any budget item, a majority of the Board of Directors may vote to increase the budget for any single item; and, in no case, to exceed the reserve fund of the Corporation to meet the budget deficit.

Section 8: Expenditures:

- The treasurer and the President, will sign all expenditures. Expenditures of \$500 or more will be made only with the approval of the Board.
- A majority of the Board of Directors may expend an amount not to exceed two thousand dollars (\$2000.00), to meet a single non-budget expenditure of the Corporation. Board expenditures in an amount that is greater than two thousand dollars (\$2000.00) must be approved by a majority of the members voting.

Section 9: Account Signatures:

Disbursement of Association funds shall require the signature of the Treasurer and the President.

Section 10: Association Credit or Debit Card:

The Association Credit or Debit Card shall be held by the Treasurer in a secure location or, if no secure location is available, by the Secretary in the same location as other important papers of the Association. It may only be used upon prior authorization by the Board of Directors. Such authorization may be given by majority vote.

Section 11: Loans Prohibited:

This Association shall not make loans for any reason.

ARTICLE 18 - ASSOCIATION HOLDINGS

Section 1: Authority to Lease:

The Board of Directors is authorized to enter into a lease for rental property for the purpose of maintaining an office or storage facility for records and other items owned by the Association.

Section 2: Real Property:

The Board of Directors is authorized to acquire property to be utilized as a union hall, where it has been determined that such acquisition would benefit the Association. The Board of Directors shall make an offer on a selected property contingent on approval of the membership by a simple majority vote.

ARTICLE 19 - AMENDMENTS

Section 1: Proposal to amend by Board of Directors:

A majority of the Board of Directors may propose to the membership a change in these Bylaws.

Section 2: Proposals to amend by an active member:

- Any amendments to these Bylaws must be proposed in writing and submitted to the Board for consideration at its next regularly scheduled meeting.
- The Board shall review any proposed amendment, submitted by a member or members and determine if the proposed amendment is to be submitted to a vote of the membership.
- In the event the Board of Directors elects not to submit the proposed amendment to a vote of the Association, the amendment may, nevertheless, be submitted to a vote after a petition requesting such a vote, signed by thirty three percent (33%) of the Association, is submitted to the Board of Directors.
- Thereafter, a vote on the amendment(s) shall be held within forty-five (45) days of receipt of the petition and certification by the Secretary of the validity of the signatures and the sufficiency of a favorable vote.

Section 3: Amendment or Repeal:

The Bylaws of the SPPOA may be amended or revised by the vote of a simple majority (50% + 1) of the members voting at any general or special meeting of the membership, provided the notice of such meeting contains a summary of the proposed amendment or amendments, and provided the amendments are not inconsistent with the SPPOA Articles of Incorporation or the general law.

- When any proposed amendment is approved, it shall be adopted and become part of the Bylaws of the Association immediately.

ARTICLE 20: ARBITRATION OF ALL DISPUTES, CLAIMS AND/OR CONTROVERSIES

Members shall submit to final and binding arbitration any dispute, claim or controversy arising between them and the Association. Such claims, disputes, and/or controversies specifically include but are not limited to:

- Claims against the Association or any of its representatives based upon discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. section 2000, et seq., the Age Discrimination in Employment Act, 29 U.S.C. section 623, et seq., the Americans with Disabilities Act, 42 U.S.C. section 12101, et seq., and the California Fair Employment and Housing Act, Cal. Gov't. Code section 12900, et seq.; or any other statutory enactment precluding discrimination; and
- Claims for tortious violations of the duty of fair representation (i.e., "DFR" claims) against the Association or its representatives.

In all controversies, claims and cases arising under this Section, the parties will select an impartial arbitrator from a list of five (5) arbitrators from the California State Mediation and Conciliation service. The Association shall request a list of arbitrators within 20 calendar days of a formal request by the member. The parties may agree to utilize any other organization for selection of an arbitrator or jointly select an arbitrator. The arbitrator's fees and expenses will be paid in full by the Association for certain claims. Notwithstanding the proceeding, in those cases where a member submits to arbitration an alleged violation of disciplinary procedures of these Bylaws, such individual shall pay, in advance, half of the arbitrator's estimated fees and expenses, which amount shall be held by the Association in an interest-bearing, escrow account until the arbitrator renders a decision. Failure to advance the required fees and expenses when set by the arbitrator shall constitute a non-revocable waiver and default of the claim and the member will be precluded from asserting the claim against the Association. If the arbitrator ultimately rules in favor of the member, the Association will reimburse such individual with the amount held in escrow, with interest, and pay in full the arbitrator's fees and expenses. If the arbitrator rules in favor of the Association, the monies held in escrow will be used to satisfy in part the arbitrator's fees and expenses.

ARTICLE 21: EFFECTIVE DATE

Section 1: Ratification and Adoption:

These Bylaws, replacing all previous Bylaws and amendments thereto, are effective immediately, as dated below.

ARTICLE 22: SAVINGS CLAUSE

Section 1: Savings Clause:

If any provision of these Bylaws shall be held invalid by operation of law or by any court of competent jurisdiction, the remainder of these Bylaws shall not be mitigated, and will remain in full force and effect until revised according to due process.

Date: _____

Signed: _____
Tarita M. Moehrke, President

Date: _____

Signed: _____
Mylinh Wells, Vice President

Date: _____

Signed: _____
Joe Herman, Treasurer

Date: _____

Signed: _____
Shelley Freeman, Secretary

Date: _____

Signed: _____
Josh Blair, Director

Date: _____

Signed: _____
Gloria Garcia-Brock, Director

Date: _____

Signed: _____
Beth Wells, Director

**SOLANO COUNTY
SHERIFF'S CUSTODY ASSOCIATION**

3336 N. Texas Street, Ste. J, Box 161, Fairfield, CA 94533

PRESIDENT
Blayne Bettencourt

VICE PRESIDENT
Donna Wright

SECRETARY-TREASURER
Shawn Gilligan



DIRECTORS
Joseph Connors
Brandon Dockery
Armando Espinoza
Ronda Gomes
Jared Riley
Mark SanAgustin

December 16, 2014

Solano County Human Resources Department
Marc Fox, Director
675 Texas Street, Suite 1800
Fairfield, CA 94533-6336

Dear Mr. Fox,

Pursuant to the guidelines of Article 3, Section 7 of the Solano County Employer-Employee Relations Rules and Regulations, the following information is provided for continued registration:

- a. Name of Organization: Solano County Sheriff's Custody Association
3336 N. Texas Street, Suite J, Box 161
Fairfield, CA 94533
- b. The association is not a chapter, or local of, or affiliated with, any national or international organization
- c. The association's principal officers are:

Richard Duncan, President
Bradley Kamman, Vice President
Shawn Gilligan, Secretary-Treasurer
- d. The association's primary purpose is as a labor union representing Bargaining Unit 13 members in employee-employer relations with the County.
- e. Association members designated to receive notice on behalf of it are:

Blayne Bettencourt, President, 3336 N. Texas Street, Suite J, Box 161, Fairfield, CA 94533

Donna Wright, Vice President, 3336 N. Texas Street, Suite J, Box 161, Fairfield, CA 94533

- f. Besides notification to the aforementioned designees, we request a courtesy copy of all correspondence be sent to Mastagni, Holstedt, Amick, Miller, Johnsen & Uhrhammer, 1912 I Street, Sacramento, CA 95814.
- g. The Solano County Sheriff's Custody Association is open to all Bargaining Unit 13 employees and does not exclude anyone based on race, color, creed, national origin, sex, age, or physical or mental impairment.
- h. The association's current bylaws are attached.
- i. The following association members are authorized to represent the organization in any communications with the Director, the Commission or Board:

Blayne Bettencourt, President
Donna Wright, Vice President
Shawn Gilligan, Secretary-Treasurer

Sincerely,



Blayne Bettencourt
President

Attch: Association By-Laws



THE SOLANO COUNTY

Sheriff's
Custody
Association
Inc.

BYLAWS

March 23, 2014

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ARTICLE I

“NAME”

SECTION 1:

This Association shall be known as “The Solano County Sheriff’s Custody Association, Inc.” The Association is a tax-exempt, non-profit organization as recognized by the United States Internal Revenue Service.

ARTICLE II

“OBJECTIVES”

SECTION 1:

The objectives of the Association shall be:

- (a) To actively represent its members, both individually and collectively, in matters relating to their wages, hours, terms, and conditions of their employment, and their employment benefits and status, and in employer-employee relations;
- (b) To promote the professional welfare of all members;
- (c) To foster a positive influence in the community;
- (d) To keep informed of County policies and functions in order to more effectively represent the Association members;
- (e) To provide a forum for exchange of ideas;
- (f) To bring together members for social fellowship; and the Board of Supervisors, the State Legislature and all other public and private forums on a political but non-partisan basis.

SECTION 2:

In matters of common concern, the Association may act cooperatively without their similarly constituted public employee organizations. Where appropriate, the Association may become affiliated with leagues and similar groupings of such organizations. Affiliations shall take effect only if approved by two-thirds vote of the Board of Directors.

SECTION 3:

The President, with ratification by a majority of the Board of Directors present and voting, may appoint a liaison officer to open and maintain channels of communication and foster harmonious relations between the Association and other employee organizations.

ARTICLE III

“MEMBERSHIP”

SECTION 1:

There are three mutually exclusive classes of membership: Active, Retired, and Honorary.

SECTION 2:

Active membership is limited to any full time custody division employee whose job title falls under the authority Penal Code Section 831.5 or 830.1 (c) which is defined as a Custodial Officer or Custodial Deputy Sheriff by the Solano County Sheriff's Office; of which are members of the Association, excluding those of a supervisory, administrative positions or ranks otherwise eligible for membership. Only active members have the right to vote, hold office, and are considered as bargaining unit members.

SECTION 3:

Retired membership is limited to those persons who are members of the Solano County Sheriff's Custody Association at the time of honorable retirement and whose dues are not delinquent on the date of retirement. Retired members shall be lifetime members and are not subject to the payment of dues. A retired member has all privileges of an active member, except he will not be able to vote or hold an elected office in the Association.

SECTION 4:

Honorary members may be any citizen of the United States on who the Association wishes to confer an honorary status of membership for significant accomplishments in Governmental matters and for devoted interest in the aims and purposes of the Association. Such honorary membership may be conferred by a two-thirds (2/3) vote by the Board of Directors. Honorary members shall not be subject to the payment of dues, nor be eligible to vote or hold elected office in the Association.

SECTION 5:

Members will provide the Association with current mailing address. Members participating in voluntary benefit programs such as Aflac insurance shall ensure correct payroll deductions are being sent to the Association, if appropriate. Members are responsible for modifying or discontinuing payroll deductions and must notify the Association's Secretary whenever discontinuing participation. Members who refuse to provide personal data necessary to enroll them in professional-affiliated organizations will not be enrolled and are not entitled to legal coverage outside the scope of the Association's retainer agreement with its legal representation.

SECTION 6:

Non-Bargaining unit members are members as classified by Section 3 and 4 of Article III.

ARTICLE IV

"ADMINISTRATION"

SECTION 1:

The Board of Directors, hereinafter referred to as the Board, shall be the governing body of the Association and shall consist of the elected officers/directors of the Association

SECTION 2:

The Board may employ such administrative, technical and professional persons as required to meet the needs of the Association.

ARTICLE V

"OFFICERS"

SECTION 1:

The Officers/Directors of the Association are: The President, Vice-President, Secretary, Treasurer and a total of six at-large directors. The term of office for the officers/directors shall be two years. The President, Vice President and four at-large directors shall be elected to office on even years. The Secretary, Treasurer and the remaining at-large directors shall be elected to office on odd years.

SECTION 2:

The Officers/Directors shall perform the duties as prescribed in the by-laws and parliamentary authority adopted by the Association.

SECTION 3:

At the ~~June~~ March general membership meeting each year, officers/directors for the upcoming term shall be nominated for office. Nominations shall be open as long as there are persons to be nominated and shall close only after all persons have been given sufficient time to nominate the person of their choice. At no time shall nominations remain open beyond the end of said meeting. No person shall be nominated for more than one office and nominations for each office will be called for separately.

SECTION 4:

Election Procedure:

- (a) Robert's Rules of Order shall govern all elections where applicable.
- (b) The voting procedures outlined in Section XVI shall be used. The following additional requirements will be met:
 - (1) Upon naming of the Committee and the acceptance of each person to serve, all control over the election shall pass to said committee. No person on the Board or other Association member shall countermand any decision made by the Committee except as noted in these bylaws.
 - (2) Within twenty-four (24) hours of certifying the election results, the election committee shall personally notify the candidates either in person or by telephone with the results of the election.
 - (3) If there are no appeals, all ballots shall be destroyed immediately.
 - (4) All newly elected Officers shall be seated as of July 1st.

SECTION 5:

Defective Ballots

- (a) Any ballot, which appears to have been altered, has more than one candidate for each office marked, or otherwise is marked/submitted in a manner that is contrary to the ballot instructions shall be destroyed and not counted.
- (b) The discovery of such questionable ballot(s) will not and cannot invalidate the election, nor can they be used as a basis of appeal of the election results.

SECTION 6:

Appeals

- (a) The only basis for an appeal shall be the fraudulent casting of ballots (more commonly known as ballot stuffing) or voter coercion.
- (b) Upon receipt of such an appeal, the Secretary shall immediately notify the President and a general membership meeting will be called within two (2) weeks of the receipt of the appeal.
- (c) At such general membership meeting the appellant or his designated representative shall appear and verbally present the basis for the appeal
- (d) At the general meeting called for the purpose of the hearing of an appeal, at least one-third (1/3) of the membership must be present. Failure of this quorum to be present automatically defeats the appeal.
- (e) The appellant may call any and all witnesses that he desires.
- (f) The burden of proof shall lie with the appellant and shall be by a preponderance of the evidence.
- (g) After the appellant has presented their case, discussion may ensue among the general membership.
- (h) For an appeal to be successful there must be a vote of two-thirds (2/3) majority of all members present at the appeals meeting.
- (i) Once the case has been presented and discussed, there will be a vote cast by the raised hands method.
- (j) Once the appeals process is completed there shall be no further appeal of those particular charges.
- (k) If the appeal is upheld, a new election will be held within thirty (30) days of the appeals meeting.
- (l) If the appeal is defeated, then all ballots will be shredded within thirty (30) days of the appeals meeting

SECTION 7:

PRESIDENT

The President shall preside at all meetings of the Association and call all meetings to order. He or she shall sign and execute all contracts in the name of the Association, when authorized to do so by the Board of Directors. The President shall ensure each

Board member is performing their duties as outlined in these, bylaws as well as appoint additional duties when necessary.

SECTION 8:

VICE PRESIDENT

The Vice President shall, in the absence of the President or any other officer, perform the duties of that officer.

SECTION 9:

THE SECRETARY

- (a) The Secretary shall keep true and accurate minutes of all meetings of the Association. Copies of the minutes shall be made available within five (5) business days of the meeting at all detention facilities and posted on the Association's website.
- (b) The Secretary will attend to all correspondence pertaining to the Association; keeping copies of all correspondence on file for a period of three (3) years. Records of a historical nature, i.e., memorandum of understanding, grievances, legal rulings, etc., will be kept indefinitely.
- (c) The Secretary will ensure that the Association is properly registered with the State of California.
- (d) The Secretary shall ensure that the Association is properly registered as a tax exempt organization with the California Franchise Tax Board and Internal Revenue Service.
- (e) The Secretary shall complete the Association's annual certification as required the Solano County Human Resources Director. The Secretary shall also ensure that the Association complies with all administrative requirements set forth in the Bargaining Unit 13 Memorandum of Understanding.
- (f) The Secretary shall ensure that Association membership enrollments with affiliated professional organizations are current.
- (g) The Secretary shall manage all membership benefit programs and coordinate with the Treasurer to ensure all billings are paid in a timely manner. Benefits programs include, but are no limited to, legal representation programs, insurance programs, and any other program approved by the Association's Board of Directors.
- (h) The Secretary shall manage the Association's website, ensuring all information is up to date. The Secretary shall also ensure Association bulletin boards are maintained and posted with current information of interest to the membership.

- (i) The Secretary shall prepare agendas for all Association meetings.
- (j) The Secretary shall perform any other duties as directed by the President.

SECTION 10:

TREASURER

- (a) The Treasurer shall have the care and custody of all funds and securities of the Association. He or she shall maintain accounts in the name of the Association at such bank, or banks, as the Board of Directors may elect. The Treasurer shall ensure that information required by financial institutions is kept current.
- (b) The Treasurer shall sign all checks, notes, and orders for payment to complete all financial business of the Association. The Treasurer will ensure that political donations comply with law and all tax regulations. All payments will be co-signed by the President, Vice-President or Secretary.
- (c) The Treasurer shall maintain complete financial records in accordance with all laws and rules that have jurisdiction over the Association and its activities. Commercial financial software will be used to record all transactions. Supporting fiscal transaction paperwork will be maintained for five (5) years.
- (d) The Treasurer shall ensure an audit, as well as state and federal income tax filings, are completed within 90 days of the end of the fiscal year which concludes on the 31st of October. Audits and tax filings shall be completed by a certified public accountant selected by the President and Treasurer. A copy of the CPA's statement of financial and tax filings shall be presented to the Board of Directors at its first meeting after the audit's completion.
- (e) The Treasurer shall present a report of the Association's financial condition at all Board of Directors meetings. This report shall include a list of all financial transactions since the last meeting as well as the amount of cash in the Association's bank account(s). Upon written request of any member in good standing, the Treasurer shall exhibit all books and accounts for examination.
- (f) The Treasurer shall perform any other duties as directed by the President.

SECTION 11:

DIRECTORS

The directors will assist Association members with complaints and labor grievances. Directors shall also keep the membership informed of Association business and perform all duties assigned by the President.

ARTICLE VI

“THE BOARD OF DIRECTORS”

SECTION 1:

The Board of Directors shall consist of the Officers of the Association, and the elected members. The Board of Directors shall conduct ordinary business of the Association; shall make recommendations to the membership of the Association as the occasion arises, and shall take such executive action as deemed desirable or necessary within the limitations of these by-laws. At any business meeting of the Board of Directors, it will be deemed a quorum of five (5) necessary in order to conduct business.

SECTION 2:

The President may fill vacancies on the Board of Directors with confirmation of the appointment by a simple majority vote of members present during a duly constituted general membership meeting. The appointee shall assume the duties of the office immediately and shall serve for the remainder of the unexpired term of the vacancy.

SECTION 3:

Regular meetings of the Board of Directors shall be held at least once a month at the time and place designated by the President. A majority of the member of the Board of Directors shall constitute a quorum for the transaction of business. The President may call a special meeting. The President shall at the place and time designate the meeting.

SECTION 4:

Any officer of the Association may be expelled or suspended from office – such expulsion or suspension working as a vacancy in the office – for conduct detrimental to the welfare of the Association. Written charges, signed by a member or officer of the Association shall be filed with the Board of Directors. Notification of the date set for a hearing and a copy of the charges shall be delivered to the accused person. The hearing shall be before the Board of Directors; shall give the accused or his representative an opportunity to be heard; and shall need a two-thirds (2/3) vote make such expulsion or suspension. The decision of the Board of Directors shall be presented in writing to the accused within twenty-four (24) hours of the hearing. Upon written demand, made within ten (10) days of the receipt of the notification, the expelled or suspended member shall have the right to an appeal to the Association as a whole. A special meeting of the Association shall be called to hear the appeal, made in person by the accused or his representative, and to hear such evidence that the Board of Directors may present in support of its actions. It shall take a two-thirds

(2/3) vote of those members present and voting to confirm the actions of the Board. The accused member shall have no vote at such meeting. If the action of the Board is not sustained, full rights and privileges, including office, shall be restored to the accused.

SECTION 5:

If any officer is absent for three (3) regular meetings without excuse, his office shall be declared vacant.

SECTION 6:

The office of any officer shall be declared vacant when that officer separates himself from county employment. The office of any officer shall be declared vacant when dues are declared delinquent.

ARTICLE VII

“COMMITTEES”

SECTION 1:

The President of the Association is authorized to appoint special committees to investigate and report on any specific subject or project. Upon completion of the assignment(s), the committee(s) is/are automatically dissolved. Unless otherwise outlined in these bylaws, the committee chairperson shall be a director-at-large and two volunteer association members selected by the President with the Board’s concurrence. An event, political, and financial oversight committee will be standing committees appointed annually.

EVENT COMMITTEE

The event committee shall organize various social events as approved by the Board. The committee’s chairperson shall prepare for the Board a financial report at the conclusion of each event. Said report will outline all financial transactions and include all expenditure receipts.

POLITICAL COMMITTEE

The political committee shall oversee all matters involving political candidates. All candidates for political office shall be afforded the opportunity to solicit the Association in person before an endorsement is made. Whenever practical, endorsements shall be made after a vote at a general membership meeting. Endorsements for Solano County Sheriff and Board of Supervisors candidates shall be determined by a membership wide vote.

FINANCIAL OVERSIGHT COMMITTEE

The financial oversight committee shall review all Association financial transactions. The purpose of such reviews is to detect fraud and does not substitute for the annual audit required by these bylaws. The committee shall examine all transactions since its last review. Examinations shall be made by reviewing all transaction supporting documents such as receipts, Board authorizations, invoices, etc. The Committee shall conduct reviews at least quarterly and report their findings to the Board of Directors. Whenever the committee discovers evidence of fraud, they shall also report their findings at a general membership meeting.

ARTICLE VIII

“MEETINGS”

SECTION 1:

- (a) General membership meetings shall be held quarterly in the months of March, June, September and December at the time and place specified by the President.
- (b) Special general membership meetings of the Association may be called by the President and shall be called upon written request of at least ten (10) members of the Association. Such a meeting shall be held at the time and place designated by the President.
- (c) Fifteen (15) members of the general membership shall constitute a quorum.
- (d) All members shall be notified of all called meetings at least ten (10) days prior to the date of the meeting and such notification shall list the main issues to be considered at such meeting. Special meetings called by the President are exempt from this time requirement.
- (e) The order of business for quarterly general membership meetings shall be:
 - (1) Call to order
 - (2) Report of the Treasurer
 - (3) New Business
 - (4) Old Business
 - (5) Open Session

(6) Adjournment

(f) The order of business for special general membership meetings shall be:

(1) Call to Order, Roll Call

(2) Purpose of the meeting as stated in the call of the meeting by the President

(3) Business of the Meeting

(4) Adjournment

SECTION 2:

(a) The order of business at the regular meetings of the Board of Directors shall be:

(1) Call to order and Roll Call

(2) Reading of the minutes

(3) Bargaining Unit Business

(4) Report of the Treasurer

(5) Executive Director's Report

(6) Communications

(7) Reports of Committees.

(8) Unfinished Business

(9) New Business

(10) Executive Session

(11) Adjournment.

(b) The order of Business at Special Meetings of the Board of Directors shall be:

(1) Call to Order, Roll Call

(2) Purpose of the meeting as stated in the call of the meeting by the President

(3) Business of the Meeting

(4) Adjournment

SECTION 3:

Except as otherwise provided in Article V all votes on business shall be passed by a simple majority of those present and voting.

SECTION 4:

All non-votes shall be considered as “yes” votes.

SECTION 5:

All voting shall be by a simple show of hands, unless otherwise requested by a member or officer.

SECTION 6:

The President shall not vote except in the event of a tie.

ARTICLE IX

“PARLIAMENTARY AUTHORITY”

SECTION 1:

The rules contained in Robert’s Rules of Order (revised), shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

ARTICLES X

“DUES”

SECTION 1:

The Association Officers shall determine the eligibility of prospective members.

SECTION 2:

All members of this Association shall pay the prevailing monthly dues to the Association and the prevailing monthly dues as set by the affiliate of the Association.

SECTION 3:

Any member sixty (60) days in arrears on dues shall not hold any office in the Association and shall not vote in any Association business. However if the arrearage is the result of an individual being on state disability insurance, a member will retain full privileges.

SECTION 4:

Association dues shall be set by a majority vote of the Association membership. Association dues shall be \$55.00 dollars per month.

ARTICLE XI

“EXPENDITURES”

SECTION 1:

The President, Secretary, or Treasurer of the Association is empowered to expend two-hundred fifty (\$250.00) dollars without notifying the general membership, except if the general membership or Board of Directors has previously voted against the expenditure. This expenditure is specifically meant to benefit the purpose(s) of the Association. (This expenditure can be used to dispatch appropriate communiqués to survivors and/or associates of deceased law enforcement members killed in the line of duty within the State of California.)

SECTION 2:

The Board of Directors of the Association is empowered to expend one thousand (\$1,000.00) dollars without notifying the general membership, when that expenditure will benefit the purpose of the Association. This empowerment does not limit the Secretary or Treasurer’s authority to handle the usual and customary expenses in the daily operation of the Association.

SECTION 3:

An itemized annual budget will be prepared by the Treasurer and submitted to the Board at the August Board meeting. The budget will be voted on by members at the membership at the September general membership meeting. Vote will be by the raised hands method.

SECTION 4:

Requests for donation of SCSCA monies by outside organizations or other person(s) will be made in writing to the SCSCA Board which will approve or disapprove the request. The board may only consider requests from IRS-recognized charitable organizations.

ARTICLE XII

“AMENDMENTS TO BY-LAWS”

SECTION 1:

Any amendment to these by-laws must be submitted at a regularly scheduled meeting. The amendment will be voted on by those members present and voting. If a simple majority of those present to vote in favor of the amendment, the President will designate when an association wide vote will be conducted.

SECTION 2:

If the amendment is defeated by the membership present at the meeting, the amendment is to be tabled indefinitely.

SECTION 3:

Any vote shall be conducted in accordance with Article XVI. A simple majority of votes is required to approve the amendment.

SECTION 4:

All amendments to and copies of revised by-laws shall be forwarded to the Secretary of State as required for not-profit corporate status.

SECTION 5:

Any approved amendment shall take effect immediately unless otherwise stated in the Amendment.

ARTICLE XIII

Member of the Year

Or

“Correctional Officer/Deputy of the Year”

SECTION 1:

Each year a “Custodial Officer/Deputy” shall be chosen by the membership.

SECTION 2:

As to the Sheriff’s Office, the purpose of the Custodial Officer/Deputy of the Year is to honor a Custodial Officer/Deputy who has demonstrated a consistently distinguished performance and who displays a strong personal commitment to the professionalism of a Solano County Custodial Officer/Deputy.

SECTION 3:

The awards shall consist of a plaque and any additional item(s) as determined by the Board of Directors.

SECTION 4:

(a) The selection process is as follows:

- (1) Nominations shall be submitted during the September general membership. Voting will be conducted as outlined in Article XVI.
- (2) All of the nominees will be placed onto a preliminary ballot for vote. Nominees will be listed in alphabetical order.
- (3) If no nominee receives a majority of votes cast, the three nominees receiving the most votes will be placed on a final ballot. Nominees will be listed in alphabetical order.
- (4) In the event there are five or less custodial officers/deputies nominated on the preliminary ballot, all names will be placed on the final ballot.

(b) The selection will be announced at the Association’s annual holiday party. Should there not be an annual holiday event, the President will determine when the results will be released.

(c)

ARTICLE XIV

“MEMORANDUM OF UNDERSTANDING”

SECTION 1:

(a) Ratification of any Memorandum of Understanding (MOU) shall be by a membership wide vote in accordance with Article XVI.

- (b) Vote results will be promptly reported to the Association President who will then notify the Association's negotiator and County of the result.

ARTICLE XV

“NEGOTIATIONS COMMITTEE”

SECTION 1:

- (a) The negotiations committee shall consist of the Association President and four members appointed by the President and approved by the Board of Directors.
- (b) The President will keep the Board of Directors apprised on the status of on-going contract negotiations during its monthly meetings.

ARTICLE XVI

“VOTING”

SECTION 1:

- (a) The primary method for voting on all membership wide issues shall be conducted online via the Association's website.
- (b) The President may direct a paper ballot vote should the online system be unavailable or impractical.
- (c) All votes will be conducted over a 7-day period to be designated by the President.

SECTION 2:

- (a) The President shall appoint a 3-person election committee to oversee the voting process. They shall be responsible for:
 - (1) Distributing ballots should the paper ballot method be used. Reasonable efforts shall be made to provide each member with a ballot in sufficient time to cast it before voting ends.
 - (2) Collecting ballot boxes and counting paper ballots. They will provide the President with a written and signed certification of the election results.
 - (3) Providing the President with a signed certification of online voting tabulation results.

- (b) The committee shall not consist of any member of the Board of Directors. For elections of board members, the committee shall not include any person running for a board position. Negotiation committee members will not serve on an election committee overseeing a memorandum of understating vote.

SECTION 3:

- (a) Online voting will be conducted as follows:

- (1) Membership may begin casting their votes on the date and time as determined by the President. Voting will continue until the date and time designated by the President.
- (2) Each member shall cast their vote using the association's website. Access to the website is available via personal computer. Access can also be obtained on work computers by clicking on the link shown on the Sheriff's Intranet Site's custody division page.

- (b) Paper ballot voting will be conducted as follows:

- (1) Each member will be provided a voting package consisting of a legal and letter size envelope and a ballot(s). After casting the ballot, it will be sealed in the letter size envelope which will then be sealed in the legal size envelope which must be marked with the member's name. Failure to cast the ballot in this manner shall render it null and void.
- (2) A locked ballot box will be placed in the Control room of each detection facility. Members assigned to the Vallejo Court Holding Facility may place their ballots in a sealed envelope and have a member transport them to the Fairfield Facility and place them in the ballot box.
- (3) If a member claims to have not received a paper ballot, he or she will contact a member of the Election Committee prior to the close of the vote and advise her/she of the problem. The Committee member will immediately investigate, and if it appears that a ballot was distributed in one of the prescribed methods, then no new ballot will be issued. If it appears that the ballot was not issued, then the Committee member shall immediately issue the member a ballot. This ballot issuance shall not give any reason for the vote to be extended.
- (4) When counting ballots, the election committee will validate the authenticity of each voting package by comparing them to the roster of the names of those who were issued a ballot. Completed voting packages will be compared to ensure there are no duplicates. Should there be any inconsistencies the questionable ballot shall be null and void.

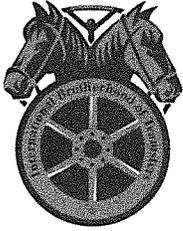
- (5) To insure anonymity, letter size envelopes containing completed ballots will be removed from the sealed legal size envelopes and placed in a pile. The letter size envelopes shall then be opened and the ballots counted.

ARTICLE XVII

“OFFICER MEMORIAL”

SECTION 1:

- (a) The Association shall maintain a memorial honoring members who pass away. To be eligible for inclusion in the memorial the honoree must meet one of the following qualifications:
 - (1) Killed in the line of duty.
 - (2) Die as the result of accident of illness while employed as a correctional officer with the Solano County Sheriff's Office.
 - (3) Dies because of injury or illness which resulted in the member being medically retired.
- (b) Costs for memorial upkeep are subject to the provisions previously set for in these bylaws for expenditures.



TEAMSTERS LOCAL UNION No. 856

453 SAN MATEO AVENUE • SAN BRUNO • CALIFORNIA 94066
TELEPHONE: (650) 635-0111 • FAX NUMBER (650) 635-1632 • 1(800) 758-TEAM (8326)

December 2, 2014

Marc A. Fox, Director of Human Resources
COUNTY OF SOLANO
675 Texas Street, Suite 1800
Fairfield, CA 94533-6336

Re: **2015 Registration as Employee Organization**

Dear Mr. Fox:

This letter is filed pursuant to the County of Solano Employer-Employee Relations Rules and Regulations (EERRR) Section 7 which states that employee organizations shall submit requests for continued registration between January 1 and January 15 of each year.

Teamsters Local Union No. 856 is requesting continued registration for the calendar year 2015.

1. Teamsters Local Union No. 856, I.B.T.
453 San Mateo Avenue
San Bruno, CA 94066
2. Teamsters Local Union No. 856 is a Local Union affiliated with Teamsters Joint Council No. 7; and the International Brotherhood of Teamsters.

Teamsters Joint Council No. 7
250 Executive Park Blvd., Suite 3100
San Francisco, CA 94134

International Brotherhood of Teamsters
25 Louisiana Avenue, N.W.
Washington, D.C. 20001

3. Peter Finn, Secretary-Treasurer
Mike Lagomarsino, President
Rudy Gonzalez, Vice President
Paola Gleeson, Recording Secretary
Mark Gabriel, Trustee
Judy Rodrigues, Trustee
Lisa Chin, Trustee

RECEIVED
DIRECTOR OF
HUMAN RESOURCES
COUNTY OF SOLANO
2014 DEC -5 AM 11:37



December 2, 2014

Marc A. Fox, Director of Human Resources

County of Solano

Re: 2015 Registration as Employee Organization

Page 2

4. Teamsters Local Union No. 856 has, as one of its primary purposes, representation of its members and others who are employees of the County of Solano, in their employer-employee relations with said County of Solano.

5. Peter Finn, Secretary-Treasurer
Teamsters Local Union No. 856
453 San Mateo Avenue
San Bruno, CA 94066

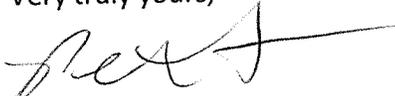
Ken Akins, University Research & Associates
c/o: Teamsters Local Union No. 856
453 San Mateo Avenue
San Bruno, CA 94066

6. Teamsters Union Local 856 has no restriction on membership based on race, color, creed, national origin, sex, age, or physical or mental impairment.

7. Current Copies of (1) International Constitution; and (2) Local 856 By-Laws, are enclosed herein.

8. Ken Akins, University Research & Associates
Peter Finn, Secretary-Treasurer

Very truly yours,



Peter Finn

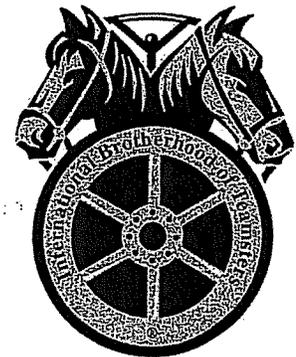
Secretary-Treasurer

PF/lcv

Enclosure

**FREIGHT CHECKERS,
CLERICAL EMPLOYEES AND
HELPERS UNION, LOCAL No. 856**

BYLAWS



Amended and Approved April 3, 2012
Amended and Approved June 12, 2008
Amended and Approved March 1, 2006
Amended and Approved October 3, 2001
Amended and Approved August 19, 1999¹

¹ Previous Edition 12/15/94

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ARTICLE 1

NAME

This organization shall be known as the Freight Checkers, Clerical Employees and Helpers Union, Local Number 856, and is affiliated with the International Brotherhood of Teamsters.

ARTICLE 2

PRINCIPAL OFFICE: LOCATION OF BOOKS AND RECORDS

- A. The principal office of this organization shall be located in the San Francisco Bay Area, State of California. The organization may have such other offices within the State of California as the Executive Board may require from time to time.
- B. All books, records, and financial documents shall be kept at the office or offices of the Local Union.

ARTICLE 3

OBJECTIVES

- A. The objectives of this Local Union shall be:
 - 1. To unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, sex, physical disability, or sexual orientation;
 - 2. To engage in organizing workers to provide the benefit of unionism to all workers and to protect and preserve the benefits obtained for members of this organization;
 - 3. To secure improved wages, hours, working conditions, and other economic advantages through organization, negotiation and collective bargaining, through advancement of our standing in the community and in the labor movement through legal and economic means, and other lawful methods;
 - 4. To provide educational advancement and training for employees, members, and officers;
 - 5. To safeguard, advance, and promote the principle of free collective bargaining,

the rights of the workers, farmers, and consumers, and the security and welfare of all people by political, educational, and other community activity;

6. To engage in cultural, civic, legislative, political, fraternal, educational, charitable, welfare, social and other activities which further the interests of this organization and its membership, directly or indirectly;
 7. To provide financial and moral assistance to other labor organizations or other bodies having purposes and objectives in whole or in part similar or related to those of this organization;
 8. To engage in community activities which will advance the interests of this organization and its members in the community and in the nation, directly or indirectly;
 9. To protect and preserve the Union as an institution and to perform its legal and contractual obligations;
 10. To carry out the objectives of the International Union as an affiliate thereof, and its duties as such an affiliate; and,
 11. To receive, manage, invest, expend or otherwise use the funds and property of this organization to carry out the duties and achieve the objectives set forth in the Bylaws and the International Constitution, and for such additional purposes and objectives not inconsistent therewith, as will further the interests of this organization and its members, directly or indirectly.
- B. It is recognized that the problems with which this labor organization is accustomed to deal are not limited to unionism or to organization and collective bargaining alone but encompass a broad spectrum of economic and social objectives as set forth above and as the Union may determine from time to time; we, therefore, determine and assert that the participation of this labor organization, individually and with other labor organizations, in the pursuit and attainment of the objectives set forth herein, are for the benefit of the organization and its members.

ARTICLE 4

MEMBERSHIP

- A. Eligibility for membership in this Local Union shall be as set forth in the International Constitution, and applicants for membership shall comply with and be subject to the requirements imposed by these Bylaws and the International Constitution.

- B. All members of this Union shall be *bona fide* workers of the craft, or officers and employees of the Local Union.
- C. No person who actively advocated the overthrow of a federal, state or provincial government by force or violence, or is a member of any party and knows of and actively advocates its purpose to overthrow a federal, state or provincial government by force or violence, shall be allowed to hold membership in the International Union or any of its subordinate bodies. If any such person obtains Union membership, or after having been admitted to Union membership advocates the overthrow of a federal, state or provincial government by force or violence, (s)he shall be expelled from membership upon the filing of charges and the conduct of a trial in accordance with the applicable charges and the procedures set forth in Article XIX of the International Constitution.
- D. Applications for membership shall be acted upon under such rules as are prescribed by the Union.
- E. After being initiated, the member shall become entitled to all rights and privileges of membership, except as may be otherwise provided in these Bylaws, and all such rights and privileges shall cease immediately upon being dropped from membership for any cause.
- F. Any person desiring to become a member of this Union shall fill out an application blank, and shall be vouched for by a member in good standing, and shall deposit the initiation fee prescribed with the Secretary-Treasurer or Business Representative.
- G. Any applicant who has been rejected shall have his/her money returned.

ARTICLE 5

OFFICERS AND FUNDS

- A. The Officers, Executive Board, and Delegates of this Local Union, and their eligibility to serve as such, shall be as prescribed in the International Constitution and in these Bylaws.
- B. The Executive Board of this Local Union shall be comprised of the following officers: President, Vice President, Secretary-Treasurer, Recording Secretary, and three (3) Trustees, each of whom shall be elected for a term of three (3) years. The Executive Board shall have the power to transact all necessary business of the Union.
- C. There shall be a Warden, who shall be appointed by the President.

- D. The Secretary-Treasurer shall be the only full-time officer of the Union.
- E. The term of office of all officers shall commence on the first of January in the year following the election.

ARTICLE 6

PRESIDENT'S DUTIES

- A. It shall be the duty of the President to preside at membership meetings of this Local Union and to preserve order therein. (S)He shall appoint all committees and shall also have the right to serve on all committees by virtue of his/her office, and in general shall perform all duties incident to the office of President, and such other duties as may be assigned by the Local Union Executive Board, Principal Executive Officer, or membership from time to time.
- B. The President shall decide all questions of order, subject to an appeal to the membership, if a valid objection has been taken by an interested member, which appeal shall be determined by a majority vote of the members present and voting.
- C. (S)He shall serve as alternate signatory in place of the Recording Secretary on all official documents, deeds, mortgages, bonds, contracts, or other instruments, all checks on bank accounts subject to the other provisions on signing checks provided in the International Constitution and these Bylaws, and perform such other duties as the International Constitution, these Bylaws, or law may require.

ARTICLE 7

DUTIES OF THE VICE PRESIDENT

It shall be the duty of the Vice President to preside at Local Union membership meetings in the absence of the President. (S)He shall perform such other duties and render such assistance as may be directed by the Executive Board.

ARTICLE 8

DUTIES OF THE SECRETARY-TREASURER

- A. The Secretary-Treasurer shall be the principal executive officer of this organization. The Secretary-Treasurer shall perform all the duties imposed upon Local Union Secretary-Treasurers by the International Constitution, by these Bylaws, and in general perform all duties incident to the office and such

other duties as from time to time may be assigned to him/her by the Executive Board or the members by resolution. (S)He shall, in general, supervise, conduct and control all of the business and affairs of the Local Union, its officers and employees. (S)He shall have charge and supervision of all the officers and employees of the Local Union including appointive Business Agents. (S)He shall have the power to appoint, suspend, or discharge all appointive organizers, appointive Business Agents, and employees. The Secretary-Treasurer shall also have charge of all labor controversies involving the Local Union. (S)He shall see that notices and reports shall be given in accordance with the provisions of the International Constitution and these Bylaws or as required by law. (S)He shall make at least a quarterly report to the membership giving the financial standing including the assets and liabilities of the Local, and shall keep itemized records showing the source of all monies received and spent, and shall keep records, vouchers, worksheets, books and accounts and all resolutions to verify such report.

- B. The Secretary-Treasurer upon request of any member(s) shall make available to the member(s) a copy of the last annual report. (S)He shall also make available for inspection by any member(s) at the Local Union's principal office during regular business hours any prior annual report or any other document which is subject to such inspection, provided, however, if copying is desired by any member the matter shall be submitted to the membership at the next scheduled meeting. Membership lists may not be copied. Upon the written request of any member setting forth good cause for examination of any books, records, or accounts necessary to verify any report filed in compliance with any statutory requirements, (s)he shall make arrangements to have such records available for inspection during the regular business hours at the principal office of the Local Union. In the event the Secretary-Treasurer believes that just cause does not exist for the request made, (s)he shall so inform the member(s) in writing. Refusal of the Secretary-Treasurer to permit examination of such records shall be appealable to the Local Executive Board and such appeal shall be heard forthwith.
- C. The Secretary-Treasurer shall have custody of the Local Union seal and the records of the proceedings of all meetings of the Local Union and the Executive Board, as prepared by the Recording Secretary or such person as is authorized to take such proceedings, shall keep important documents, papers, correspondence, as well as files on contracts and agreements with employers. Upon request of any person in writing or made in person to the Secretary-Treasurer during regular hours at the principal office of the Local Union (s) he shall provide a copy of the collective bargaining agreement made by the Local Union with the employer of such employer of such person, if the person making such request establishes that (s)he is an employee directly affected by such an agreement. The Secretary-Treasurer shall also maintain at the principal office of the Local Union, copies of agreements made as received by

the organization where another labor organization subordinate to the IBT has negotiated such a contract, and the employees represented by this Local Union are directly affected by such agreement, which agreements shall be available for inspection by any member or by any employee who establishes that his/her rights are affected by such agreement, during the regular hours maintained at the principal office of the Local Union.

- D. The Secretary-Treasurer shall receive and keep a correct account of all monies paid to and paid out by the Local Union, and shall give receipt for any dues, initiation fees, other fees, or other monies received. (S)He shall deposit all monies received from any source whatever in a reliable bank or banks in the name of the Local Union at least twice per month. The bank of depository shall be designated by the Local Executive Board.
- E. The Secretary-Treasurer shall maintain a record of the names and addresses of all members. The Secretary-Treasurer shall report to the General Secretary-Treasurer the membership standing of all members in the Local Union as required by the International Constitution. The membership lists shall not be open to inspection by a member except as and to the extent required by Statute.
- F. Whenever a Secretary-Treasurer's term of office expires or is otherwise terminated, (s)he must see that his/her successor is properly bonded and a copy of the bond sent to the office of the General Secretary-Treasurer before (s)he transfers the funds of the organization to his/her successor in office. (S)He shall also give to his/her successor all papers, documents, records, vouchers, worksheets, books, money and other union property that may have been entrusted to him/her by virtue of his/her office and shall obtain an appropriate receipt therefore. All such records, vouchers, worksheets, receipts, books, reports and documents shall be preserved and retained at the Local Union's principal office for a period of six (6) years.
- G. The Secretary-Treasurer, in conjunction with the President, shall have the authority to disburse or order the disbursement of all monies necessary to pay the bills, obligations and indebtedness of the Local Union which have been properly incurred as provided herein. (S)He shall have the authority to pay current operating expenses of the Local Union including rents, utilities and maintenance of the Union hall, and salaries and expenses of officers and employees as authorized by the Executive Board.
- H. The Secretary-Treasurer shall receive instructions on all business transactions requiring attention. (S)He shall have charge of all organizing activities of the Local and shall attend to all controversies between this Union and employers and shall endeavor to adjust a settlement as soon as possible. (S)He shall see that all members abide by the Constitution and Bylaws and that any

agreements between this Union and the employers are carried out. (S)He shall attend all meetings of this Union and all meetings of the Executive Board and, by virtue of this office, shall be a delegate to all labor bodies with which this Union may affiliate. (S)He shall perform such other duties as may be assigned by this Union.

- I. The Secretary-Treasurer shall appoint all Business Agents and Organizers and clerical help, who shall serve at his/her pleasure and perform such duties as (s)he may direct. The Secretary-Treasurer shall establish the compensation of such personnel, subject to the ratification of the Executive Board. Executive officers are not disqualified from also serving as appointive Clerical Employees, Business Agents or Organizers.
- J. The Secretary-Treasurer shall perform all duties required by the International Constitution, in particular those set forth in Article XXIII of the Constitution.
- K. The principal officer shall preside at meetings of the Local Union Executive Board, shall enforce the International Constitution, these Bylaws and the rules of order adopted by this Union, and shall ensure that all officers perform their respective duties. (S)He shall also have the right to serve on all committees by virtue of this office.
- L. The Secretary-Treasurer shall provide each new member with a free copy of the International Constitution, upon request. The Secretary-Treasurer shall provide any member with a copy of the International Constitution and of these Bylaws.

ARTICLE 9

DUTIES OF THE RECORDING SECRETARY

It shall be the duty of the Recording Secretary to attend all general membership meetings of the Local Union and the Executive Board, and to keep minutes of the entire proceedings. (S)He shall keep a record of the names of the members comprising each committee and handle all correspondence of the Local Union assigned by the President or authorized by membership resolution. In his/her absence, the President shall appoint a member to act as Recording secretary *Pro Tempore* who shall have the duties set forth above. The President shall appoint a member or members to keep minutes of meetings which are held by division or craft. The minutes of every meeting of the Local Union Executive Board or of the Local Union shall be read and approved at the membership meeting next following.

(S)He shall serve as a signatory of all official documents, deeds, mortgages, bonds, contracts, or other instruments, all checks on bank accounts subject to the other provisions on signing checks provided in the Constitution and these Bylaws, and perform such other duties as the International Constitution, these Bylaws or law

may require.

ARTICLE 10

DUTIES OF TRUSTEES

The Trustees shall perform their duties in accordance with Article X, Section 8 of the International Constitution.

ARTICLE 11

DUTIES OF WARDEN

The Warden shall be appointed by the Chair and may be removed by him/her. The Warden shall have charge of the inner door and shall not admit any member who is not in good standing. (S)He shall not allow any member under the influence of liquor or drugs to enter the meeting place. (S)He shall assist the Chair in maintaining order.

ARTICLE 12

POWERS AND DUTIES OF THE LOCAL EXECUTIVE BOARD

- A. Except as may be otherwise provided in these Bylaws, the Local Executive Board is authorized and empowered to conduct and manage the affairs of this organization, and to manage, invest, expend, contribute, use, lend and acquire local union funds and property in the pursuit and accomplishment of the objectives set forth in the Constitution of the International Union and these Bylaws and resolutions adopted in furtherance thereof. However, the Local Union Executive Board shall not have the authority to bind the Local Union for personal services to be rendered to the Local Union or its Executive Board, such as, but not limited to, legal, accounting, consulting, public relations and editorial services, by contract, agreement or otherwise, beyond the expiration of the term of the Executive Board in office at the time such action is taken. This shall not prevent the Local Union Executive Board from entering into a *bona fide* collective bargaining agreement with another Union covering Local Union employees; provided, however, that if the Local union employees form a union following a Local Union officer election, or a new collective bargaining agreement covering such employees is negotiated after the Local Union officer election, the newly organized unit shall not be voluntarily recognized, or the new collective bargaining agreement shall not be entered into on behalf of the Local Union, until such action is approved by the officers-elect. The Executive Board is hereby empowered, in addition to such other general powers conferred by these Bylaws, to:
1. Make and change rules and regulations not inconsistent with these Bylaws or the International Constitution for the management and conduct of the affairs of this Local Union;

2. Establish the salaries, the allowances, direct and indirect disbursements, expenses and reimbursement of expenses for officers and business agents. Changes in the salaries, allowances or expenses of the officers and business agents shall be specifically set forth in the minutes of the Executive Board meeting at which such changes are approved. The minutes shall also reflect whether any officer who also serves as a Business Agent receives a salary, allowance or expense in his/her capacity as officer or business agent;
3. Provide for direct and indirect loans for such purposes and with such security, if any, as it deems appropriate, and with such arrangement for repayment as it deems appropriate, all to the extent provided by law;
4. Approve the Principal Executive Officer's employment of clerical employees, attorneys, accountants, and such other special or expert services as may be required for the organization, and secure and audit of the books of this organization by a Certified Public Accountant at least once per year;
5. Review interpretations of the Bylaws rendered between meetings by the Principal Executive Officer. Disputes over the interpretations of these Bylaws shall be submitted to the General President, pursuant to Article VI, Section 2(A) of the International Constitution;
6. On behalf of the Local Union, its officers, employees or members, initiate, defend, compromise, settle, arbitrate or release, or pay the expenses and costs of, any legal proceedings or action of any nature, subject to the provision of Article IX of the International Constitution if, in its judgment, it shall be necessary or desirable to protect, preserve, or advance the interests of the organization;
7. Fill any vacancies in office which occur during the term of such office for the entire remainder of the unexpired term.
8. Transact all business and manage and direct the affairs of the Local Union; delegate when necessary any of the above powers to any officer for specific and temporary purposes and on condition that the action of such officer or agent be ratified by the Executive Board. The Executive Board shall designate other officers for the President, Secretary-Treasurer or Recording Secretary for the purpose of signing checks to pay bills in the event that any shall become ill or otherwise incapacitated;
9. Lease, purchase or otherwise acquire in any lawful manner for and on behalf of the organization, any and all real estate or other property, rights and privileges whatsoever deemed necessary for the prosecution of its affairs and which the organization is authorized to acquire, at such price or consideration

and generally on such terms and conditions as it thinks fit, and at its discretion to pay therefore either wholly or partly in money or otherwise; specific authorization at a membership meeting shall be required for such expenditures, excepting for routine expenditures not of a substantial nature;

10. Sell or dispose of any real or personal estate, property, rights or privileges belonging to the organization whenever in its opinion the Local Union's interests would thereby be promoted;
11. Create, issue and make deeds, mortgages, trust agreements, contracts, and negotiable instruments secured by mortgage or otherwise as provided by resolution of the membership, and to do every other act or thing necessary to effectuate the same;
12. Create trusts, the primary purpose of which is to provide benefits for the members and their beneficiaries and terminate and effectuate the same. The Executive Board shall designate from among those of the Union's members, active or retired, who are participants in the trust plan the person(s) to serve as trustees for Health and Welfare or Pension trusts to which the Union is a party.
13. Determine the membership which shall vote on agreements and strikes, and the composition of other membership meetings, and adopt rules and regulations concerning the conduct thereof not inconsistent with the International Constitution or these Bylaws;
14. Affiliate this Local Union with Joint Council No. 7 and the Western Conference, and such other subordinate bodies of the International Brotherhood of Teamsters as it shall be required to do, or which it believes is in the interest of this Local Union, and maintain such affiliations in good standing at all times; and,
15. Designate shop stewards whose membership dues shall be paid by the Union. This authority shall be exercised selectively pursuant to the Executive Board's discretion, and in recognition of the high degree of responsibility and amount of work required of stewards in particular shops.
16. Do all acts, not expressly authorized herein, which are necessary or proper in implementation of the above duties for the protection of the property of the Local and for the benefit of the organization and members.
17. The Executive Board shall have the duty to investigate any alleged breach of fiduciary duty when circumstances so warrant and to take appropriate action if the investigation so merits.

18. The Executive Board shall hold regular meetings without other notice than this Bylaw at such regular times as shall be designated by resolution of the Executive Board, and may hold other meetings at such time and place as shall be determined by the Secretary-Treasurer. The meetings of the Executive Board shall be no less frequent than meetings of the Local Union.
19. A majority of the Board shall constitute a quorum for the transaction of business at any meeting for the Board. The action of a majority of the Board present at a meeting at which a quorum is present shall be the action of the Board.
20. By action of the Board, members of the Board who are not full-time paid officers or employees of the organization may be paid their expenses, including wages lost, if any, for attendance at each meeting of the Board. However, officers who are full-time employees of the Local Union shall not receive additional payments for attendance at Executive Board or Membership meetings.
21. As to all matters requiring action by the Executive Board and when the Executive Board is not in formal session, the Executive Board may act by telegram, letter or telephone. When action by the Executive Board is required, the Secretary-Treasurer may obtain same by telegraphing, writing or telephoning the members of the Executive Board and such members may take action on the matter brought to their attention in the same manner. Such action so taken by a majority of the members of the Executive Board shall constitute action of the Board as though the Board were in formal session.

ARTICLE 13

OFFICERS - GENERALLY

- A. All officers of the International Union and affiliated bodies when installed shall be required to take the following oath of office:

I, [state name], do most sincerely promise, upon my honor as a trade unionist and a Teamster, that I will faithfully use all of my energies and abilities to perform the duties of my office, for the ensuing term, as prescribed by the Constitution and Bylaws of this Union. As an officer of this great Union, I will, at all times, act solely in the interests of our members, devote the resources of our Union to furthering the needs and goals, work to maintain a Union that is free of corruption, to preserve and strengthen democratic principles in our Union, and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members whom I will serve. I

further promise that I will faithfully comply with and enforce the Constitution and laws of the International Union and Bylaws of this Union, and I will, at all times, by example, promote harmony and preserve the dignity of this Union. I also promise that at the close of my official term, I will promptly deliver any money or property of this Union in my possession to my successor in office.

- B. The right to assume office or hold office or position in the Local Union, as distinguished from accrued or vested benefits, shall never be deemed a property right, but shall be a personal privilege and honor only. Any action taken by an officer in good faith and within the scope of his/her authority and power under these Bylaws shall not be the basis for any personal liability against such officer.
- C. All officers of the Local Union must, as a condition of holding office, execute all necessary forms required by law to be filed with any federal or state agency either for and on behalf of the Local or as an officer or employee thereof, but accidental default shall not be considered a violation of the duty imposed by this section.
- D. All officers in the performance of their duties shall adhere to the terms of these Bylaws and the International Constitution.
- E. The officers, business agents, and other representatives of the Local Union occupy positions of trust in relation to the Local Union and its members as a group and are therefore accountable to the membership with respect to the performance of their fiduciary duties. The failure or refusal by an officer, business agent, or other representative of this Local Union, upon demand of the Executive Board or of any individual member for good cause, to render a proper and adequate accounting or explanation respecting the performance of his/her fiduciary duties shall constitute a ground for charges under Article XIX of the International Constitution on which trial shall be had under the provisions set forth in Article XX hereof.
- F. The elected officers and Business Agents of this Local Union shall be delegates to other subordinate bodies and Conventions thereof, by virtue of their office or elected position. The Principal Executive Officer shall have first priority. After the principal officer, the remaining delegates shall be selected from the salaried elected officers and elected Business Agents (if any) in the following priority: President, Secretary-Treasurer, Vice President, Recording Secretary, Trustee in order of number of votes received in the most recent election; elected Business Agents in order of number of votes received in the most recent election.

ARTICLE 14

EXPENSES AND AUTOMOBILES

- A. **Allowances.** Recognizing that the officers and representatives of this organization do not confine their work to regularly scheduled hours and do not receive compensation for overtime or premium pay on the same basis as members of the Union; also recognizing that such individuals are required to pay varying amounts for lodgings and meals depending upon the city to which they travel, which amounts are sometimes less, but more often than the allowances given them, and recognizing that they must participate in cultural, civic, legislative, political, fraternal, educational, charitable, social and other activities in addition to their specific duties as provided in the Constitution and these Bylaws; that such activities benefit the organization and its members; that the time spent in such activities is unpredictable and unascertainable, such officers and representatives may be granted an allowance (both for in-town and out-of-town work shall include hotel and meal expenditures) in such amount (daily, weekly, or monthly) as the Local Executive Board may determine and there shall be no need to make a daily or other accounting to the Local Union membership for such allowance.

In addition to the allowances set forth above, all officers and employees may be reimbursed for, or credit provided for, all other expenses incurred in connection with their activities.

- B. **Expenses.** When a representative of the organization is engaged in authorized activities in the interest of or for the benefit of the organization and its members, the labor organization shall pay the expenses incurred therein, or reimburse the representative upon receipt of itemized vouchers from him/her or the supplier of such services.
- C. **Automobile Allowance.** The Local Union may provide its officers or representatives with automobiles upon authorization of the membership, or in lieu thereof, they may be paid an allowance for use of their car in such amount or at such rate as shall be approved by the Executive Board. In such instances, where the Local Union provides an automobile, title to the automobile shall remain at all times in the name of the Local Union. It is recognized that such officers or employees are required to be on instant call at all times, may be required to garage such car, and are responsible for its safeguarding. Accordingly, for the convenience of the Union and as partial compensation for such additional responsibilities, such officers shall be permitted private use of such car on an round-the-clock, continuous basis, including private use when the car is not required on union business. Upon authorization of the Executive Board, the Secretary-Treasurer is empowered to sell exchange or lease automobiles or arrange financing therefor on behalf of the Local Union.

- D. **Benefits.** The Executive Board may from time to time provide the terms and conditions of employment for officers, employees and representatives of this organization including, but not limited to such fringe benefits as vacations with pay, holidays, sick leave, time off for personal leave, and, in connection therewith, any disability or sickness health and welfare and retirement benefits and activities, and facilities relating thereto, and may from time to time provide changes therein, as well as additional compensations and allowances.

ARTICLE 15

NOMINATIONS AND ELECTIONS OF OFFICERS: RULES

A. Nominations for officers to be elected shall be held at a general or special meeting in November. The election shall be held not less than thirty (30) days after the date of the general or special meeting in November. The Executive Board shall set the time and place of elections and other relevant arrangements and shall have such other relevant arrangements as are necessary to an expeditious election in conformity with the International and Local Constitution and Bylaws.

- B. **Time of Elections.** This Local Union shall elect the President, Vice President, Secretary-Treasurer, Recording Secretary and Trustees for a term of three (3) years. The office terms of all officers shall hold office until their successor is duly elected and installed.
- C. **Notice of Rules, Nomination Meeting and Election.** At least twenty (20) days prior to the date of the nomination meeting, specific notice of the date, time and place of the nomination meeting and the offices to be filled shall be mailed or shall be published in any local union publication mailed to the membership (except that notice of nomination and election may be combined); each member shall be advised in such notice that the election rules are set forth in the Bylaws, which are available upon request.
- D. **Eligibility of Members.**
1. Every member, whose dues are paid up through the month which is prior to the month in which the nomination for election is held, shall have the right to nominate, vote for, or otherwise support the candidate of his/her choice. No member whose dues have been withheld by his/her employer for payment to the Local Union pursuant to his/her voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to nominate or vote for a candidate for office in the Local Union by reason of a delay or default in the payment of dues by the employer to the Local Union.
 2. To be eligible for election to any office in this Local Union, a member must

be in continuous good standing in this Local Union and actively employed at the craft within the jurisdiction of this Local Union for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold the office if elected. "Continuous good standing" means compliance with the provisions of Article X, Section 5 of the International Constitution concerning the payment of dues for a period of twenty-four (24) consecutive months, together with no interruptions in active membership in this Local Union because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his/ her card in the month immediately following the month for which it was effective and pays his/her dues for both months in a timely manner as provided in Article X, Section 5(c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union.

Payment of dues after their due date shall not restore good standing status for such month(s) in computing the continuous twenty-four (24) months' good standing status required by this Section as a condition of eligibility for office. No member shall lose his/her good standing status for any month in which his/her dues have been withheld by his/her employer for payment to the Local Union pursuant to his/her voluntary authorization provided for in a collective bargaining agreement by reason of delay or default in the payment of such dues by the employer to the Local Union. However, a member on dues check-off, whose employer fails to make a prior deduction during any month in which the member has earnings from work performed during the month from which the dues could have been deducted, or has earnings from which the employer normally makes a dues deduction pursuant to the contract or established practice, shall not lose good standing status for that month. In such an event, the Local Union shall notify the member of his/her employer's failure, and payment shall be made by the member within thirty (30) days of said notice in order to retain good standing status.

Failure of a Local Union to issue a withdrawal card shall not be conclusive proof that a nominee was actively employed at the craft within the jurisdiction of the Local Union during the required twenty-four (24) month period prior to his/her nomination if a challenge is made based upon evidence to the contrary, in which event a determination shall be made on the facts presented. Periods of unemployment during the twenty-four (24) month period preceding the nomination shall not be considered a break in active employment at the craft within the jurisdiction of the Local Union if the nominee was actively seeking and available for employment in the craft, and not working outside the craft during such periods of unemployment. Members in a reserve component of the military or National Guard who are called to active service lasting more than thirty(30) days but not more than

twenty-four(24) consecutive months, may have their eligibility determined in accordance with Article II, Section 4(a)(4) of the International Constitution.

3. In addition to those conditions of eligibility listed in subsection (2) above, a member must have attended at least fifty percent (50%) of the regular or divisional meetings of this Local Union during the twenty-four (24) consecutive months prior to nomination in order to be eligible to run for office. The Local Union shall keep accurate records reflecting those members who are in attendance at each meeting and shall exempt from the attendance requirement any member who, because of illness, regular employment, or other good cause is unable to attend a meeting. This exemption system shall be uniformly and fairly applied.
4. No member shall lose his/her good standing status for any month in which his/her dues have been withheld by his/her employer for payment to the Local Union pursuant to his/her voluntary authorization provided for in a collective bargaining agreement by reason of delay or default in the payment of such dues by the Employer to the Local Union. Subject to the provisions of the International Constitution, in addition to being a member of the Union in continuous good standing for a period of two (2) years prior to nomination for the office, a member must have worked at the craft as a member for a total period of two (2) years to be eligible for an election to any office. For the purpose of this Section only, officers shall include representatives of the Local, delegates to central labor bodies and delegates to all conventions of labor subject to the provisions of Article 12 of these Bylaws, and members of the Local Union Executive Board.

E. Nomination Procedures

1. Nominations shall be held in accordance with Article 15.A. above at a general or special membership meeting. Nominations and the conduct of the election and related questions shall be the first order of business at the nomination meetings, and complete minutes shall be kept of that business.
2. Nominations shall be made that the meeting by motion, seconded by a member in good standing. Candidates are advised to verify the good standing of their nominator and seconder prior to the nomination meeting. Any question of the eligibility of nominees shall be decided by the Secretary-Treasurer, or his/her designee, within twenty-four (24) hours and shall be appealable to the General President in accordance with the provisions of Section D.3. of this Article and the International Constitution.

3. Nominations shall not be closed until a call for further nominations has been made three (3) times by the Chair without further nomination being made.
4. If an election committee is used, after nominations, each candidate for the office of President, Secretary-Treasurer, and Recording Secretary may designate one (1) member for service thereon, who shall thereupon be appointed by the President.
5. In the event only one candidate is nominated for any office, no election shall be conducted for such office if no longer required by law, and such unopposed candidate shall be declared elected by acclamation.
6. A candidate must accept nomination at the time made, either in person or, if absent, in writing, and may accept nomination for only one office as the term "office" is defined in the International Constitution and Bylaws. Any candidate who accepts nomination by submitting written notice must submit such written notice prior to the time of nomination and shall submit the same to the office of the Union by registered mail.
7. Subject to the International Constitution, every member eligible to nominate candidates shall be entitled to effectively nominate one candidate, but only one, for each office open.
8. If any nominee should die or resign before the election, his/her name shall nevertheless appear on the ballot. In the event such name shall receive the requisite number of votes to be elected, the position shall then be filled in the same manner as vacancies are filled when they occur during a term of office.
9. If there is only one nominee for an office and (s)he is finally ruled ineligible after the nomination meeting, then a new nomination meeting shall be held for such office only; however, such nomination meeting shall not delay the election for all other officers.

F. Elections.

1. After the nomination meeting, but not less than twenty (20) days prior to the election, specific notice of the date, time and place of the election and of the offices to be filled shall be mailed to each member at his/her last known home address, if no notice had previously been sent. The Local Executive Board, subject to approval by the membership, shall designate the place(s) where balloting shall take place.
2. The Local Union Executive Board shall have the authority to establish

all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval.

3. Voting shall be conducted by secret ballot among the members in good standing. There shall be no proxy voting. Each such member shall be entitled to one vote.
4. Each candidate shall have the right to have an observer who shall be a member of this Local Union at the polls and at the counting of the ballots but such observer shall not be entitled to engage in obstructionist tactics or interfere with the election process and shall limit his/her duties to observing the activities of the election committee at the polls. Candidates and their observers may challenge the eligibility of voters, and all challenged ballots shall be sealed in a blank envelope which in turn shall be sealed in an envelope with the name of the voter thereon. Challenges shall be investigated to determine their validity, if the challenged ballots are sufficient in number to affect the result of the election. The blank envelope containing the ballot shall not be opened until such time as all challenges have been ruled upon and the name-bearing envelopes have been destroyed. Upon request of any candidate, voting machines, if used, shall be checked for proper operation prior to, or after completion of, voting.
5. The candidate for each office who receives a plurality of the votes cast for the office shall be elected thereto, except in the case of Trustees, in which case the three (3) candidates receiving the highest number of votes shall be elected.
6. No officer may run for another office in this Local Union, the term of which covers part of his/her current term, unless (s)he resigns from his/her current office at the time of nomination, such resignation to be effective upon installation of his/her successor. (S)He shall announce his/her intention to resign not later than thirty (30) days prior to the nomination meeting. No officer may hold another office in any other local union (other than a trustee local) during his/her term of office except by authorization of the General President and the Locals involved.
7. There shall be no write-in candidates and any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned and such ballot for that office shall not be considered as having been cast in determining the vote.

8. There shall be no solicitation of votes on election day within one hundred feet (100') of the polling place.
9. Any judge or teller falsifying returns or any member casting a fraudulent ballot shall, upon conviction, be expelled from the Union.
10. All votes for officers shall be on ballots prepared by the Secretary-Treasurer.
11. The President shall appoint the election board. No candidate for office may be a member of the board. This board shall take complete charge of the election, see that it is held in a fair and impartial manner, and count the ballots. Ballots whose marking are not plain shall be declared void.
12. Upon reasonable request of any declared and eligible candidate for office, the Secretary-Treasurer shall arrange for the distribution of any campaign literature by mail, or otherwise, provided that such candidate pays the reasonably estimated cost involved in advance. The Secretary-Treasurer shall not delay the distribution of any candidate's mailing. Any reduced rate mailing permit available to any candidate shall be made available to all candidates on an equal basis. The Secretary-Treasurer may require that all campaign literature shall be presented to him/her at the principal office of the Local Union no later than a reasonable number of days prior to the election and all candidates shall be given reasonable notice of that cutoff date. The Secretary-Treasurer may, where in his/her judgment it appears necessary, provide for a consolidation of such distribution in which case the cost of such distribution shall be assessed upon the candidates involved on a pro-rated basis.
13. During the period between the date of election and the end of the term of office no extraordinary expenditures of Local Union funds shall be made, and no action shall be taken that commits the Local Union to make such extraordinary expenditures in the future, without the approval of the officers-elect and the membership. An expenditure shall be considered extraordinary if it falls within the definition set forth in Article XXII, Section 4(e) of the International Constitution. In the event the election results in a new complement of officers, the outgoing officers must comply with the restrictions on Article XXII, Section 2(b) of the International Constitution regarding entering into contracts for personal services.

G. Nomination and Election Protests.

1. Any member who desires to challenge a ruling on eligibility to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the General President or his/her designee, who shall decide such an appeal within seven (7) days after the receipt of the protest. The decision of the General President shall be appealable to the General Executive Board pursuant to the provisions of Article VI, Section 2 of the International Constitution. In the event there shall be any protest or charges made concerning an election by any member prior to the holding of the election, such protest or charge shall be made in writing by registered or certified mail by such member within forty-eight (48) hours of his/her knowledge of the event complained of and shall specify the exact nature and specifications of the protest. Such protest or charges shall be made to the Local Union Secretary-Treasurer [or] Executive Board for disposition. The decision of the Local Union Executive Board shall be appealable to the General President pursuant to the provisions of Article VI, Section 2 of the International Constitution.
2. In the event there shall be any protest or charge by any member concerning the conduct of the election after the election has been held, such protest or charge shall be made in writing by registered or certified mail by such member within seventy-two (72) hours, setting forth the exact nature and specifications of the protest and his/her claim as to how it affected the outcome of the election. Such protest or charge shall be made to the Secretary-Treasurer of the Joint Council with which the Local Union is affiliated, and the protest or charge shall be referred to the Joint Council Executive Board for disposition. The Joint Council Executive Board shall meet to consider the protest and shall conduct a hearing as prescribed by Article XIX of the International Constitution. The decision of the Joint Council Executive Board shall be appealable to the General Executive Board, in accordance with the provisions of Article XIX of the International Constitution to the extent that such provision may be applied to an election protest or charge.
3. The Secretary Treasurer shall retain a copy of the notices of nominations and of the election, the mailing list of the membership, the voter register, a copy of the ballot, the official tally sheet submitted by the tellers, all voted and unused ballots, ballot return envelopes and such other records including election rules as shall relate to the conduct of the election. All copies and records shall be retained for one (1) year.

ARTICLE 16
DELEGATES

- A. Each member of the Executive Board who shall be elected by secret ballot to

his/her office shall, as a result of such election, be a delegate with full rights to the Joint Council and Area Conference to which this Local Union is required to be affiliated. Executive Board members who have been appointed and business representatives who are not members of the Executive Board shall be required, as part of their duties, to attend and participate in the deliberations of such body or bodies at the Union's expense, subject to the limitations uniformly imposed by the Constitution of the International and the Joint Council or Area Conference Bylaws, or by Statute. All officers elected to office shall by virtue of such election qualify as delegates in the order of priority to the International Convention in accordance with Article III, Section 5(A)1. of the International Constitution.

- B. The Secretary-Treasurer may appoint as delegates to central bodies, and delegates to all conventions of labor, including any trade, craft, regional or other conference, or to any other local, state or national body, any member of the Local Union who meets the qualifications imposed upon officers by the Constitution and these Bylaws.
- C. All delegates of this Local Union shall perform the duties imposed upon them by the Constitution, these Bylaws, and the Constitution and the Bylaws of the organization to which they are delegates, and their action in accordance therewith shall be deemed in the best interests of the membership of this Local Union.

ARTICLE 17

DUES AND INITIATION FEES

- A. The regular monthly dues of this organization shall not be less than the minimum established in Article X, Section 3 of the International Constitution; and further, any change in dues rates shall be effective October 1st of each year.
- B. Initiation or re-initiation fees for the membership shall be four hundred dollars (\$400) provided, however, the Local Union may direct that a specific segment of the membership shall pay a greater amount previously established in their industry or a lesser amount if the earnings of such group of members is less than the general prevailing rates of pay earned by the general membership of the Local Union. The Executive Board shall have authority to waive the payment of the initiation fee by employees involved in a new organizing or reorganizing campaign whenever it determines that such waiver is in the best interest of the Local Union.
- C. Any member who shall be three (3) months in arrears in the payment of dues, fines, assessments, or other charges shall automatically stand suspended at

the end of the third (3rd) month and shall not be entitled to any rights or privileges of membership. Any member who has been automatically suspended for failure to pay dues is under a continuing obligation to pay dues during the period of his/her suspension. Upon payment of the delinquent dues and re-initiation fee, the member shall be restored to good standing status. The Local Union Executive Board shall have the power to waive or reduce, on a non-discriminatory basis, the payment of delinquent dues, assessments and/or re-initiation fees for good cause shown.

- D. Any increase in the rate of dues or initiation fees or the levying of any general or special assessment by the Local Union shall be made at a general or special membership meeting in accordance with the following procedures.
1. Reasonable notice shall be given of the meeting at which the membership will consider the question of whether or not such dues, initiation, or reinstatement fees, general or special assessment shall be increased or levied. The notice shall indicate that a proposed increase or assessment is to be voted upon.
 2. At the meeting called as provided in this Section, voting shall be by secret ballot of the members in good standing.
 3. A majority vote by secret ballot of the members in good standing voting at such meeting shall decide the issue.
 4. This provision supersedes Article 26 (Amendments) with respect to changing the dues and fees set forth in these Bylaws.
 5. Nothing contained in Article 17.D. of these Bylaws shall be construed to apply to action by the International Union or to limit the right of the International Union to raise the dues of the membership, and the International Union shall not be subject to these provisions. The International Union shall in no way be subject to the provisions of Article 17.D. of these Bylaws.

ARTICLE 18

MEETINGS

Membership meetings shall be general or special.

A. General Membership Meetings.

1. General membership meetings shall be held monthly at such time and place as shall be determined by the Local Union Executive Board subject to disapproval by the membership. The time and place of meetings in effect when

these Bylaws are adopted shall continue until changed by the Executive Board upon reasonable and adequate notice to the membership. Membership meetings may be suspended during any three (3) months between June and October by action of the membership at a meeting after reasonable notice of the intention to vote upon such a question. During an election year, the Executive Board may designate different dates for the regular meetings than prevail in the remainder of the year in order to allow thirty (30) days to elapse between the date of the completion of nominations and the commencement of election.

2. Members in attendance at membership meetings shall have the right to express their views, arguments or opinions upon any business properly before the meeting, subject to these Bylaws and the rules and regulations adopted by the Executive Board pertaining to the conduct of meetings, but no member in exercising such rights shall evade or avoid his/her responsibility to the organization as an institution or engage in or instigate any conduct which would interfere with the Local Union's performance of its legal or contractual obligations.

B. **Special Meetings.** Any fifty (50) members in good standing of the Local may submit a written petition for a special meeting to the Secretary-Treasurer, setting forth the reasons therefor, and the Secretary-Treasurer shall call the special meeting within a reasonable time. No more than half of such fifty (50) shall be from the same employer. If the Secretary-Treasurer does not call such meeting, the Executive Board shall call such meeting within fifteen (15) days of the original petition. The Secretary-Treasurer may, on his/her own motion, call a special meeting. Reasonable notice of the date, time and place of any special meeting, and of the questions to be presented, shall be given the membership. No business shall be transacted except that named in the call. The Secretary-Treasurer shall notify the members by mail. Such special meeting shall not be considered a substitute for the regular monthly meetings for purposes of satisfying the meeting attendance requirement of Section 15.D.2.

C. A group meeting may be called by the Secretary-Treasurer.

D. **Quorum.** The quorum of a general or special membership meeting shall be fifteen (15) members.

E. Every member eligible to vote in an election under Article 15, Subsection D.1. shall be eligible to vote on any question before the membership meeting.

ARTICLE 19

REQUIREMENTS FOR MEMBERSHIP

A. An applicant shall be considered a member when (s)he shall meet all the

following requirements for membership.

1. (S)He shall have executed a written application.
2. (S) He shall have signed a dues checkoff authorization permitting the initiation fee to be withheld from earnings. If no dues checkoff authorization is signed, membership shall date from the first month for which dues are paid, once full payment of the initiation fee is completed or he shall have tendered the initiation fee and month's dues by cash.
3. The Local shall have accepted his/her application and dues.
4. (S)He shall have taken the oath of obligation as a member.
5. The first money received from an applicant for membership must be applied to the payment of dues for the month in which the applicant is first obligated to pay dues. If this Local Union permits an applicant to pay an initiation fee on a deferred basis, the installment payments must be allocated to first satisfy the member's dues obligation. All new members presenting themselves for initiation shall receive upon request a free copy of the International Constitution and Local Union Bylaws from the Local Union.

B.

1. A member shall lose his/her good standing membership in the organization by suspension or expulsion from membership after appropriate proceedings consistent with the Bylaws or the Constitution, or by nonpayment of dues on or before the last business day of the current month. Members whose dues have been withheld by their employer pursuant to a voluntary check-off agreement shall not be declared in bad standing merely because the employer fails to remit checked-off dues to the Local Union on or before the last day of the month. Payment of dues to an officer or agent authorized by this Local to collect such dues shall be deemed payment to the Local.
2. Subject to the International Constitution, a member in a suspended status because of his/her failure to pay dues or other obligations as required by the International Constitution and these Bylaws, and not suspended or expelled from membership pursuant to disciplinary action, may reinstate his/her good standing for the purpose of attending local union meetings and voting at elections by the payment of all delinquent dues and other financial obligations prior to such meeting and election.

C.

1. A member shall be considered to have voluntarily withdrawn from

membership in this Local Union upon the receipt of a withdrawal card. A member shall be considered transferred from this Local Union upon acceptance of a transfer card in another Local Union.

2. The Union may from time to time adopt rules governing the re-initiation of members who have been issued an honorable withdrawal card, provided such rules do not conflict with the International Constitution.

D. Issuance of Transfer and Withdrawal Cards.

1. The issuance of transfer cards must be handled in strict compliance with Article XVIII, Sections 1 and 2 of the International Constitution. The acceptance of transfer cards must be in accordance with the provisions of Article XVIII, Sections 3 and 4. The jurisdiction to issue honorable withdrawal cards must be handled in strict compliance with Article XVIII, Sections 6 and 7 of the International Constitution.

E. Responsibility of Members to the Local Union.

1. Every member, by virtue of membership in this Local Union, is obligated to abide by these Bylaws and the International Constitution with respect to his/ her rights, duties, privileges and immunities conferred by them. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of fellow members.
2. Every member, by virtue of membership in this Local Union, authorizes this Local Union to act as his/her exclusive bargaining representative with full and exclusive power to execute agreements with his/her employer governing terms and conditions of employment and to act for him/her and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of his/her employment with such employer, in such manner as the Local Union or its officers deem to be in the best interests of the Local Union. The Local Union and its officers, business representatives and agents may decline to process any such grievance, complaint, difficulty or dispute if, in their reasonable judgment, such grievance, complaint or dispute lacks merit.

The provisions of Article XII of the International Constitution, relating to area, multi-area, industry-wide contracts, shall supersede any provision of this Article.

3. No member shall interfere with elected officers or business agents of this organization in the performance of their duties, and each member shall, when requested, render such assistance any support in the performance of

such duties as may be required by them, provided that this does not interfere with their individual rights as members. Each member and officer shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any conduct that would interfere with the performance by this Local Union of its legal or contractual obligations.

4. No member shall engage in dual unionism or espouse dual unionism or disaffiliation in the course of any meeting, nor shall any member slander or libel the Local Union, its members or its officers, or be a party to any activity to secure the disestablishment of the Local Union as the collective bargaining agent for any employee.
5. No member shall be permitted at any union meeting or assembly to engage in any of the conduct hereinbefore described and any such act shall be null and void.
6. Every member shall follow the rules of order at all meetings of the Local Union.
7. Membership in this Local Union shall not vest any member thereof with the right, title or interest on or to the funds, property or other assets belonging to the Local Union now or hereafter and no member shall have a property right to membership in this organization.
8. Each member shall keep the Local Union informed of his/her current address.
9. No member seeking to resign from membership in any Local Union may do so except by submitting such resignation in writing to the Secretary-Treasurer of the Local Union. Any member who resigns before he has paid all dues, assessments, fines and other financial obligations owing to any subordinate body shall be obligated to pay such obligations to his former Local Union. All members acknowledge that any obligations owing at the time of resignation shall be collectible by the Local Union in any appropriate forum. This shall not relieve any member of any obligation to comply with any other provision of this Constitution regarding acquisition or maintenance of membership in good standing.

F. Rights of Members.

Subject to reasonable application, no provision of these Bylaws, rule of parliamentary procedure or action by the union or its officers shall be administered in such a way as to deprive individual members of the following rights.

1. The right to nominate candidates or vote in elections of the Union.

2. The right to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings.
3. The right to meet and assemble freely with other members and to express any views, arguments, or opinions; and to express at meetings views upon candidates in an election of the Union or upon any business properly before the meeting.
4. The right to information concerning the conduct of local union business.
5. The right to institute an action in any court or in a proceeding before any administrative agency, irrespective of whether the union or its officers are defendants in the action, or to appear as a witness in a judicial, administrative or legislative proceeding, or to petition any legislator, subject to the exhaustion of intra-union remedies as required by the International Constitution and applicable law.

ARTICLE 20

CHARGES AND TRIALS

- A. Each member of this union shall have the right to fair treatment in the application of union rules and law in accordance with the International Constitution and these Bylaws. In applying the rules and procedures relating to union discipline, the essential requirements of due process of law (notice, hearing, and judgment based upon the evidence) shall be observed, without, however, requiring the technical formality followed in courts of law. Recognizing that these requirements of fairness and due process of law will be administered by groups of laboring people, this union adopts the following procedures which supplement the requirements of Article XIX of the International Constitution. The following procedural guides are designed to attain justice both to the individual member and the organization, and in instances where deviations from such procedures are not such as to substantially affect the members' substantive right, these procedures are not to constitute technically precise requirements of strict pleadings of courts of law.
- B. **Trials and Appeals.**
 1. **Trial.** A member or officer of a Local Union charged by any other member of the Local Union with any offense constituting a violation of this Constitution, shall, unless otherwise provided in this Constitution, be tried by the Local Union Executive Board. If the member charged or preferring the charges is a member of such Board, then the President of the Local Union shall appoint an uninvolved member as a substitute. If the President of the

Local Union is charged or is preferring the charges, the Local Union Secretary-Treasurer shall appoint the substitute. No member of the Local Union Executive Board involved in the subject matter of the charge, shall sit on the trial board. The decision on disqualification under this provision, if raised by an interested party, shall be made in the first instance by majority vote of the Local Union Executive Board, whose decision shall be appealable as part of the case, in accordance with the appeal procedure of the International Constitution and these Bylaws. The officer alleged to be involved shall not vote on whether he is qualified to remain on the hearing panel.

If both the President and the Secretary-Treasurer of the Local Union are charged or are preferring the charges, the remaining members of the Local Union Executive Board shall appoint the substitutes. Charges by, against, or involving a majority of the members of a Local Union Executive Board shall be filed with the Secretary-Treasurer of the Joint Council for trial by the Joint Council Executive Board. In no event shall any involved officer or member serve on a hearing panel, participate in the selection of a substitute member of a hearing panel, or participate in the decision-making process of the trial body.

2. **Charges.** Charges shall be in writing and signed by those filing same and must be filed in duplicate with the Secretary-Treasurer, who shall serve the charges and notice of the hearing upon the accused either in person or by registered or certified mail at least ten (10) days prior to the hearing.

No hearing on any charge shall be held less than ten (10) days from the date on which notice of the hearing has been served on the parties, unless all parties agree to waive this requirement. In scheduling the time and place of the hearing, due consideration shall be given to the convenience of the accused and witnesses necessary in the case. The charges must set forth the provisions of the International Constitution or these Bylaws allegedly violated and the acts which allegedly constitute such violation in sufficient detail to inform the accused of the offense charged, including, where possible, date(s) and place(s). If charges are filed the charging party must include in the charges all alleged offenses of which (s)he has knowledge, as of the time of the filing of the charges. (S)He may not subsequently file additional charges based upon facts of which (s)he had knowledge or in the exercise of due diligence should have had knowledge, as of the time of the filing of the charges. Any charge based upon alleged misconduct which occurred more than five (5) years before the discovery of the conduct giving rise to the charge is barred and shall be rejected by the Secretary-Treasurer except charges based upon the non-payment of dues, assessments and other financial obligations. No member or officer shall be required to stand trial on charges involving the same set of facts as to

which (s)he is facing criminal or civil trial until his/her final court appeal has been concluded. Nor shall a member or officer be required to stand trial on charges that are substantially the same or arise under the same circumstances as prior internal Union charges against such member or officer provided that a decision was rendered on those prior charges. Charges may be preferred against a suspended member or an inactive member who has been issued a withdrawal card.

3. In the event of noncompliance with the decision handed down by a trial or appellate body, the member, elected Business Agent, officer or Local Union shall stand suspended from rights and privileges under the International Constitution until the provisions of the decision have been complied with, unless the General President has waived payment of a fine or stayed the effectiveness of the decision pending appeal. If, however, the decision carries with it an order of expulsion, then such order of expulsion shall immediately take effect, unless the General President has stayed the effectiveness of the decision pending appeal.
4. **Rights of the Accused.** Throughout the proceedings, there shall be a presumption of innocence in favor of the accused. In order to be sustained, the charges must be supported by a preponderance of reliable evidence, and a majority of the members of the panel must vote to find the charged party guilty. The accused shall have the right to present his/her own evidence, rebut testimony against him/her, present witnesses favorable to him/her and cross-examine adverse witnesses. The charging party, the accused and the Local Union Executive Board may select only a member in good standing of the Local Union to represent them at a hearing conducted before any trial or appellate body. Witnesses need not be members of the Union. The hearings shall be open to other members, subject to the discretion of the Local Union Executive Board in maintaining order and in excluding witnesses except when testifying.
5. **Action by the Local Union Executive Board.** A summary of the testimony and evidence introduced at the hearing(s) shall be made, and a copy of such summary shall be furnished to the accused. The Local Union Executive Board shall have the authority to determine the manner of reporting the hearing(s) and shall have the authority to exclude any method not authorized by it. Any request by a party that a verbatim record be made must be received by the Executive Board not later than five(5) business days prior to the scheduled commencement of the hearing and shall be honored by the Executive Board. If the Local Union Executive Board decides to have a transcript or recording of the hearing made, the Local Union Executive Board shall furnish a copy of the same to the accused and to other interested parties upon payment of the cost for same, or shall make such copy available to any interested party for copying or

consultation without cost.

If on appeal any appellate body makes a transcript or recording of the proceedings on appeal, such appellate body shall furnish a copy of the same to the accused and to other interested parties upon payment of the cost for same, or shall make such copy available to any party for copying or consultation without cost. Within a reasonable time after completion of the hearing, the Local Union Executive Board shall decide the case. The decision of the Local Union Executive Board shall be in writing and contain the charges, its own factual findings and decision, and a notice to the parties informing them of the proper body to which they may appeal, and the time within which the appeal must be filed. A copy of the decision of the Local Union Executive Board must be forwarded to the parties without delay. A copy of all documents in the proceeding(s) shall be kept available at the Local Union's principal office until final disposition is made of the case.

6. **Appeals.** Appeals shall be taken pursuant to the provision of Article XIX of the International Constitution.

C. Grounds for Charges Against Members.

1. The basis for charges against members for which (s)he shall stand trial shall consist of, but not be limited to, the following.
 - a. Violation of any specific provision of the Constitution or failure to perform any of the duties specified thereunder.
 - b. Violation of the oath of loyalty to the Local and the International.
 - c. Violation of the oath of office.
 - d. Gross disloyalty, or conduct unbecoming a member.
 - e. If an officer, gross inefficiency which shall hinder and impair the interests of the Local or the International.
 - f. Misappropriation.
 - g. Secession, or fostering the same.
 - h. Abuse of fellow members or officers by written or oral communication.
 - i. Abuse of fellow members or officers in the meeting hall.

- j. Activities which tend to bring the Local or the International into disrepute.
 - k. Disobedience to the regulations, rules, mandates and decrees of the Local or of the officers of the International.
 - l. Such other acts and conduct which shall be considered inconsistent with the duties, obligations and fealty to a member of a trade union, and for violation of sound trade union principles.
2. And for such other acts and conduct, without limitations to those acts specified in this Article, which shall be considered inconsistent with the duties, obligations and fealty of a member of a trade union, and for violation of sound trade union principles.
 3. If a member is found guilty of any of the above acts, (s)he may be reprimanded, fined, suspended or expelled in the discretion of the Executive Board.
 4. Any expelled member may be subsequently reinstated to membership only by action of the General Executive Board of the International Union.
 5. No member of the Union shall advise against belonging to the Union, or sympathize in any way with the employers to the disadvantage of the Union.
 - i. No member of this Union shall try to disrupt the Union or injure it in any manner or persuade members to violate the Constitution and Bylaws.
 - ii. Any attempt to defame or vilify the character and reputation of another member in this Union by framed charges bearing malicious intent, or to supersede him/her in any manner by fraudulent means, shall upon conviction be punished by suspension or expulsion from this Union.
 - iii. It shall be considered an offense against the Union and its officers if any member called before the Executive Board, either as a complainant, defendant, or witness, refuses to appear or answer questions in relation to the matter under consideration.
 - iv. While on his/her days off, a member shall not be at his/her place of employment for the purpose of doing any work (s)he would normally do, if working. This includes attending meetings.
 - v. Members having authority over other members must not use such authority to work an undue hardship upon those under their jurisdiction.
 - vi. All members shall observe the obligation of membership taken when

initiated, and shall adhere strictly to the terms of the contract with employers, entered into by the Local Union, which shall become part and parcel of the Bylaws of this Local Union.

- vii. Any member embezzling money from his/her employer shall be expelled from the Union.
- viii. All members must take not less than one-half (½) hour for lunch.
- ix. Any member found working below the schedule of wages, which is in the agreement entered into between the Union and his/her employer, will be suspended for not less than ninety (90) days for the first offense and expelled for the second offense.
- x. Members found guilty of patronizing places on the unfair list of the Joint Council and International may be brought up on charges.
- xi. Any judge or teller falsifying returns or any member casting a fraudulent ballot shall, upon conviction, be expelled from the Union.
- xii. Any member who institutes any litigation without first exhausting his/her internal remedies to the extent required by law shall be subject to such penalty, suspension or expulsion as the Union may deem appropriate.

ARTICLE 21

BONDING

All officers and employees of the Union shall be bonded, where required, in accordance with the provisions of the Labor-Management Reporting and Disclosure Act of 1959 and any other applicable Federal and State law. All premiums on said Bonds shall be paid by the Local Union.

ARTICLE 22

INTERNATIONAL CONSTITUTION

The Local Union acknowledges that the Constitution of the International Brotherhood of Teamsters supersedes any provisions of these Bylaws herewith or hereinafter adopted which may be inconsistent with such Constitution. The Local Union hereby re-adopts, as its Constitution, such International Constitution, and incorporates herein by reference, as though fully set forth herein, all such provisions of such Constitution, as it may be interpreted, modified, or amended from time to time, which are applicable to Local Union matters and affairs, and shall perform all the duties imposed upon a Local Union by such Constitution.

Neither this Local Union, nor any of its officers, business representatives or employees, has the power to make any contract or agreement nor to incur any liability which shall be binding upon the International Union or any of its affiliates other than this Local Union unless the written consent of the governing body or executive officer thereof has first been obtained authorizing such action. Neither this Local Union nor any of its officers, representatives or employees has been authorized or empowered to act as an agent of the International or any of its affiliated bodies and shall not be deemed an agent for any such body unless expressly authorized in writing by the governing body or executive officer of such body to act in that capacity. No agreement or contract shall be binding upon this Local Union unless executed and delivered by its duly authorized officers. This shall not prevent the Local Union Executive Board from entering into a *bona fide* collective bargaining agreement with another union covering Local Union employees, subject to the requirements of Article XXII, Section 2(b) of the International Constitution.

ARTICLE 23

LOCAL UNION PROPERTY

No property of the Local Union, and no property in the possession, custody or control of this Local Union or any of its officers, representatives or employees, and no property held in trust by any trustee for and on behalf of this Local Union, expressed or implied, which was created or established by this Local Union, and whose purpose is to provide benefits for the Local Union itself, or appropriated, either directly or indirectly, to aid or assist or be expended on behalf of any seceding, dual or antagonistic labor organization or group, nor to any local union which is acting in violation of the International Constitution.

ARTICLE 24

NEGOTIATIONS, RATIFICATION OF AGREEMENTS, STRIKES, AND LOCKOUTS

- A. Whenever a collective bargaining agreement is about to be negotiated, modified or extended at the request of the Employer or by this Local Union, the President shall call a meeting at which the membership shall determine and authorize the bargaining demands to be made. The Executive Board shall determine whether such meeting shall be limited to the members in a particular division, craft, or place of employment. Where this Local Union is a participant in an area-wide or conference-wide agreement, it is understood that the bargaining demands of this Local Union may be accepted, modified or rejected by the overall negotiating committee in accordance with such rules and procedures as may be adopted by the area-wide or conference-wide or national bargaining group.

- B. The Secretary Treasurer shall submit to the Joint Council of the Local Union two (2) copies of all proposed collective bargaining agreements with a

company in an industry in which there is an area standard established by pre-existing agreements or amendments thereto or where otherwise directed to do so by the Joint Council, for approval before submission to the employer. If no Joint Council exists, such proposals shall be submitted to the State Conference for its approval. In those cases where the proposed agreement is for operations which are already subject to an area-wide agreement, or a prospective area-wide agreement is already planned, the proposed agreement shall be submitted to the Director of the appropriate Trade Conference or Division for approval before submission to the employer. True copies of final agreements arrived at by the Local Union shall be filed by the Secretary-Treasurer with Economics and Contracts Departments of the International Union within sixty (60) days after execution, together with a list of names and locations of employers and number of employees covered by such agreements. The Secretary-Treasurer shall, as of January first of each year, submit to the Economics and Contracts Departments of the International Union a list of agreements in effect, showing the name of the employer or employers, parties thereto, location or locations and the expiration date.

- C If a settlement cannot be reached in connection with the negotiation or modification of a collective bargaining agreement between the members of this Local Union and an employer after the officers have used reasonable means of achieving a settlement through the processes of collective bargaining, the matter shall be subject to the strike procedure, conditions and qualifications set forth in the Constitution. The Executive Board may, in its discretion, provide that the strike vote be limited to the members employed in a particular division, craft or place of employment. In cases where area-wide, conference-wide or national agreements are involved, it is understood that the specified majorities of the members covered by such agreements must vote to strike as set forth in Article XII, Sections 1 or 2 of the Constitution, and in such event, such strike vote shall apply to this Local Union, irrespective of the individual vote of this Local Union on that question. In all instances concerning strike vote(s) on contracts, the provisions of Article XII of the Constitution shall supersede any provision of these Bylaws pertaining to the same subject matter.
- D. Strike votes shall not be required in any case where a collective bargaining agreement then in existence authorizes such strike for purposes of enforcing the terms of such agreement. Nor shall a strike vote be required for a strike in support of demands that an employer agree to the terms and conditions of an agreement already negotiated and approved on a state, multi-state, multi-area, multi-employer or national company-wide or area basis of which such employer is a member. In either case, the Local Union Executive Board, subject to the approval of the General President, may call the strike in support of its position, and may also, with the approval of the General President, terminate such strike without a vote.

- E. At least forty-eight (48) hours prior to a strike, and in the case of picketing, lawsuit or other serious difficulty, the Secretary-Treasurer shall immediately notify the Joint Council of which it is a member of any contemplated action as required by the Constitution.
- F. Strike and lockout benefits shall be payable to members only as provided by and in accordance with the Constitution. Where the Local Union is eligible to receive strike benefits, the Secretary-Treasurer, pursuant to the directions of the Union, shall take the necessary steps to secure the benefits, to execute all documents required by the International and to return all monies from the International Union remaining unused by the Local Union at the close of the strike or lockout.
- G. Strikes, which are not terminated by the conclusion of a collective bargaining agreement, arbitration, or otherwise, may be terminated in such manner as the Executive Board shall determine appropriate.

ARTICLE 25

SAVING CLAUSES

- A. The provisions of these Bylaws or the International Constitution relating to the payment of dues, penalties, etc., shall not be construed as incorporating into any union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by or under the International Constitution and these Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed and enforceable in a court of law. The General Executive Board is authorized to adopt any plan or arrangement relating to such requirements and obligations which may be imposed by applicable law.
- B. If any provision of these Bylaws shall be declared invalid or inoperative, by any competent authority of the executive, judicial, or administrative branch of federal or state government, the Local Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any Article or Section of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such Article or Section to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.

- C. Where used in these Bylaws, words in the masculine also shall be read and construed as in the feminine in all cases where such construction would so apply.

ARTICLE 26
AMENDMENTS

- A. Proposed amendments to the Bylaws shall be submitted in writing at a regular meeting of the Local Union upon initiation either by petition of seven (7) members in good standing, or by resolution of the Local Executive Board.
- B. The proposed amendments shall then be read at two (2) consecutive regular meetings of the membership and voted upon at the third (3rd) meeting. A two-thirds (2/3) vote of the members in good standing voting at such meeting shall be required for passage. Reasonable notice that copies of the proposed amendments are available in the offices of the Local Union and that these amendments will be voted upon at the next meeting shall be given to all members of the Local Union prior to the third (3rd) such meeting.
- C. In lieu of a reading of two (2) consecutive meetings, copies of the proposed amendment and notice of the meeting may be mailed (provision for publication) at least fifteen (15) days prior to the regular or special meeting at which the amendment will be voted upon.
- D. Amendments to these Bylaws are subject to the approval of the General President as provided in Article VI, Section 4(A) of the International Constitution.

ARTICLE 27
FISCAL YEAR

The fiscal year of this organization shall be the calendar year from January 1st to December 31st.

ARTICLE 28
BYLAWS SUBJECT TO INTERNATIONAL CONSTITUTION

These Bylaws are subject to the Constitution of the International Brotherhood of Teamsters.

ARTICLE 29

INDEMNIFICATION AND PROPRIETY OF EXPENDITURES

It is realized that the officers and members of this Union operating under restrictive and complex labor laws and actions by officers or members on behalf of the Union may subsequently lead to lawsuits against officers or members. Any officer or member shall have the right to rely upon the actions of the membership in conformity with this Constitution and the International Constitution in the authorization of expenditures, the propriety of any economic action, or the propriety of any disciplinary action against any member or officer, and all officers and members shall be indemnified to the fullest extent permitted by law, and the Union may pay for the member or officer's defense in any litigation, and reimburse or pay any judgment that may be rendered against any such officer or member. The foregoing provision of indemnification does not extend to protecting an officer against willfully dishonest acts or the specific breaches of trust mentioned in Title V of the Labor-Management Reporting and Disclosure Act of 1959. This Article is inserted because of the desire of the Union to preserve the fullest freedom of the officers and the members in the conduct of their affairs, the uncertainty in the law as to the propriety of any economic action by the courts to vitiate or render unlawful that which the officers, members or the Union at the time of the action, believed to be proper. The Union shall also have discretion to make expenditures to defend members against any oppressive act by courts, police, employers, or others. It is recognized that one of the functions of this Labor Union is to test, in court, principles of law relating to the internal affairs of labor unions or the property of economic action by the Union, and expenditures for any such purpose shall be deemed lawful and proper if approved by the Executive Board and not in clear conflict with these Bylaws or the International Constitution.

ARTICLE 30

RESERVATION OF POWERS

All powers of the union not specifically entrusted to particular officers or expressly prohibited by the International Constitution or these Bylaws are reserved to the membership, and any resolution of the membership not in conflict with law, the International Constitution or these Bylaws shall be deemed proper and valid.

ARTICLE 31

LIBERAL CONSTRUCTION; CURING OF PROCEDURAL DEFECTS

This Constitution shall be liberally construed to validate any action of the membership and the Union and, unless specifically and unequivocally in conflict with the International Constitution or these Bylaws, any action of the membership shall be deemed to be valid and any procedural defect may be cured by ratification of the membership at any subsequent meeting.

ARTICLE 32
OBLIGATION

Fellow worker, you will now take an obligation that will bind you to the International Brotherhood of Teamsters and this Local Union, and that will in no way conflict with your religious belief or your duties as a citizen.

I, _____ [state your name] _____, pledge my honor to faithfully observe the Constitution and the laws of the International Brotherhood of Teamsters and the Bylaws and laws of this Local Union.

I pledge that I will comply with all the rules and regulations for the government of the International Union and this Local Union.

I will faithfully perform all the duties assigned to me to the best of my ability and skill.

I will conduct myself at all times in a manner as not to bring reproach upon my Union.

I shall take an affirmative part in the business and activities of the Union and accept and discharge my responsibilities during any authorized strike or lockout.

I pledge not to divulge to nonmembers the private business of this Union, unless authorized to reveal the same.

I will never knowingly harm a fellow member.

I will never discriminate against a fellow worker on account of race, color, religion, sex, age, physical disability, or national origin or sexual orientation.

I will refrain from any conduct that would interfere with the Union's performance of its legal or contractual obligations.

I will at all times bear true and faithful allegiance to the International Brotherhood of Teamsters and this Local Union.

SOLANO COUNTY LAW ENFORCEMENT MANAGEMENT ASSOCIATION

December 3, 2014

Marc A. Fox
Director
Solano County Human Resources
675 Texas Street, Suite 1800
Fairfield, CA 94533

Dear Mr. Fox:

This is to advise you that it is the desire of the Solano County Law Enforcement Management Association (SCLEMA) to continue to be recognized as the employee organization representing the law enforcement managers at the Sheriff's Office, District Attorney's Office, Probation and the Welfare Fraud Department. In accordance with Article 3, Section 7 of the Solano County Employer-Employee Relations, Rules and Regulations, the following provided:

1. The name and address of the Organization

Solano County Law Enforcement Management Association (SCLEMA)
340 Travis Blvd.
Ste. 2, #158
Fairfield, CA 94533

2. SCLEMA is not affiliated with any regional, state, national or international organizations.

3. The officers of SCLEMA are:

Brad DeWall, President
Meg Nealon, Vice-President
Jeff Brackett, Secretary
Denton Autry, Treasurer
Kelley Baulwin-Johnson, Director-At-Large

4. SCLEMA has, as one of its primary purposes, representation of our members in their employer-employee relations with the County of Solano.

5. The following persons are designated by SCLEMA for receipt of notices:

SOLANO COUNTY LAW ENFORCEMENT MANAGEMENT ASSOCIATION

Brad DeWall, President
Solano County Law Enforcement Association
340 Travis Boulevard, Suite 2, #158
Fairfield, CA 94533

Jeff Brackett, Secretary
Solano County Law Enforcement Association
340 Travis Boulevard, Suite 2, #158
Fairfield, CA 94533

6. SCLEMA does not have any restrictions on membership based upon race, color, creed, national origin, sex, age, or physical or mental impairment.
7. Copies of the current Constitution and the Bylaws of SCLEMA are on file with the County of Solano.
8. The authorized representatives are:

Brad DeWall
President

Meg Nealon
Vice-President

Sincerely,



Brad DeWall
SCLEMA President



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

Agenda #: **Status:** Agenda Ready
Type: CSC-Document **Department:** Civil Service Commission
File #: CSC 15-0005 **Contact:** Marc Fox, 784-2552
Agenda date: 1/14/2015 **Final action:**
Title: Set the hearing date regarding the "community of interests" determination for a bargaining unit modification (Solano County Sheriff's Employee Association) and establish the hearing process
Governing body: Civil Service Commission
District: All
Attachments:

Date	Ver.	Action By	Action	Result
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

HUMAN RESOURCES' RECOMMENDATION:

The Director of Human Resources recommends that the Civil Service Commission schedule a Solano County Sheriff's Employee Association modification of representation units hearing for February 11, 2015 (the Commission's next regularly scheduled meeting).

SUMMARY:

On October 9, 2014, the Solano County Sheriff's Employee Association submitted a proposed bargaining unit modification to the Director of Human Resources. The association/union wishes to amend the composition of an existing collective bargaining unit (i.e., which classifications are represented by a particular association or union). Following the receipt of requested additional information, on October 30, 2014, the Director of Human Resources issued his determination that he did not find a community of interests sufficient for the requested bargaining unit modification. On December 23, 2014, the Solano County Sheriff's Employee Association submitted its appeal.

DISCUSSION:

The County's Employer-Employee Relations Rules and Regulations, Section 13, Modification of Representation Units provides that the "Civil Service Commission shall make the final determination on the appropriateness of the representation unit or units." The sole matter before the Civil Service Commission will be to determine if the classifications requested through the unit modification process have a community of interests sufficient to be moved from the current bargaining unit designation to a different bargaining unit.

The issue before the Commission is whether there is a sufficient community of interests between the classifications to be moved to the proposed bargaining unit. The actual decision regarding movement from one bargaining unit to the other bargaining unit is made by a secret ballot vote by the employees in the classifications subject to the proposed movement only.

The Director of Human Resources recommends the following hearing process:

- Staff presentation
- Appellant (or representative) presentation, limited to 20 minutes
- Comments from the public or any interested parties, limited to 3 minutes (individual) or 5 minutes (organization)
- Appellant, limited to 10 minutes
- Staff making any additional comments
- The President of the Commission may extend additional time for presentations/comments
- Discussion by the Commission; decision by the Commission
- Commission vote on the issue of whether there is a sufficient community of interest between the classifications to be moved to a new bargaining unit

ALTERNATIVES:

The Commission could schedule the hearing for a date different than February 11, 2015; however, however, this is not recommended as the Director of Human Resources anticipates a light agenda for the Commission's February 11th meeting and this is a date that should already be on each Commissioner's calendar.

The Commission could have a different hearing format; however, this is not recommended as the proposed hearing format is based on the format used for Planning Commission hearings.

OTHER AGENCY INVOLVEMENT:

None.



Solano County

675 Texas Street
Fairfield, California 94533
www.solanocounty.com

Agenda Submittal

Agenda #: **Status:** Agenda Ready
Type: CSC-Document **Department:** Civil Service Commission
File #: CSC 15-0006 **Contact:** Marc Fox, 784-2552
Agenda date: 1/14/2015 **Final action:**
Title: Set the hearing date regarding the "community of interests" determination for a bargaining unit modification (Unit 19, Executive and Senior Management, represented by Professional and Technical Engineers, Local 21) and establish the hearing process
Governing body: Civil Service Commission
District: All
Attachments:

Date	Ver.	Action By	Action	Result
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Published Notice Required? Yes ___ No X
Public Hearing Required? Yes ___ No X

HUMAN RESOURCES' RECOMMENDATION:

The Director of Human Resources recommends that the Civil Service Commission schedule a Unit 19, Executive and Senior Management modification of representation units hearing for February 14, 2015 (the Commission's next regularly scheduled meeting).

SUMMARY:

On October 14, 2014, the Professional and Technical Engineers, Local 21, submitted a proposed bargaining unit modification to the Director of Human Resources. The association/union wishes to amend the composition of an existing collective bargaining unit (i.e., which classifications are represented by a particular association or union). Following the receipt of requested additional information, on October 30, 2014, the Director of Human Resources issued his determination that he did not find a community of interests sufficient for the requested bargaining unit modification. On December 19, 2014, the Professional and Technical Engineers, Local 21, submitted its appeal.

DISCUSSION:

The County's Employer-Employee Relations Rules and Regulations, Section 13, Modification of Representation Units provides that the "Civil Service Commission shall make the final determination on the appropriateness of the representation unit or units." The sole matter before the Civil Service Commission will be to determine if the classifications requested through the unit modification process have a community of interests sufficient to be moved from the current bargaining unit designation to a different bargaining unit.

The issue before the Commission is whether there is a sufficient community of interests between the classifications to be moved to the proposed bargaining unit. The actual decision regarding movement from one bargaining unit to the other bargaining unit is made by a secret ballot vote by the employees in the classifications subject to the proposed movement only.

The Director of Human Resources recommends the following hearing process:

- Staff presentation
- Appellant (or representative) presentation, limited to 20 minutes
- Comments from the public or any interested parties, limited to 3 minutes (individual) or 5 minutes (organization)
- Appellant, limited to 10 minutes
- Staff making any additional comments
- The President of the Commission may extend additional time for presentations/comments
- Discussion by the Commission; decision by the Commission
- Commission vote on the issue of whether there is a sufficient community of interest between the classifications to be moved to a new bargaining unit

ALTERNATIVES:

The Commission could schedule the hearing for a date different than February 14, 2015; however, this is not recommended as the Director of Human Resources anticipates a light agenda for the Commission's February 14th meeting and this is a date that should already be on each Commissioner's calendar.

The Commission could have a different hearing format; however, this is not recommended as the proposed hearing format is based on the format used for Planning Commission hearings.

OTHER AGENCY INVOLVEMENT:

None.

OTHER AGENCY INVOLVEMENT:

None.

**2014 ANNUAL REPORT
OF THE
CIVIL SERVICE COMMISSION**

Submitted by
Marc Fox, Executive Secretary to the Commission

Approved by the Civil Service Commission on _____, 2015

Introduction

The Civil Service Commission is responsible for the adoption and modification of the Civil Service Rules, the creation and modification of class specifications, and the hearing of appeals resulting from disciplinary actions or allegations of discrimination. In addition, the Commission also plays a role in employer-employee relations with respect to the formation or modification of bargaining units and representation elections.

Civil Service Rule 3.04 states:

Each year, on or before February 15, a report shall be prepared and submitted to the Board of Supervisors. The report shall contain information and statistical data relating to the County employment, the personnel program and the activities of the Civil Service Commission. The report may contain recommendations for action by the Board for improvement of the County's personnel program. The Personnel Director shall prepare a draft of the annual report and place it on the agenda for consideration by the Commission. The Commission shall make such changes as are appropriate and submit the report to the Board of Supervisors.

This is the 2014 Annual Report.

Recruitment Activity

During the 2014 calendar year, the Human Resources Department received 13,457 applications for 201 recruitments. This is compared to:

- 2013 in which 15,947 applications were received for 156 recruitments
- 2012 in which 11,027 applications were received for 153 recruitments

As part of ongoing outreach efforts, the Human Resources Department participated in eleven job fairs, including events at the Travis Air Force Base, Solano Community College, Workforce Investment Board (WIB) and local schools.

Employment Activity

The total number of positions filled¹ during the 2014 calendar year was 561. This number includes 1 employee who was recalled from County layoff lists and 125 employees who promoted competitively. This is compared to:

- 2013 in which 495 positions were filled, 5 employees were recalled from layoff lists, and 77 employees promoted competitively

¹ Excludes temporary Extra Help employees.

In addition, 112 employees promoted to a higher level classification in a flexibly staffed classification. This is compared to:

- 2013 in which 90 employees were promoted in a flexibly staffed classification

Two employees (both Cooperative Extension Assistants) were laid off. (Both employees accepted positions with the University of California which, through a multi-agency agreement, assumed responsibilities for the Cooperative Extension program.) These are the only individuals who remain eligible for recall from layoff. This is compared to:

- 2013 in which 0 employees were laid off, and 21 laid off employees were on a recall list

Classifications

A number of classification reviews were conducted in 2014, resulting in recommendations regarding development of, or changes to, 15 classification specifications. Classifications reviewed resulted in the Civil Service Commission's approval of 11 new or amended classification specifications. The Director of Human Resources approved 4 new or amended classifications specifications for classifications not covered under the Civil Service. This is compared to:

- 2013 in which 22 classification specifications were approved and/or amended

Civil Service Rule Amendments

There were no amendments to the Civil Service Rules. This is compared to:

- 2013 in which there were no amendments to the Civil Service Rules

Commission Appeal Hearings

In 2014, there were no appeal hearings by the Civil Service Commission. This is compared to:

- 2013 in which there were no appeal hearings by the Commission. (Two appeal requests were made to the Commission alleging discrimination; however, the appellants later withdrew their requests for a hearing.)

Formation or Modification of Bargaining Units

In 2014, there were two requests for bargaining unit modifications . The Director of Human Resources determination was that neither request demonstrated a community of interests sufficient for the requested bargaining unit modification. Appeals have been submitted to the Civil Service Commission, which has scheduled community of interests determination hearings for early 2015.