



OSEA EUGENE CHAPTER 1

CONSTITUTION



MAY 31, 2023

OSEA
Eugene, Oregon

Template Adopted January 2016
Revised October 2018

OREGON SCHOOL EMPLOYEES ASSOCIATION
Eugene, Chapter 1

Constitution

ARTICLE I
NAME

This chapter of the Oregon School Employees Association, AFT Local 6732, shall be known as Eugene Chapter 1.

ARTICLE II
PURPOSE

The purpose of this chapter shall be to represent all employees in the bargaining unit on all matters relating to employee-employer relations, to promote an understanding and cooperative relationship with the administration of Eugene Public School District 4J, to promote the economic and social welfare of bargaining unit employees, to assist the Association in its legislative efforts, and to further the aims and purposes of all bargaining unit employees.

ARTICLE III MEMBERSHIP

There shall be no discrimination against any member or any applicant for membership in this chapter by reason of race, color, creed, sex, national origin, political affiliation, age, marital status, disability, or sexual, religious or affectional preference.

Section 1. Active Membership in Good Standing

- a) Active membership shall be effective upon the completion, dating and signing of an official OSEA membership application form and the execution of a payroll deduction of dues authorization to the Association.
- b) For the purposes of establishing voice and voting rights and eligibility to hold an elected or appointed office or position, active members shall not be deemed to be "in good standing" until the first day of the month following the month in which the payroll deduction of dues are made to the Association.
- c) Active members of this chapter must also be active members of the Association as defined in the OSEA Constitution, Article III, Section 2.
- d) Every member in good standing shall have the right to vote and hold elected or appointed office, including committees and Conference delegate positions, to meet and assemble freely with other members, and to express any views or opinions on issues before the chapter or upon candidates in elections.

Section 2. Inactive Membership

- a) Any active member granted an unpaid leave of absence greater than thirty (30) days, who is laid off and placed on a re-employment list or whose involuntary termination is pending an appeal action by the Association as appropriate shall be eligible for "inactive membership" upon monthly payments in advance by personal check or money order to the Association of full per capita and chapter dues required as an active member in effect at the time the leave, placement on a re-employment list or date of involuntary termination became effective.
- b) Members in inactive status shall have the option to remain in any elected or appointed office or position until completion of that current term as prescribed herein. Such members shall not, however, be allowed to seek re-election or hold any other elected offices or positions until the member returns to paid employment and active membership status is reinstated.
- c) Members in inactive status shall be eligible for Association representation in any matter appropriate to ensure their employment status, and the right to voice and vote in chapter and Association affairs and other benefits as are afforded active members, except as provided herein.

ARTICLE IV DUES AND ASSESSMENTS

Section 1. Dues

- a) In addition to the per capita dues of the Association, the dues of this chapter shall be twelve dollars (\$12) per month, payable by each member of the chapter through payroll deduction for each month in paid status.
- b) The chapter dues rate shall only be amended by a secret ballot two-thirds (2/3) vote of the membership present and voting at a regular or special chapter meeting in accordance with Article XVI herein.
- c) Association per capita dues shall be determined by the elected delegates at the OSEA Annual Conference.

Section 2. Assessments

- a) No assessments shall be levied in this chapter other than those approved by three-fourths (3/4) of the chapter members in good standing present and voting at a regular or special chapter meeting by secret ballot, provided each member of this chapter has been notified in writing at least fifteen (15) days in advance of the nature of the proposal and the time, date and location where the matter will be voted upon.
- b) Any assessment or obligation levied by the Association shall be added to the dues established herein and shall be forwarded monthly to the Association.

ARTICLE V OFFICERS

Section 1. Elected Officers

The elected officers of this chapter shall be President, Vice President, Secretary, Treasurer and Area Representatives. All elected officers will be required to complete the current OSEA Worksite Organizer Training, OSEA Steward Training and OSEA Chapter Leadership Training within six (6) months of election or appointment to office.

Section 2. Duties of Officers and Past Presidents

- a) **The President shall:** Be the official spokesperson between the chapter and the employer; preside at all meetings of the chapter and Executive Board; fix the time, place and date of meetings, except as otherwise provided herein or as directed by the membership; set the agenda for the chapter meetings; ensure notice is provided to each member as to the time, date and location of each chapter meeting, which shall include the agenda for such meeting; appoint all committees with the advice and consent of the Executive Board; serve as ex-officio member of all committees except the Elections Committee; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of President.
- b) **The Vice President shall:** Perform all duties of the President in the event of the President's absence; perform all duties as assigned by the President or Executive Board; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of Vice President.
- c) **The Secretary shall:** Keep accurate records and minutes of all meetings of the chapter and Executive Board, including an accurate roll of members and officers in attendance; provide notice to each member as to the time, date and location of each chapter meeting, which shall include the agenda for such meeting; answer all correspondence of the chapter as directed; turn over all documents and records pertaining to the office to his/her successor; other such duties as pertain to the office of Secretary.
- d) **The Treasurer shall:** Keep all funds of the chapter and disperse same under the direction of the Executive Board and as required by the Constitution of this chapter and the Constitution and written policies of this Association; keep accurate records and render monthly financial reports to the membership; assist the Executive Board in the preparation of the chapter's annual budget; turn over all documents and records pertaining to the office to his/her successor; and other such duties as pertain to the office of Treasurer.
- e) **The Area Representatives shall:** Include eight (8) Area Representatives (Sheldon, North, Churchill, South, Transportation, Facilities Management, Ed. Center, and an Area Representative at Large). Monitor and report employer actions that relate to contract administration and enforcement, workplace safety or those which are subject to bargaining. Ensure any emerging representational needs and notes are conveyed to the Chapter President and OSEA field representative immediately; Participate in bargaining successor contracts. Attend school board and budget meetings on a rotating basis. As

assigned by the Chapter President. Monitoring standing and ad hoc committee activities and progress; organize around issues and participate in membership drives activities; establish a program to welcome new employees within their first thirty (30) days; and perform other requested duties.

- f) **The Past President shall:** Serve on the Executive Board in an advisory capacity only without voting rights as a member of the board; and perform other duties as may be assigned by the President and/or the Executive Board.

ARTICLE VI EXECUTIVE BOARD

The elected officers along with the Immediate Past President, shall constitute the Executive Board of the chapter. The Executive Board shall have general supervision of the affairs of this chapter and shall transact the routine business as authorized and required herein. The Executive Board, however, shall not conduct any business that would require a vote of the membership.

The Past President shall: Serve on the Executive Board in an advisory capacity only without voting rights as a member of the board; and perform other duties as may be assigned by the President and/or the Executive Board.

ARTICLE VII TERM OF OFFICE AND ELECTION PROCEDURES

Section 1. Term of Office

- a) Term of office for President, Vice President, Secretary, Treasurer, and Area Representatives, shall be for two (2) years or until their successors are elected. Officers elected shall assume their duties on July 1st, regardless of the date of the installation ceremony.
- b) Chapter President Release Time: The Chapter President shall be provided a full-time or part-time time release to conduct the business of the chapter. While the Chapter President is on time release from their regular District position, the District in accordance with provisions of the collective bargaining agreement shall continue to provide for their seniority, classification, time block and job placement rights. The District will bill the Chapter for the cost of all payroll, benefits and other employer expenses on a monthly basis and the Chapter shall disburse funds to reimburse the District in a timely manner.
- c) The Past President shall serve until replaced by the next succeeding Past President, who has completed his/her term of office as President.

Section 2. Eligibility to Hold Office

Officers shall be elected from among the active members of this chapter who are in good standing. All candidates for offices listed must, at the time of their nomination, have been a member of Chapter 1 for at least one (1) year and must have attended at least three (3) Chapter meetings during the school year in which the nomination occurs and/or have actively served on committees or in other capacities in the Chapter, or a combination of both which provides indication of positive activity.

Section 3. Nomination to Office

- a) Nominations to fill the officer positions shall be accepted from the floor at the February and March chapter meetings. The Area Representatives for Sheldon, South, Transportation and Facilities Management shall be nominated in odd numbered years and Churchill, North, Ed Center and At-Large, shall be nominated in even numbered years. Only members in good standing may nominate candidates. If no Area Representative is nominated, the President shall appoint, with the advice and consent of the Executive Board, a qualified person to fill the office.
- b) Not less than fifteen (15) calendar days prior to the February chapter meeting, a notice of the pending nominations and election shall be sent to each member in good standing. The notice shall include the times, dates and locations for nominations and balloting and all other procedural instructions relating to the conduct of the nominations and election.

Section 4. Elections

- a) Nominations shall be closed at the March chapter meeting. In the event there is only one (1) nominee for an office, the nominee shall be declared elected, and no balloting shall be required.
- b) When there is more than one (1) nominee for an office, balloting shall be conducted at the April chapter meeting. Election shall be by secret ballot vote. The Elections Committee shall have the responsibility for the conduct of the election. No nominated candidate shall be appointed to the Elections Committee.
- c) The Elections Committee will validate and tabulate all ballots at the April chapter meeting. The chairperson of the Elections Committee will notify the membership of the results of the balloting at said meeting.
- d) It shall require a majority of votes cast for the office to be considered duly elected. Absentee and proxy votes shall not be allowed. In the event no candidate receives a majority of votes cast, a runoff election shall be conducted between the two (2) candidates receiving the most votes on the first ballot until one (1) candidate receives a majority.
- e) All ballots, tally sheets, notices, check-off lists and other election materials shall be kept on file for at least one (1) year after the election.
- f) All officer election requirements and procedures shall be in accordance with OSEA State Board Policy.
- g) Electronic Voting

The Chapter may conduct a vote on any matter by electronic means as long as electronic voting on the matter is not specifically prohibited by the OSEA Constitution or the chapter's local operating procedures. All electronic voting must comply with any applicable requirements of the Labor-Management Reporting and Disclosure Act (LMRDA).

ARTICLE VIII FILLING OF VACANCIES AND REMOVAL FROM OFFICE

Section 1. Filling of Vacancies

- a) A vacancy in the office of President shall be filled by the Vice President.
- b) For vacancies in the offices of Vice President, Secretary, Treasurer, or Area Representatives, the Executive Board shall notify the membership in writing at least fifteen (15) days in advance of a designated chapter meeting of a special election to be held at said meeting. Such notice shall include the date, time and location of the meeting.
- c) At the designated chapter meeting, nominations shall be accepted from the floor to fill the vacant office. If there is only one (1) nominee for the vacant office, such nominee shall be declared elected. If the office is contested, a secret ballot vote of members present shall be conducted. It shall require a majority vote to elect. In the event no candidate receives a majority of votes cast, a runoff election shall be conducted between the two (2) candidates receiving the most votes on the first ballot until one (1) candidate receives a majority.
- d) If an officer vacancy occurs during the last three (3) months of a term, the office may remain vacant for the remainder of the term, except for the office of President.
- e) If the Executive Board is unable to fill a vacancy using the process set forth above, the Executive Board may appoint a member in good standing to fill the vacancy. Prior to attending the Annual Conference, any member in good standing who is appointed to fill a vacancy on the Executive Board must be elected as a delegate or credentialed as an alternate delegate pursuant to the chapters local operating procedures, the constitution, and written policies of the association.

Section 2. Recall or Removal from Office

- a) Any elected officer may be recalled from office upon two-thirds (2/3) secret ballot vote of the members in good standing present and voting at a meeting called for the purpose of a recall action.
- b) Recall may only be initiated by a signed petition of thirty percent (30%) of the members in good standing. The petition shall state the specific reasons for the proposed recall and shall be presented to the Executive Board and the officer subject to the recall action.
- c) Upon receipt of the petition, the Executive Board shall schedule a special meeting to be held not less than fifteen (15) days or more than thirty (30) days following its receipt where the charged officer shall be afforded opportunity to rebut the charges and the secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to members of the Executive Board, members in good standing of the chapter, representatives of the Association and such witnesses as may be pertinent to the action.
- d) A notice specifying the date, time and location of the special meeting shall be issued to those eligible for attendance at least ten (10) days in advance of the meeting.

- e) If the President has been removed from office as a result of a recall action, he/she shall automatically forfeit the position of Past President.
- f) Elections to fill a vacancy as a result of a recall action shall be held in accordance with Section 1 above.

ARTICLE IX MEETINGS AND QUORUM

Section 1. Regular Meetings

Monthly meetings of the chapter shall be held during the months of September through June inclusive. The schedule of such meetings shall be established in June each year for the succeeding twelve-(12-) month period and such schedule shall be provided to the membership. During any months that regular meetings are held, the chapter Executive Board shall meet at least once to conduct any business not requiring a vote of the membership.

Established meeting dates under this section may be changed by the Executive Board with not less than forty-eight (48) hours' notice to the membership.

Section 2. Special Meetings

Special meetings of the chapter may be called by the President or Executive Board as deemed necessary or shall be called upon petition to the President of twenty percent (20%) of the members in good standing.

Section 3. Meeting Notice

- a) Unless otherwise provided herein, notice of a regular or special meeting shall be provided to the membership at least five (5) days in advance of said meeting. The notice shall include the date, time and location (virtual link provided on request), of the meeting, as well as the agenda or a summary of the business to be acted upon at the meeting.
- b) In an emergency situation as determined by the Executive Board, notice of a special meeting may be provided to the membership less than five (5) days but not less than twenty-four (24) hours in advance.
- c) Issues brought forward not specified in a special meeting notice shall not be in order.

Section 4. Quorum

It shall require at least five (5) members in good standing in attendance at any regular or special meeting for business to be acted upon.

Section 5. Executive Board Meetings

The Executive Board may conduct executive meetings on an as needed basis; however, it shall not take any action that would require a vote of the membership. Three (3) officers present at any Executive Board meeting shall constitute a quorum. The President must notify all Executive Board members at least forty-eight (48) hours prior to an Executive Board meeting.

Section 6. Electronic Voting

The Chapter may conduct a vote on any matter by electronic means as long as electronic voting on the matter is not specifically prohibited by the OSEA Constitution or the chapter's local operating procedures.

All electronic voting must comply with any applicable requirements of the Labor-Management Reporting and Disclosure Act (LMRDA).

ARTICLE X COMMITTEES

Section 1. Standing Committees

The standing committees of this chapter shall be: Labor-Management, Government Relations, Elections, Membership and Negotiations. The duties of each standing committee are as follows:

- a) **The Labor-Management Committee shall:** Consist of the President and the assigned OSEA field representative. Attempt to resolve matters concerning bargaining unit employee issues through problem-solving techniques. Handle all issues concerning bargaining unit members excluding individual disciplinary issues, active grievance actions or issues subject to bargaining. If a member of the committee has a conflict of interest on any issue being considered, that member will be excluded from discussion/resolution on that issue.
- b) **The Government Relations Committee shall:** Promote the political and legislative agenda and interests of the chapter as determined by the chapter membership and directed by the President and Executive Board. Coordinate with the OSEA government relations office on matters related to local, state and federal government relations programs and activities. Report on chapter government relations activities to the chapter membership, the President, and the Executive Board.
- c) **The Elections Committee shall:** Conduct, supervise and assist in the preparation, distribution, and counting of the ballots in all elections and contract ratifications and certify the results to the Executive Board and the chapter membership. Ensure that all election procedures are conducted in accordance with the OSEA Constitution and Board Policy.
- d) **The Membership Committee shall:** Consist of the worksite organizer coordinator and worksite organizers. Work with the assigned OSEA organizer and field representative on local chapter membership drives. Promote the OSEA Membership Incentive Program (MIP) and develop local membership incentive programs with the advice and consent of the Executive Board. Report on membership organizing activities to the chapter membership, Executive Board and appropriate OSEA staff.
- e) **The Negotiations Committee shall:** Consist of at least one (1) representative from each classification, whenever possible, the Executive Board and the OSEA field representative, who shall be a non-voting member. Review the current contract and gather information from members to assist in the development of an initial proposal. Develop an initial bargaining proposal. Negotiate the contract and any modifications thereof, including re-openers and memorandums of understanding/agreement. Ensure any tentative agreements reached are voted upon by the membership in accordance with Article XIV of this Constitution.

Section 2. Special Committees

Special committees (including but not limited to: Scholarship, Joint Benefits, Sick Leave Bank, Pay Grade Evaluation, Safety, Nutrition Services, Sunshine) may be appointed as deemed necessary by the Executive Board or the membership to perform a specific task and shall be considered temporary in nature. The composition and duties of these committees shall be identified by the Executive Board at the time of appointment.

Section 3. Appointment

The President, with the advice and consent of the Executive Board, shall appoint all standing and special committees, except as provided herein.

Section 4. Term

Unless otherwise provided herein, the term of service for all committees shall be from appointment through completion of its work.

Section 5. Quorum

A majority of committee members present at any committee meeting shall constitute a quorum. The committee chairperson must notify all committee members at least forty-eight (48) hours prior to a committee meeting.

ARTICLE XI WORKSITE ORGANIZERS JOB STEWARDS

Section 1. Worksite Organizers

- a) Each building or department shall have at least one (1) worksite organizer appointed by the President with the advice and consent of the Executive Board, given the employees at his/her worksite sustain the appointment.
- b) **The worksite organizer shall:** Welcome new employees; encourage new employees and non-members to become members; post and distribute information; provide union information to members; refer members to chapter and OSEA resources; help chart and update basic employee data annually and provide same to chapter leadership and OSEA staff; regularly communicate with chapter leadership and OSEA staff about issues at the worksite; attend chapter meetings; attend required trainings; serve on the Membership Committee.

Section 2. Job Stewards

- a) Job stewards shall be appointed by the President with the advice and consent of the Executive Board. To be eligible for appointment, a member must successfully complete the basic steward training conducted by OSEA.
- b) **The job steward shall:** Ensure employer compliance with the collective bargaining agreement; investigate employee complaints and grievances; represent employees at investigatory meetings; represent employees at the informal and first formal stages of the grievance procedure, at a minimum; provide detailed reports to the Executive Board and field representative on their activities; work in conjunction with the field representative; attend chapter meetings; attend job steward meetings; attend required trainings.

ARTICLE XII ANNUAL CONFERENCE

Section 1. Eligibility

Conference delegates and alternates shall be elected from among the active members of this chapter who are in good standing. The number of delegates authorized by the chapter is based on the maximum allowed pursuant to Article XIII of the OSEA Constitution. The Executive Board shall determine the actual number of delegate positions to be filled based on available funding and resources. The Executive Board are eligible to be automatic delegates for the OSEA Annual State Conference each year. In the event that the number of Executive Board members exceeds the allowed number of delegates, the Area Representatives will rotate based on their respective election years. Odd numbered years for Areas: Sheldon, South, Transportation and Facilities Management. Even numbered years for Churchill, North, Ed Center and the At-Large position. All Area Representatives are eligible to attend the OSEA State Conference as an alternate(s) in the event there is an unexpected absence of another Delegate. Any remaining Delegate seats will be determined by nomination and elected from among the active members of this chapter who are in good standing.

Section 2. Nominations

- a) Nominations to fill Conference delegate positions shall be accepted from the floor at the February and March chapter meetings. Only members in good standing may nominate candidates.
- b) Not less than fifteen (15) days prior to the February chapter meeting, a notice of the pending nominations and election shall be sent to each member in good standing. The notice shall include the times, dates and locations (virtual link provided on request), for nominations and balloting and all other procedural instructions relating to the conduct of the nominations and election.

Section 3. Elections

- a) Nominations shall be closed at the March chapter meeting. In the event the number of nominees equals or is less than the number of authorized Conference delegate positions, the nominees shall be declared elected, and no balloting shall be required.
- b) When there are more nominees for Conference delegates than there are available positions, balloting shall be conducted at the March chapter meeting. The election shall be by secret ballot vote. The Elections Committee shall have the responsibility for the conduct of the election. No nominated candidate shall be appointed to the Elections Committee.
- c) The Elections Committee will validate and tabulate all ballots at the March chapter meeting. The chairperson of the Elections Committee will notify the membership of the results of the balloting at said meeting.
- d) It shall require a plurality of votes cast for delegate positions to be considered duly elected. Absentee and proxy votes shall not be allowed. In the event of a tie vote, the election shall be determined by lot.

- e) Members not elected as delegates shall be designated as alternates and ranked in descending order based on the number of votes received. Alternates will be called upon to fill vacant delegate positions based on their ranking.
- f) All ballots, tally sheets, notices, check-off lists, and other election materials shall be kept on file for at least one (1) year after the election.
- g) All delegate election requirements and procedures shall be in accordance with OSEA Board Policy.

ARTICLE XIII CONTROL OF FUNDS

Section 1. Fiscal Year

The fiscal year of this chapter shall be from June 1 through May 31.

Section 2. Receipt and Distribution of Funds

All funds received shall be deposited in the name of Eugene Chapter 1, OSEA, in such a bank or other financial institution designated by the OSEA Board of Directors. Funds shall be disbursed by check authorized by the Treasurer and the President or Vice President. All expenses must be documented and include: Who incurred the expense, the business purpose of the expense, where the expense was incurred, when the expense was incurred, The nature of the expense (for example, meals, transportation, etc.). The President shall be reimbursed to cover mileage costs at IRS rates and (if a phone is not provided) cell phone costs. In the event of a vacancy in the office of Treasurer, funds shall only be disbursed upon the signature of the President and Vice President.

Section 3. Chapter President Time Release

The Chapter President shall be provided a full-time or part-time time release to conduct the business of the chapter. While the Chapter President is on time release from their regular District position, the District in accordance with provisions of the collective bargaining agreement shall continue to provide for their seniority, classification, time block and job placement rights. The District will bill the Chapter for the cost of all payroll, benefits and other employer expenses on a monthly basis and the Chapter shall disburse funds to reimburse the District in a timely manner.

Section 4. Officer Incentives

Chapter 1 officers will be paid the following as an incentive payment, for each month of service, which will be paid out quarterly in September, December, March, and June. President - \$60, Vice-President - \$55, Treasurer - \$50, Secretary - \$50, and Immediate Past President - \$50.

Section 5. Annual Budget

The Executive Board shall prepare an annual budget for approval by the chapter membership prior to the end of each fiscal year, which shall include itemized estimated revenue and expenditures and amounts to be set aside, when possible, as reserve funds. Any expenditure not itemized in the adopted chapter budget shall require membership approval. Such approval shall be noted in the minutes of the chapter meeting where the approval was granted.

Section 6. Audit of Chapter Financial Records

The Association's executive director may require an immediate audit of the books and records of the chapter in the interest of protecting chapter and/or Association funds or assets or to ensure proper financial disclosure and reporting as is required of an exclusive representative under applicable law. Such an audit

may be made by the executive director, or his/her designee, and the chapter shall make available all records necessary to permit a total review of financial activity for the period required.

Section 7. Required Reports

The Treasurer shall be required to maintain financial records of revenue and expenditures and to render a report to the membership at any regular chapter meeting, signed by both the President and Treasurer.

The Executive Board shall ensure that any financial reports required by the Association shall be completed and submitted in a timely manner.

Section 8. Fund Solicitation

No funds shall be solicited in the name of this chapter without authorization of the Chapter's Executive Board.

ARTICLE XIV COLLECTIVE BARGAINING

Procedures governing collective bargaining and ratification voting shall be in accordance with Article V of the OSEA Constitution and OSEA Board Policy 423.

Section 1. Initial Proposal

When negotiating a full contract, re-opener or other modifications to an existing contract, the Negotiations Committee shall survey the membership for its recommendations when developing the initial proposal.

Section 2. Negotiated Agreements

- a) Every full contract, re-opener or other modifications to an existing contract, including memorandums of agreement/understanding (MOA/MOU) or side letters of agreement, shall be executed by both a chapter representative(s) and an Association representative.
- b) No chapter shall enter into any collective bargaining agreement, or any modification(s) thereof, or take a formal ratification vote until the tentative agreement has been reviewed for legal compliance by the assigned field representative and/or the director of field operations.
- c) Pursuant to OSEA Board Policy 423, the following shall not be subject to or require a ratification vote:
 - 1) Settlement agreements resulting from grievance procedures, unfair labor practice charges, Employment Relations Board (ERB) proceedings or National Labor Relations Board (NLRB) determinations unless they would have a generalized effect on the bargaining unit as determined by the director of field operations.
 - 2) Individual employee severance agreements.
 - 3) Individual reclassifications or the creation of new positions when they:
 - (a) are accomplished utilizing reclassification procedures contained within the collective bargaining agreement,
 - (b) are submitted as part of an initial or re-opener proposal, or
 - (c) are accomplished with the assistance and/or approval of the assigned field representative.
 - 4) Any changes to a collective bargaining agreement required as a result of a ruling by any court of competent jurisdiction, by statute or constitutional amendment or by ruling of the Employment Relations Board (ERB).
- d) Any term extension or "roll-over" setting a new term of any collective bargaining agreement shall require membership ratification in accordance with provisions set forth herein.

Section 3. Ratification Procedures

- a) When the Negotiations Team has reached a tentative agreement with the employer, it shall, prior to submitting the tentative agreement to the membership for ratification, submit one (1) copy to the director of field operations and one (1) copy to the assigned field representative if the field representative was not a participant in the negotiations, to determine whether the Agreement is in compliance with applicable state or federal law and/or OSEA's Constitution and/or written policies. If the review identifies non-compliance issues, the director shall provide the chapter with required changes to bring the tentative agreement into compliance prior to ratification.
- b) After return of the compliance review, the President shall schedule a meeting of all bargaining unit employees where the leadership, Negotiations Committee/Team and/or the field representative shall outline all provisions of the tentative agreement and provide opportunity for discussion, debate, answering of questions and subsequent voting. Copies of the tentative agreement shall be provided to all employees in attendance at the informational meeting. For those employees unable to attend the informational meeting, a copy of the tentative agreement shall be mailed/mailed to the employees upon request.
 - 1) The meeting notice shall itemize the date, time and location of the meeting and shall be sent to all bargaining unit employees not less than five (5) working days prior to the meeting date. A copy or summary of the tentative agreement shall be issued with the meeting notice.

Exception: The OSEA executive director may approve a notice period of less than five (5) working days but not less than forty-eight (48) hours upon request by the Executive Board.
 - 2) The meeting shall be open to all employees of the bargaining unit whether they are OSEA members or not. Non-members in attendance shall be granted the right to participate in the discussion and debate. They shall not, however, have the right to make motions or vote.

Section 4. Ratification Voting

- a) The ratification vote shall be by written secret ballot conducted in accordance with provisions set forth in the chapter Constitution and/or Bylaws, which shall be consistent with Association policies and procedures.
- b) No voting shall occur until the discussion/debate period has begun as prescribed in Section 3b.
- c) The Elections Committee shall have the responsibility for the conduct of the ratification balloting.
- d) At least two (2) members of the Elections Committee shall be designated as tellers to conduct the balloting process. Tellers shall verify OSEA membership in good standing and members shall sign or initial for receipt of their ballot on the membership list provided by the Treasurer, Secretary, or field representative. All ballots shall be deposited in a closed and secure ballot box/envelope.
- e) Ballots shall not be signed, initialed, or numbered in any manner as to reveal the identity of the member voting.

- f) Employees who are not OSEA members in good standing of the chapter shall not be allowed to vote.
- g) Absentee or proxy voting is prohibited.
- h) It shall require a majority of votes cast in the affirmative for ratification. The chair of the Negotiations Committee will notify the membership and the employer of the results of the balloting.
- i) Ratification voting may be conducted by electronic means if not specifically prohibited by the OSEA Constitution, the chapter's local operating procedures or the Association's policies. All electronic voting must comply with any applicable requirements of the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 5. Executed Agreement

- a) Every collective bargaining agreement, including re-openers and other modifications to an existing contract, shall be signed, and dated by the appropriate representative(s) of the chapter and a staff representative of the Association. No contract/re-opener shall be valid unless ratified by the membership in accordance with provisions set forth herein and OSEA Board Policy.
- b) Upon ratification and signature by the employer, the chapter shall ensure the OSEA State Office, the assigned field representative and each bargaining unit employee is promptly provided a copy of the signed and dated agreement either in printed or electronic form.

ARTICLE XV
PARLIAMENTARY AUTHORITY

Except as provided by the Constitution of this chapter, *Robert's Rules of Order, Newly Revised* shall govern all proceedings of this chapter and committees.

ARTICLE XVI AMENDMENTS

Section 1. Motion to Amend – First Reading

A motion to amend the Constitution of this chapter may be made by any member in good standing at any regular or special meeting of the chapter, provided that the proposed amendment is submitted in writing. This submission shall constitute the first (1st) reading.

Section 2. Notice of Proposed Amendment and Action – Second Reading

- a) The President shall cause the proposed amendment to be placed on the agenda of the next regular chapter meeting, which shall be no less than twenty-one (21) days after the first reading, where the proposed amendment shall be read a second (2nd) time and acted upon.
- b) Written notification of the proposed amendment, including the date, time, and location of the meeting, as well as the complete text of the proposed changes, shall be provided to all members in good standing not less than fifteen (15) days prior to the meeting.

Section 3. Adoption

Two-thirds (2/3) of eligible members present and voting shall be required to adopt the proposed amendment. Any amendment or revision which includes any change in the chapter dues rate/structure or assessments shall require a secret ballot vote.

Section 4. State Association Review

All amendments and/or revisions to the Constitution shall be submitted to the OSEA executive director for review within ten (10) days following their adoption. Such amendments and/or revisions shall include the date of the revision/adoption. The executive director shall determine that the technical composition of the amendments and/or revisions is in compliance with the OSEA Constitution and/or Board Policy and the requirements of the law. The amendments and/or revisions shall not be in full force and effect until final approval of the Association.