

CONSTITUTION  
FOR  
ORANGE COUNTY ELIGIBILITY WORKERS  
LOCAL 2076

ARTICLE I  
NAME

The name of this organization shall be Orange County Eligibility Workers Local Number 2076 of the American Federation of State, County and Municipal Employees, AFL-CIO.

ARTICLE II  
AFFILIATIONS

This local union shall be affiliated with California District Council 36 of the American Federation of State, County and Municipal Employees; the California Labor Federation, AFL-CIO; and the Orange County Central Labor Council, AFL-CIO.

ARTICLE III  
OBJECTIVES

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

ARTICLE IV  
MEMBERSHIP AND DUES

Section 1. All eligibility workers of Orange County, California Department of Social Services are eligible for membership in this local union, subject to the requirements of the Constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The monthly membership dues of the local shall be one percent (1%) of the gross monthly county salary, at step twelve (12).

Section 4. Membership dues shall be payable monthly in advance to the local secretary-treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages or upon payment of a reinstatement fee of twenty-five dollars (\$25) plus the current month's dues.

ARTICLE V  
MEETINGS

Section 1. Regular meetings of this local shall be held in the odd-number months, at a time and place to be fixed by the membership or the local executive board.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by ten members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President.

Section 3. Any meetings of this local requires a 24 hour advance notice to the membership; such notice may be posted on the union bulletin boards at the major sites, and, if possible, by distribution of a flyer or newsletter at these sites.

Section 4. The quorum for meetings of this local shall be ten (10) members in good standing.

ARTICLE VI  
OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. The officers of this local shall be a president, a vice-president, a recording secretary, a secretary-treasurer, and three executive board members, and these seven shall constitute the local union executive board. In addition, there shall be elected three members who shall serve as trustees. The trustees shall be elected to three-year terms of office, except that in the initial election, one shall be elected for a one-year term, one for a two-year term, and one for a three-year term. All other officers shall be elected for a term of two years in the even-numbered years. However, in February, 1994, an election shall be held for special terms of eight months to expire October, 1994. Thereafter, elections shall be held for two-year terms in the even-numbered years.

Section 2. Nominations shall be made at a regular or special meeting of the local. At least fifteen days' advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. Write-in votes shall not be valid. All regular elections shall be held in the month of October and ballots shall be cast by use of mail-in ballots.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held in this local; provided, however, that no retired member shall be a candidate for office. For a member who is transferred or promoted into this local from another AFSCME local, this requirement shall be satisfied if such member's combined membership in good standing in both locals is one year at the time of election.

Section 4. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. At least fifteen days' advance notice shall be given the membership prior to the holding of the election.

Section 5. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 6. After adequate notice has been given to the membership, vacancies in office shall be filled for the remainder of the unexpired term by nomination and majority vote of the membership at a regularly scheduled meeting.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

ARTICLE VII  
DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section 1. The president shall:

- a. preside at all meetings of the local union and of the executive board.
- b. be a member of all committees except election committees.
- c. countersign all checks drawn against the funds of the local.
- d. appoint all standing committees and all special committees of the local, subject to the approval of the executive board.
- e. report periodically to the membership regarding the progress and standing of the local and regarding the president's official acts.
- f. appoint the chief steward subject to the approval of the executive board.

Section 2. The vice-president shall:

- a. assist the president in the work of the president's office.
- b. in the absence of the president or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- c. upon approval by the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.

Section 3. The recording secretary shall:

- a. keep a record of the proceedings of all membership meetings and of all executive board meetings.
- b. carry on the official correspondence of the local, except as the executive board may direct otherwise.
- c. provide each executive board member with a copy of the minutes of the executive board and membership meetings prior to the next meeting.
- d. perform such other duties as the executive board may require.

Section 4. The secretary-treasurer shall:

- a. receive and receipt for all monies of the local union.
- b. deposit all money so received in the name of the local union in a bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer.
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board.
- d. prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer.
- e. keep an accurate record of receipts and disbursements and shall, once each month, submit to the membership a monthly operating statement of the financial transactions of the local for the previous month.
- f. act as custodian of all properties of the local union.
- g. give a surety bond for an amount to be fixed by the executive board of the local union, at the expense of the local union and through the International Union.
- h. see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution.
- i. be responsible for adjustment of withholding authorizations to maintain membership dues at the authorized level.

Section 5. The trustees shall make or cause to be made at least bi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of such local, and shall report to the membership on the results of such audit.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

Section 7. Any issues to be decided or actions requiring a vote by the executive board shall be decided by a majority vote of the executive board. The vote shall be taken at a duly called meeting. The quorum for such meeting shall be four executive board members.

ARTICLE VIII  
MISCELLANEOUS PROVISIONS

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

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever.

No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

Section 3. No officer, member, or group of members may represent views or positions as those of the local union at any forum, including other bodies of AFSCME, unless authorized to do so by the majority of a membership meeting or of the executive board.

Section 4. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with the constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

ARTICLE IX  
AMENDMENTS

This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. Proposed amendments to this constitution must be read at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.

Tentative agreements between the union local and management shall be subject to ratification. Only union members in good standing and in the bargaining unit shall be allowed to vote on matters concerning local issues.

APPROVED BY:



GERALD W. McENTEE  
International President

7/29/98  
Date