

FPSU, SEIU Committee on the Future

November 7-8, 2009

West Palm Beach, FL

Minutes

Attendance:

Committee Members: Angela Aikens, Andre Allen, Jerry Blout, Sherrie Colgain, Dennis Davis, Freda Exum, Lovie Fulse, John Henkle, Liza Jacobs, Robin Kirkpatrick, Richard MacDonald, John McGibbon, Martha Mateen, Gene Phillips, Raymond Rawls, Sonya Roundtree, Robin Turner, Theo Webster.

FPSU Member Observers:

Lynette Gibbs, Donald Graham, Cheryl Lewis-Hamilton

FPSU Staff: Caitlin Fishman, Rick Smith, Frank Sosa, Van Church

Guests: Barbara Casey, Paul Krisell

Facilitators: Pat Thomas, Alphonso Mayfield

Note taker: Katie Roberson-Young

Goals:

- To finalize and adopt our governance article
- To understand union election process and adopt our election article
- To determine categories of membership and adopt a category of membership article
- To understand the importance of sufficient revenue to carry out our mission and decide on a dues structure and adopt an article on revenue
- To determine chapter purpose and structure

Saturday, November 7

I. Initial Matters

- a. Opening/Goals/Review of Agenda – Alphonso
- b. Quick Quiz: Sonia, Liza and Rawls
- c. Review of Ground Rules – Alphonso
- d. Review of Parliamentary Procedure – Pat

- e. Review: Minutes & Article language adopted on 10/24/09 (Officer Titles, Officer Duties, E-Board duties)

Amendments to minutes:

- Mac corrected spelling of his name.
- P. 2 “John made a motion” – which John? Specify last names
- Sherrie raised point of order regarding observers voting.
- Mac wants to add website for SEIU ethics policy

10/24/09 Minutes with amendments adopted unanimously.

- f. Review: FPSU Constitution & Bylaws – What is done/what’s left to do - Pat
- g. Review and Adopt: Executive Board Composition – Caitlin

Language based on adopted proposals from 10/24/09:

Based on Committee’s decisions on 10/24/09, E-board will have 19 member representative seats.

Section (3) Executive Board Composition

(A) The Board shall consist of the elected Union Officers (President, Vice President for Operations, Vice President for Finance, Vice President for Organizing, Vice President for Member Strength, and Vice President for Political Strength) and elected member representatives, as described below. Each member of the Board shall have one vote.

(B) Member representatives shall be elected to the Board based on consideration of geographic region, type of unit employer, size of unit, and union density in unit, as follows:

a. The Union shall be divided into four geographic regions: North, East, West, and Central. Each region shall be entitled to up to three (3) representative seats on the Board, based on the presence of the three following types of unit employer: (a) school districts, (b) municipalities, and (c) other.

i. In each region, members employed by school districts shall elect one school district representative for their region; municipal employee members shall elect one municipal representative for their region; and members whose employers are neither municipalities nor school districts shall elect one other representative for their region.

ii. In regions where one or more type of unit employer is absent, there will be no regional representative for that type of unit employer.

iii. Regions will be determined as follows:

a. The North region will consist of all units in Duval County.

b. The Eastern Region will consist of all units in Palm Beach and Glades Counties.

- c. The Central Region will consist of all units in Orange and Lake Counties.
- d. The Western Region will consist of all units in Hillsborough, Pinellas, and Manatee Counties.
- iv. In the event that a new unit is established outside the counties described above, the Executive Board shall exercise its authority to place the new unit within an existing region.
- b. An employer unit with 500 or more members is entitled to one (1) additional representative for every 500 members, to be elected by members in that unit.
- c. An employer unit whose collective bargaining agreement covers fifty-one (51) or more employees shall be entitled to one (1) additional representative seat, to be elected by members in that unit, if at least forty-five percent (45%) of the unit employees are Union members. An employer unit whose collective bargaining agreement covers fifty (50) or fewer employees shall be entitled to one (1) additional representative seat, to be elected by members in that unit, if at least fifty percent (50%) of the unit employees are Union members.
- d. In the event that no one is elected to fill an available representative seat, that seat shall be eliminated for the following term of the Executive Board.

Questions: about d, will seat be reinstated for next election? Yes.
 E-board decides where newly organized units fit in (e.g. if new unit is not in one the counties listed, or straddles a region.)

E-board composition language adopted unanimously by committee on 10/24/09

II. Governance
a. Membership Authority

Proposed language for supreme governing authority for union:

Section (1) – Supreme Authority

The membership body is the supreme body of the Local Union. It has the authority to adopt and amend the Constitution and Bylaws, elect the Executive Board, set dues, vote on contracts and elect negotiating teams, as well as affect decision-making as set forth in this Constitution and Bylaws. The Local Union shall hold a statewide general membership meeting no less than once every three years, as set by the Executive Board.

Unanimously adopted by committee 11/7/09.

III. Elections (Pat)

Common questions about elections:

- Who can run?
- What positions can you be elected to?
- When is the election?
- Where does the election take place?
- How long are terms of office?
- Who can vote?
- Where/how do you vote?
- What are we voting for?
- Why are there so many different offices?
- Who conducts the election? Counts the votes?
- How do we know its fair?

The purpose of the Elections Article in C&B is to answer basic questions.

Small group discussion of 5 questions that should be answered by Elections Article:

1. How/where do members get nominated for office?
You can nominate yourself or another member at the statewide general meeting, or you can nominate yourself or another member by mail.
 - a. How/where do they get elected?
Mail ballots are sent to all regular members.

Comments from group 1 (John Henkle, Martha, Liza, Cheryl)

- when do mail nominations need to be received by union? By midnight on day of meeting?
- “last known address”, members should have responsibility to keep union updated of current address
- Union should announce results of election within 30 days on website. When will candidates know result?
- Recommend proposed language Section (4), with grammatical edit in election procedure Section (4)b → “sent out” should be “sent”

Other concerns from full committee:

- every office should be voted for, even if only one person is nominated and the election is just a formality
- Prohibition of proxy voting and write-ins – the reason for this is that this should be a public and participatory process. Everyone can mail nominations and ballots, so no need for proxy voting. Members should choose from among the nominated and announced candidates – since any eligible member can be

nominated, no need for write in candidates (no parties, limits on nominees etc) (Also required by International Constitution)

- Concern about whether candidates who don't come forward and be available before election will be available after election
- Can members be present for watching election committee? Each candidate can choose an observer to ensure fairness in counting ballots. See Section 5.

**Elections Article Section 4 – with amendment recommended by group 1:
Committee unanimously adopted on 11/7/09.**

(Lunch)

2. How do we know the election is fair?

Group 2:

- looked at Section 2, Election Committee to ensure fair election
 1. EC members can't seek office – impartial
 2. option: outside source can be hired to do logistics – ballots, etc. to ensure further impartiality
 3. make sure only members are voting (could do something similar to absentee ballot) – EC could work out details
 4. observers at vote tally

Group 2 proposal:

Section (2) - Election Committee

An Election Committee shall oversee all FPSU Elections.

The President shall appoint regular members to an Election Committee. The Election Committee shall consist of at least five and no more than eleven members, and shall include at least one member from each geographic region in the Local Union. Members of the Election Committee are prohibited from seeking office or participating in campaigns for office while serving on the Committee.

The duties of the Election Committee include:

- 1) Administering the election and assuring that it complies with this Constitution and Bylaws;
- 2) Validating the eligibility of nominees, tabulating ballots, and certifying the results of the election;
- 3) Acting as the initial judge in all questions and matters arising from the election;
- 4) Setting dates, times and locations for the election;

- 5) With the approval of any financial commitment, the Election Committee shall be authorized to contract with an outside entity to assist in any part of the election procedure as it deems necessary and appropriate; and,
- 6) All other duties necessary and appropriate to the proper conduct of FPSU elections.

Concern that the EC be an odd number of members so disputes can be resolved by vote.

Section 2 with amendments proposed by Group 2 was adopted unanimously 11/7/09.

Group 2 motion for election conduct language:

Section (5) - Election Conduct Applicable to All Elections

- (A) No funds of this Union, any other local or International Union, or any employer may be used to support the candidacy of any member for elective office.
- (B) No candidate (including a prospective candidate) for any office in this Union or affiliated body, or supporter of any such candidate, may solicit or accept financial support or any other direct or indirect support from any non-member of the International Union.
- (C) The Union will comply with all reasonable requests of any candidate to distribute by mail, at the candidate's expense, campaign literature. All clerical work for this request shall be done by the Union and no home addresses, e-mail addresses or telephone numbers will be released to any candidate for office.
- (D) Any candidate whose name is to appear on the ballot shall have the right to have an official election observer of the candidate's own choosing who must be a regular member of the Union. The Observer shall have the right to attend and observe all proceedings in which ballots bearing that candidate's name are cast or counted.
- (E) The Union shall refrain from discriminating in favor of or against any candidate.
- (F) No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in Canada) shall in accordance with the provisions of applicable law be eligible for nomination under the terms of this Article.

How do we know whether someone has been convicted of a felony?

If anyone becomes aware that a candidate is a felon, information given to Election Committee to investigate and determine eligibility. Election Committee could also require candidates to swear that they meet all eligibility requirements.

The Union can't spend its own funds (members dues) on campaign material for candidates. The candidates themselves must pay, by reimbursing the union for costs of materials and postage of campaign literature.

Section 5 was adopted unanimously by the committee on 11/7/09.

Group 2 motion for election protest language:

Section (6) - Election Protests

Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Election Committee within seven (7) calendar days of the tabulation of election results. The Election Committee shall have the authority to conduct a hearing, where it deems it necessary, request evidence and render a decision regarding the objections within thirty (30) days of the submission of the challenge. Appeals of the decision of the Election Committee may be lodged with the International President pursuant to the International Union's Constitution & Bylaws.

Section 6 was adopted unanimously by the committee on 11/7/09.

3. Who can run for office?

Section (3) - Eligibility for Elected Positions

For the initial officer elections (occurring in 2010), no member shall be eligible to be nominated and serve in any elected position in the Union unless he or she has been a member of the Union in continuous good standing for at least six months immediately preceding the nomination and has during all of that time paid the full dues required for working members of the Union within each month when due.

For all subsequent elections, no member shall be eligible to be nominated and serve in any elected position in the Union, unless he or she has been a member of the Union in continuous good standing for at least two years immediately preceding the nomination and has during all of that time paid the full dues required for working members of the Union within each month when due. The International President may waive the foregoing requirements in his or her discretion for good cause shown.

Associate, retired, and organizing members paying less than the full dues required for working members of the Union shall not be eligible to be nominated for or serve in any elected position in the Union. Union staff are not eligible to be nominated for or serve in any elected position in the Union except for the position of President.

Group 3 report and motion to make eligibility requirement 1 year member in good standing for all elections.

Motion from the table to change first election back to 6 months (subsequent elections stay at 1 year, as amended by group 3)

Debate about period: 6 months, 1 year, 2 years.

Rick Smith: If more than 6 months is required, 20% of FPSU members will be ineligible to run for an officer or E-board position.

Concern that nominees for election be capable—but experiences outside FPSU might qualify one to run for office, and in the end the members need to elect each position.

Questions about International Union waivers on election eligibility requirements.

Six months for first elections? 9 in favor; 10 opposed.

Point of order:

- Need more information on waiver from International Union.
- Need more information on how members who don't work/pay dues during summer will be eligible. (JUL has 10 month workers and 12 month workers)

Motion to postpone and resume discussion later with full information: adopted unanimously.

4. What happens if an officer doesn't finish his/her term or if an officer is incompetent?

Group 4 recommendation:

Section (7) - Vacancies of Office

In the event of a vacancy in the office of President by reason of death, resignation, or temporary absence, the Executive Board shall elect a qualified individual(s) to assume the duties of the President for the remainder of the term or until the temporary absence ends. MAKE CONSISTENT WITH E-BOARD DUTIES.

In the event of a vacancy in any office other than President, the Executive Board shall have the authority to elect a replacement to serve out the remaining term of office, consistent with this Constitution and Bylaws. MAKE CONSISTENT WITH E-BOARD DUTIES.

Committee unanimously decided that Katie should draft language that is consistent with the Executive Board Duties section, with the intent that the Executive Board

can take recommendations from any of its members (not just the president) for filling vacancies.

Section (8) – Recall

- A. Executive Board members, including Officers, may be recalled by a vote of the constituency that elected her/him to office.
- B. A vote to recall an Officer shall be held within sixty (60) days of receipt of a petition signed by at least forty percent (40%) of the membership of the constituency that elected her/him to office.
- C. All signatures shall be dated and be no more than ninety (90) days old at the time of submission in order to be considered a valid signature.
- D. A special election committee shall be designated from the Executive Board to conduct the recall election pursuant to the provisions for elections contained within this Constitution and Bylaws.
- E. If an Executive Board member or officer is recalled, her/his office shall be declared vacant and filled in accordance with the provisions contained within this Constitution and Bylaws.
- F. Recall elections shall not be scheduled if a petition is received within one hundred eighty (180) days of a general election.
- G. If a recall vote is not approved by a majority of those voting in the recall election, no new petition shall be considered valid if received within one year from the date that the recall election results were certified.

Section 8 Unanimously adopted by committee on 11/7/09.

- 5. What's the difference between first and second election? (discussion postponed)
How do we get represented at International Convention?

Group 5:

Section (9) - International Convention Delegates

The Officers of the Local Union elected in conformity with applicable statutes shall, by virtue of such election, be considered to be eligible delegates to the quadrennial SEIU International Convention. The elected officers shall serve as delegates in the following order: President, Vice President for Operations, Vice President for Organizing, Vice President for Member Strength, Vice President for Political Strength, Vice President for

Finance, and Executive Board members (in order determined by vote of the Executive Board).

If at the time of the receipt of the convention call it shall appear that such number of elected officers is less than the number of delegates to which the Local Union will be entitled and intends to send to an International convention, additional delegate positions shall determined by the Executive Board and elected by the membership, in accordance with this Constitution and Bylaws and the International Union's Constitution and Bylaws.

Adopted unanimously by Committee on 11/7/09.

Section (1) - Term of Office

The term of office for elected Union officers and Executive Board members shall be three years, and officers elected and qualified shall hold office until their successors are duly elected and installed.

Adopted unanimously by Committee 11/7/09.

IV. Categories of Membership (Rick)

ARTICLE V - MEMBERSHIP CATEGORIES

Proposal 11-7-09

FPSU shall not discriminate based on political opinion, race, color, national origin, ancestry, citizenship status, disability, marital status, age, religion, gender identity, sex or sexual orientation.

FPSU shall have the following membership categories:

Section (1) - Regular Members

Members employed within the jurisdiction of FPSU and staff employed by FPSU who are paying the prescribed regular dues. Such members can vote and hold office pursuant to Article IX Elections.

Section (2) - Associate Members

Persons not employed within the jurisdiction of, or employed by, FPSU but electing to pay the associate membership fee shall be eligible for Associate

Membership status. Associate Members shall not have the right to vote or hold office in FPSU or to serve on its committees.

Section (3) - Retired Members

Any person retired from any employment within FPSU jurisdiction, as determined by the Executive Board, may join as a Retired Member and pay the prescribed Retired Member dues. Such members shall not have the right to vote or hold office in FPSU.

Section (4) - Organizing Members

At the Executive Board's discretion, persons working in a recently organized jurisdiction who are not yet covered by a collective bargaining agreement and have not yet started paying regular dues may be eligible to join as organizing members. Such members shall not have the right to vote or hold office in FPSU.

Section (5) - Members in Good Standing

Dues must be paid on or before the last day of each month in which they fall due. Any member failing to pay said dues and assessments or other financial obligations of this Local Union on or before the last day of the month in which the same are due, shall be delinquent and upon failure to pay dues for two successive months shall automatically be classified not in good standing and shall lose all rights and privileges of membership.

Members not in good standing may be readmitted to membership upon payment of back and current dues, not to exceed six months, and a \$25.00 readmittance fee. For members paying dues through employer check-off, no member shall lose his/her good standing status for any month in which his/her dues have not been paid to FPSU through the fault of the employer.

Section (6) - Exclusive Representation

Every regular member of FPSU, by virtue of membership in this employee organization, authorizes FPSU, as directed by the membership, to act as the exclusive representative with full and exclusive power to execute agreements with their employers governing terms and conditions of employment. Where there are disputes under such agreements, members authorize FPSU to act for them and have final authority in presenting, processing and adjusting any such dispute or grievance in such a manner as FPSU determines.

Questions:

- Can retired and organizing members pay full dues (related to good standing and eligibility to run for office)?
 - A. Organizing members, yes. Retired Members – difficult to assess dues because no earnings. Will need to get further clarification on that point.
- What dues do staff pay? Rate of regular member.

Art. 5 adopted unanimously by committee 11/7/09.

V. Revenue

- a. Call with Barbara Casey, Secretary-Treasurer Local 503, Oregon
 - Social worker with Department of Human Services; served as chief steward, now sec-treasurer and chair of political program. Her local had the highest growth in SEIU for past two years. 45,000 members.
 - How do we achieve our mission? → takes a lot of money
 - We need to be wise stewards of dues, be transparent
 - At local 503:
 1. Dues rate is 1.7 % of monthly salary or \$5, whichever is greater. \$0.75 from dues each month for politics (option: send money to scholarship fund rather than political fund).
 2. Option: COPE
 3. Option: \$2.70 per member per month for “Issues” (frequent referenda affecting working people)
 - Budget is \$20 million dollars. 50% is spent on internal infrastructure (bargaining, worksite issues, research and legal, training). 25% goes to labor affiliations like SEIU, CTW, to maintain strength on national issues. 8% on politics and communications. 10% (of total budget) external organizing. 2% Community action centers, charitable/community donations. Also, strike and member benefit fund. insurance policies, and prudent reserve fund.
 - Seems expensive, but worth it. Strong financial base results in ability to achieve empowerment and high level of engagement.

VI. Member Observer Speak-Out

Lynette Gibbs spoke about economic difficulty, and asked the group how to respond to members who say they can't afford dues.

Alphonso: we need resources to move a program and get what our members need.

Pat: We need to show people we believe in our mission statement – explain why you think it's worth it to pay dues. Why did Headstart workers get a raise this year (even if small) when they hadn't for so many previous years? Obama and the Democratic

Congress passed legislation mandating raises for Head Start workers. Union members worked hard in the election to elect these politicians.

Group discussion about how we afford to push forward our mission when our members earn so little and are facing budget shortfalls in local governments.

Cheryl asked about what the union is doing to organize new members.

Alphonso: This goes back to the resources question. We could do more with more organizers.

Theo: It's up to E-board to make decisions and lay out a plan for how we best move forward with the resources we have.

VII. Outline Discussion for Revenue for Sunday

- a. Finance Sub-committee will meet tonight and report back

Meeting Evaluation

Positive	Could be Improved
Good confrontations, open discussion	Need more enforcement of ground rules
Worked hard, more focused than last meeting	We miss Andre's cooking!!
Concise debates	Need a birthday cake for Lovie!
Willingness to listen	
Hearing from Barbara Casey	
Following ground rules and parliamentary procedure	
Insight into what's possible from Barbara Casey	
Back on track	
Constructive	
Pat kept things moving in the right direction	

VIII. Adjourn

Sunday, November 8

I. Sunday Nondenominational Service (Optional)

II. Initial Matters

- a. Paul Krisell introduction

- i. Former president of PA public services union and long-time veteran of labor movement; works with new labor leaders to develop leadership and train the next generation of union activists.

b. Quick Quiz/Review of today's Agenda

III. Revenue Discussion

a. Sub-committee Proposal

i. Criteria for determining dues:

1. Is the dues rate as fair as possible?
 - a. Equitable, no dues disparity
 - b. System is progressive—those that make more pay more and those that make less pay less (flat rate is unfair, especially for part time workers)
 - c. When was the last increase in the dues rate? (not for at least seven years?). Other union members across the country, through the International, have been subsidizing FPSU because we are not self-sufficient.
2. Understandable
3. Urgent and timely. We are worth it! Our leaders need resources and tools to do the job we expect them to do.
4. Compliant with SEIU International – What are the lessons we can learn from other locals?
 - a. Flat rate is unfair.
 - b. Locals are expected to be self-sufficient.

ii. Financial considerations

1. current budget = \$2.3 million
2. Amount from dues = \$1.7 million. Remainder is a subsidy from International.
3. How do we adjust our dues to become self-sufficient without changing the current dues too drastically? → change 1.56% of gross salary, with dues cap of \$40 per month by year 2013. Result in dues revenue of \$2.4 million.
4. How could we use an extra \$100,000 of revenue?
 - a. Recruit more members
 - b. Organize new units
 - i. Develop strong organizing program
 - ii. hire more organizers
 - iii. members come out of the shop for short period and work as paid organizers.
 - c. Fight against layoffs, get involved in local political decisions
 - d. More stability with staff
 - e. Training

- iii. Every member on subcommittee originally was against increasing dues for anyone – but after discussing the inequitable current dues rates they decided on a proposal that will equalize dues across the union and be FAIR. It will result in a decrease in what some people are paying, and a small gradual increase for others.
- iv. Proposal:
 - 1. equalize dues across union – no more flat rates. Don't penalize part time employees.
 - 2. chart (showing dues caps for employees working full time)
 - 3. Proposal:

All regular SEIU-FPSU members will pay membership dues at a rate not to exceed 1.56% of base salary. Members will pay at that rate until they reach any subsequently related monetary caps.

The overall dues cap will be set by at \$40.00 per month by the year 2013. All existing dues caps currently in place in bargaining units in regions throughout the State will be adjusted yearly as shown in Appendix A, until they each reach the overall cap of \$40.00 per month by the year 2013.

- b. Discussion of proposal:
 - i. How do we justify increasing dues when we aren't getting raises?
 - 1. percentage stays the same – so for some workers the dues won't increase unless they get a salary increase. For members who make enough that the cap cuts off their dues, the dues will only increase by about \$.50 per week each year.
 - 2. the cap increases by small increments, so that the system is progressive and members who earn the most pay the same percentage as members who earn the least.
 - 3. we need to look at what's the best for the group as a whole. For the few—including several members of the committee—who will have dues increase as the caps go up, we need to look at the members earning a lot less who are paying disproportionately high dues. We need to explain to members why even though personally we are seeing a small increase, we still think it's a good idea.
 - 4. Concern that employers will use increase in dues against union. But employers always focus on dues to discourage people from joining union. If we explain why this is necessary and why each of us supports it, members will understand. We need to fight to build the union we want.
 - 5. Concern that even though this proposal is good and fair, it's still hard to see dues of some members go up, even a small increase, because of the difficult economic times.

- ii. More employees will see a decrease than an increase—this will help with recruiting new members.
- iii. If approved, when does it go into effect? Not until after members adopt the Constitution. The timing will have to be worked out with employers, but the intent would be to go into effect around the same time for all units.
- iv. We need talking points to explain this to members
- v. We need to post info on the website to show members what they would pay under the new dues structure.

Vote for Adoption:

YES 18

NO 1 (Sherrie Colgain personally thinks it’s a good and fair proposal, but is worried that the members she represents would object and that management will use it against the Union in a potential decert election, so she is voting “no” as their representative).

Proposal for dues rate passed 11/8/09.

Dues Education Subcommittee formed to develop talking points for explaining this to members:

- Rawls
- John M.
- Mac
- Robin K.
- Dennis
- Liza
- Theo (nominated)

(Lunch)

ARTICLE X – REVENUE

Section (1) - Sources

The revenues of FPSU shall be derived from, but not limited to, dues, voluntary contributions, assessments, agency shop or fair share fees, and such other sources as may be approved by the Executive Board.

Adopted unanimously 11/8/09.

Section (2) - Dues Collection

All members of FPSU are under a positive duty to see that their dues are paid on or before the last day of each month in which they are due.

All union dues payable by members shall be paid through payroll deduction, if available. In the event payroll deduction is not available, the Executive Board will establish a method of dues collection.

Adopted unanimously 11/8/09.

Section (3) - Dues Rate

FPSU shall maintain a dues structure that is sufficient to meet the minimum dues requirements applicable to a subordinate body of SEIU.

This dues structure shall be based upon the formula set forth below plus increases in the per capita amounts owed to the International Union:

The monthly membership dues for all regular members shall be 1.56%. All regular SEIU-FPSU members will pay membership dues at a rate not to exceed 1.56% of base salary. Members will pay at that rate until they reach any subsequently related monetary caps.

The overall dues cap will be set by at \$40.00 per month by the year 2013. All existing dues caps currently in place in bargaining units in regions throughout the State will be adjusted yearly as shown in Appendix A, until they each reach the overall cap of \$40.00 per month by the year 2013.

Any increase in the rate of dues for regular members or the levying of any general or special assessments shall occur only:

- 1) As a result of a vote by an International Convention;
- 2) Or, through a secret ballot vote by members in accordance with this Constitution and Bylaws and applicable law, in which a majority of those voting approve the increase.

The Executive Board shall establish a dues schedule for all other membership categories within FPSU.

Adopted unanimously 11/8/09.

Section (4) - Financial Obligations

FPSU shall pay per capita tax to SEIU based on its entire membership.

FPSU shall have no right to pay any bills before it pays its full obligations to the International Union each month.

Adopted unanimously 11/8/09.

Section (5) - Financial Accountability

FPSU shall be audited on an annual basis by an independent audit firm. The results of such audit and any additional audits shall be made available for review by members. The budget, as approved by the Executive Board, shall also be made available to all members for review.

Adopted unanimously 11/8/09.

IV. Chapter Structure – Alphonso

Section (5) Chapters

- A. Chapters shall be the primary focus of worksite activity, representation and action in this Union. Chapters shall hold membership meetings at least once every ninety (90) days, which do not conflict with the Union’s Executive Board meetings or statewide general membership meetings.
- B. The Executive Board shall determine the requirements and procedures for recognizing a bargaining unit(s) as a Chapter and for authorizing members’ selection of Chapter leaders. The Executive Board shall form and give titles to new Chapters upon recommendation by the President.
- C. Chapters shall be responsible to represent their members, enforce their Collective Bargaining Agreement(s), and organize their members for day-to-day struggles. Each Chapter shall have the authority to meet and transact appropriate business within its jurisdiction.
- D. Each Chapter shall keep minutes from all membership meetings and shall provide a copy to the Vice President for Operations and the President upon request.
- E. Membership in a Chapter shall be limited to working members of the appropriate bargaining unit(s).
- F. Members of the Local Union are welcome to attend meetings of any chapter, in accordance with Executive Board policies.

Adopted 11-08-09 with added language under (F),

V. Continue Work on Outstanding Articles

Election Eligibility:

Report back from Katie:

- International Waivers apply to entire election—including all candidates—and not just to a specific candidate. There are two types:
 - Waiver of requirements in Int'l Constitution (6 month minimum) – need more clarification on procedure. Since there are no proposals to go below 6 months, this will not change the Election Article language.
 - Waiver of requirements in Local Constitution: the Local Union E-board requests that the Int'l President waive the requirements set forth in the Local Constitution and explains why there is good cause (e.g. newly merged, high percentage of members will be ineligible under rules, etc.) Int'l President decides. Decision (and any lower threshold for eligibility) applies to all nominees for office.
- 9/10-month employees. No proposed language change yet, but other Locals have dealt with this before. Particularly with a percentage-based dues rate, the fact that some members don't work and hence don't pay dues during the summer does not have to impact their eligibility for union office.

Section (3) - Eligibility for Elected Positions

For the initial officer elections (occurring in 2010), no member shall be eligible to be nominated and serve in any elected position in the Union unless he or she has been a member of the Union in continuous good standing for at least six months immediately preceding the nomination and has during all of that time paid the full dues required for working members of the Union within each month when due.

Discussion:

1 year would block 20% of members from running

People still have to elect the officers, may as well be more inclusive

VOTE on above language with 6 month requirement:

Yes: 14

No: 4

Sixth-month requirement adopted for first election (2012) – 11/8/09.

For all subsequent elections, no member shall be eligible to be nominated and serve in any elected position in the Union, unless he or she has been a member of the Union in continuous good standing for at least one year immediately preceding the nomination and has during all of that time paid the full dues required for working members of the Union within each month when due. Upon application by the Executive Board, the International President may waive the foregoing requirements in his or her discretion for good cause shown.

Discussion re 1 year requirement:

Pro -- One year is more inclusive

Con -- Two years ensures more experience once union is established

Vote on above language with 1 year requirement.

YES: 11

NO: 7

One year requirement adopted for all subsequent elections -- 11/8/09.

Associate, retired, and organizing members paying less than the full dues required for working members of the Union shall not be eligible to be nominated for or serve in any elected position in the Union. Union staff are not eligible to be nominated for or serve in any elected position in the Union except for the position of President.

Discussion re staff eligibility:

- unfair if staff pays dues but can't run
- what if current worksite leaders join staff in the future and also want to serve as an officer?
- lose accountability to members if staff can run (e.g. staff is elected to officer position that oversees himself; what if all five officers are staff?)
- might be easier for someone on staff to perform such positions, such as VP for Operations, VP for Finance
- if in the future officers get paid, staff would get paid twice because they're already getting paid salaries by the union
- how do we ensure that union is member-driven?

VOTE on above language:

YES: 13

NO: 5

Adopted 11/8/09.

Next week, Committee will review the entire election article as adopted.

VI. Member Observer Speak Out

VII. Adjourn