

# CSEA Bylaws and Policy File

## Part II: Procedures

### Table of Contents

<b>Division 1: Policy-Making Procedures</b> .....	<b>1</b>
101.00 Definitions .....	1
102.00 Establishment of Policy .....	1
103.00 Policy File Structure .....	2
<b>Division 2: Association Governance</b> .....	<b>5</b>
201.00 Order of Business .....	5
202.00 Board of Directors .....	5
203.00 Board of Directors Orientation .....	5
204.00 Meeting Procedures .....	5
205.00 Displays and Exhibits at Board of Directors Meetings .....	8
206.00 Inspection of Corporate Records by Directors .....	8
207.00 Resolution of Conflicts in Bylaws .....	9
208.00 Board Member Attendance at Association Meetings .....	9
<b>Division 3: Association Communications</b> .....	<b>11</b>
301.00 Agendas .....	11
302.00 Minutes .....	11
<b>Division 4: General Council</b> .....	<b>13</b>
401.00 General Council Resolutions .....	13
402.00 Rules of General Council .....	16
403.00 Report of General Council .....	22
404.00 Delegates to General Council .....	22
405.00 Seating Arrangements .....	23
406.00 Budget .....	24
407.00 Oath of Office for Statewide Officers .....	24
<b>Division 5: Association Elections</b> .....	<b>25</b>
501.00 Association Elections .....	25
502.00 Association Officers and General Council Delegates .....	26
503.00 General Council Elections .....	30
504.00 Recall of Association Officers .....	35
505.00 Recall of General Council Chapter/DLC Delegates .....	37
506.00 Removal of General Council Chapter/DLC Delegates .....	38
507.00 Election Conduct for CSEA General Election .....	38
508.00 Prohibited Activities by CSEA Staff .....	39
<b>Division 6: Committees</b> .....	<b>41</b>
601.00 General Council Subject Committees .....	41
602.00 Duties of General Council Subject Committees .....	41
603.00 General Council Procedures Committees .....	43

604.00 Board of Directors Standing Committees.....	43
605.00 Committee Appointments .....	46
606.00 Committee Duties and Responsibilities .....	47
607.00 Committee Meeting Procedures .....	48
<b>Division 7: Discipline and Grievances.....</b>	<b>51</b>
701.00 Discipline .....	51
<b>Division 8: Membership .....</b>	<b>59</b>
801.00 Eligibility.....	59
802.00 Active Membership .....	60
803.00 Associate Membership .....	60
804.00 Honorary Membership .....	61
805.00 Special Membership .....	61
806.00 Membership Effective Date.....	62
807.00 Membership Dues And Fees .....	63
808.00 Membership Status While Off Payroll .....	65
809.00 Membership Cards .....	66
810.00 Membership Lists.....	66
811.00 Membership Limitations.....	69
812.00 Qualification To Hold Office .....	69
<b>Division 9: Member Benefits Programs.....</b>	<b>71</b>
901.00 Program Objectives .....	71
902.00 Program Selection Guidelines for Association Programs .....	73
903.00 Program Plans and Administration .....	76
904.00 Association Plans .....	78
905.00 Discounts and Group Purchase Offers .....	79
<b>Division 10: Headquarters .....</b>	<b>81</b>
1001.00 Staff Operations.....	81
1002.00 Relations with Staff.....	82
1003.00 Hiring of Past and Present Board Members.....	82
1004.00 Headquarters Facilities .....	82
1005.00 Sealing or Destroying Records .....	82
1006.00 Agreements with Anti-Union Employers Prohibited .....	83
1007.00 Affirmative Action.....	83
1008.00 Association Publications .....	84
1009.00 Preservation of Historical Documents, Pictures and Memorabilia.....	84
<b>Division 11: Association Liability .....</b>	<b>85</b>
1101.00 Indemnification from Liability.....	85
<b>Division 12: Association Finances .....</b>	<b>87</b>
1201.00 General.....	87
1202.00 Building Reserves.....	87
1203.00 Budget .....	87
1204.00 Investments .....	89
1205.00 Membership Prohibitions .....	89
<b>Division 13: Association Travel Expense.....</b>	<b>91</b>
1301.00 Persons Eligible for Reimbursement.....	91
1302.00 Processing of Expense Claims .....	91

1303.00	Limitations on Reimbursements.....	92
1304.00	Computation of Expenses.....	92
1305.00	Claim Information.....	94
1306.00	Affiliate/Division Representatives on the Board of Directors.....	96
1307.00	Members of Association Committees and Councils.....	96
1308.00	Expenses Authorized by the General Manager .....	97
1309.00	Interpreters for the Hearing Impaired.....	97
1310.00	Appeals.....	97
1311.00	Travel Accident Insurance .....	97
<b>Division 14: California State Employees Building Corporation .....</b>		<b>99</b>
1401.00	Board of Directors.....	99
1402.00	Reports .....	99
1403.00	Duties .....	99
<b>Index.....</b>		<b>101</b>



## **Division 1: Policy-Making Procedures**

### **101.00 Definitions**

101.01 Affiliate/Division. For purpose of this Policy file, the term “Affiliate” and “Division” shall be considered synonymous unless the context otherwise requires. (BD 44/94/2, BD 9/11/2)

101.02 Chapter/District Labor Council. For purposes of this Policy File, the terms chapter and "district labor council" (DLC) shall be considered synonymous unless the context otherwise requires. (BD 77/95/4, BD 9/11/2)

101.03 CSEA. Unless expressly provided for otherwise by context, the terms CSEA and Association are synonymous. (BD 195/80/5, BD 9/11/2)

101.04 Executive Session. A commonly used term that has no precise meaning and should not be used in official Board reports or documents. It sometimes refers to closed meetings and sometimes is used to refer to Executive Committee meetings. Executive Committee meetings can be open or closed meetings. Closed meetings of the entire Board of Directors are restricted by the Bylaws to certain subjects. For purposes of this Policy File, the terms “Executive Session” should never be used. (BD 9/11/2)

101.05 Policy. A policy is a goal or rule of the Association. All Association policies have as their authority the Association's Bylaws or approved Board of Directors' motions. (BD 50/92/2, BD 62/03/2, BD 9/11/2)

101.06 Policy File. The collection of all Board of Directors adopted policies. The Policy File shall be divided into parts as follows: (BD 62/03/2, BD 9/11/2)

- Part I. Association Bylaws.
- Part II. Association Policy and Procedures.

### **102.00 Establishment of Policy**

#### **102.01 Policy-Making Agencies**

The Board of Directors and the affiliate(s)/division(s), within the limits of their authority, are the policy-making agencies of the Association. (BD 81/92/3, BD 59/94/2, BD 9/11/2)

- (a) With regard to language for inclusion in the Association Policy File, General Council shall refer language to the Board of Directors. All resolutions submitted 60 days prior to the convening of General Council shall be reviewed by the Bylaws, Policies, Procedures and Programs Committee. (BD 81/92/3, BD 29/08/3, BD 9/11/2)

(b) Division policy must not be in conflict with established Board of Directors policy. Division policy is subject to change by the division. In the event the Board of Directors finds that a division policy is inconsistent with the Association's Bylaws or Policy File, the policy is void and any prior policy shall remain in effect. The board shall refer such policy to the division for corrective action consistent with the Association Bylaws and Policy File. Any action based on voided policy is nullified. (BD 22/01/1, BD 62/03/2, BD 9/11/2)

(c) Affiliate bylaws and policy must not be in conflict with Association Bylaws. Affiliate policy is subject to change by the affiliate. In the event the Board of Directors finds that an affiliate policy is inconsistent with the Association's Bylaws, the policy is void and any prior policy shall remain in effect. The board shall refer such policy to the affiliate for corrective action consistent with the Association Bylaws. Any action based on voided policy is nullified. (BD 22/01/1, BD 62/03/2, BD 9/11/2)

### **103.00 Policy File Structure**

#### **103.01 Date of Adoption**

Each section of the Policy File which has been revised or adopted prior to General Council sessions shall be clearly indicated by using current best practice editing methods. (BD 7/09/1)

Each page of the Policy File shall indicate the month and year that any section of the Policy File was adopted or last revised. (BD 10/86/1, BD 29/08/3, BD 7/09/1)

#### **103.02 Authority Citation**

Each provision in the Policy File commanding a number distinction must contain a parenthesized authority citation and headquarters office shall provide such authority citation. (BD 195/80/5)

#### **103.03 Format of Amendment**

Amendments to the Policy File should be in a form which indicates proposed deletions to existing policy in strike-out type and proposed additions to existing policy in underline type and indicates the specific Policy File section in which the amendments are to be included if adopted. (BD 50/92/2)

If a proposed amendment is to delete an entire Policy File section, a statement to that effect is all that is necessary. (BD 81/84/3)

#### 103.04 Numbering Conflicts

Where there are Policy file numbering conflicts, staff is authorized to make necessary changes. (BD 56/83/1, BD 9/11/2)





## **Division 2: Association Governance**

### **201.00 Order of Business**

The order of business of the Board of Directors in regular and special meetings includes, as far as practicable, the following: (BD 22/95/2, BD 11/11/2, BD 24/11/2)

- Call to order
- Roll Call
- Pledge of Allegiance
- Consideration of Minutes
- Communications
- Adoption of Agenda
- Consent Calendar
- Report of Closed Session
- Report of Committees
- Action Items
- Reports of Officers and Affiliates  
(BD 22/95/2, BD 34/04/2, BD 11/11/2, BD 24/11/2)

### **202.00 Board of Directors**

All powers not expressly delegated elsewhere by the Bylaws are vested in the Board of Directors which shall meet at least twice a year. (BD 59/94/2, BD 24/11/2)

### **203.00 Board of Directors Orientation**

The Association shall conduct an orientation session at the first regular Board of Directors meeting following adjournment of General Council. The orientation program shall be conducted by experienced Association members and headquarters staff to acquaint newly elected affiliate/division directors and officers with the procedures and policies of the Association and assist the members of the board in effectively utilizing headquarters operations. (BD 50/92/2, BD 59/94/2, BD 64/03/2, BD 22/08/3, BD 11/11/2, BD 24/11/2)

### **204.00 Meeting Procedures**

#### **204.01 Agenda Items**

- (a) All items for the printed action agenda, except those from actions of the Executive Committee, shall be submitted to the president at least 30 days prior to each meeting of the Board of Directors and shall be accompanied by factual supporting data. (BD 21/93/2, BD 24/11/2)
- (b) Recommendations to adopt, amend, or repeal policy shall be submitted in specific Policy File language and shall be supported by sufficient factual data to

enable the Board of Directors to take immediate action. It shall also contain a notation that the policy is an addition to the index, a change in the index, a deletion from the index, or no change to the index. Any action agenda item not in proper form or without sufficient background information shall be designated an informational item as provided in Section 204.01 (c). (BD 10/86/1, BD 21/93/2, BD 11/11/2, BD 24/11/2)

(c) Items submitted for the action agenda may be referred or deferred by the president. Items referred or deferred by the president shall become informational items of the agenda. The Board of Directors, by a majority vote, may place informational items on the action agenda. (BD 99/82/3, BD 11/11/2, BD 24/11/2)

(d) Items submitted, from any source other than the Executive Committee, as a body, for the action agenda after the 30-day limit as provided in subsection (a) above, shall be referred to the Board Agenda Committee. Each item shall be accompanied by sufficient supporting data to demonstrate the emergency nature of the item. The proponent of each item should provide the Board Agenda Committee with a minimum of 30 copies. (BD 107/84/4, BD 21/93/2, BD 59/94/2, BD 22/08/3, BD 11/11/2, BD 24/11/2)

(e) Items determined by the Board Agenda Committee to be of an emergency nature shall become an action item by the Board of Directors. The Board Agenda Committee's recommendation to refuse submission of an item shall be reversed by two-thirds vote of the Board of Directors. (BD 137/77/5, BD 59/94/2, BD 64/03/2, BD 34/04/2, BD 11/11/2, BD 24/11/2)

(f) Action items reported to the Board of Directors by standing committees shall not be referred or re-referred except by a two-thirds vote. (BD 99/82/3, BD 11/11/2, BD 24/11/2)

(g) The Board of Directors shall not take action on any item that has not been presented through the action agenda. (BD 21/76/1, BD 11/11/2, BD 24/11/2)

(h) The minutes of the Executive Committee meetings shall be an informational item of the agenda at the Board of Directors meeting. (BD 99/82/3, BD 59/94/2, BD 11/11/2, BD 24/11/2)

(i) Items may only be submitted by members of the Board of Directors, members-elect of the Board of Directors, standing committees of the Board of Directors or the Executive Committee, as a body. (BD 131/83/3, BD 59/94/2, BD 11/11/2, BD 24/11/2)

(j) Any member may request a member of the Board of Directors to submit an agenda item to the Board of Directors. (BD 131/83/3, BD 11/11/2, BD 24/11/2)

(k) Items that propose to expend funds not otherwise budgeted must identify a funding source. (BD 5/96/1, BD 11/11/2, BD 24/11/2)

#### 204.02 Closed Meetings

Closed meetings of the Board of Directors shall be in compliance with the Bylaws Article XV: Meetings, Section 9. (BD 78/95/2, BD 12/97/1, BD 67/04/3, BD 11/11/2, BD 24/11/2)

#### 204.03 Open Meetings -- Presentation by Members

Members may speak at any open Board of Directors meeting, subject to the right of the president to determine a reasonable time for the members to appear, to put a reasonable limit on the length of presentation, and to require that the presentation be germane to the subject under consideration. (BD 10/86/1, BD 64/03/2, BD 24/11/2)

#### 204.04 Recording of Meetings

Proceedings of Association meetings may not be recorded without the express consent of the presiding officer. (BD 82/92/3, BD 11/11/2, BD 24/11/2)

#### 204.05 Minutes

The table of contents page of the minutes of each Board of Directors meeting shall reflect a summary of the motions contained therein. (Example: BD 107/69/3) (BD 183/69/3, BD 99/82/3, BD 64/03/2, BD 24/11/2)

#### 204.06 Numbering Motions of the Board of Directors

Motions of the Board of Directors shall be consecutively numbered for each year starting with the first meeting. The number shall include the following: (BD 99/82/3, BD 64/03/2, BD 11/11/2, BD 24/11/2)

- (a) The number of the motion; (BD 160/69/3, BD 11/11/2, BD 24/11/2)
- (b) The year of the term of the board; (BD 160/69/3, BD 11/11/2, BD 24/11/2)
- (c) The number of the board meeting; (BD 160/69/3, BD 11/11/2, BD 24/11/2)
- (d) The distinctions outlined above shall be separated by a diagonal line. (BD 160/69/3, BD 11/11/2, BD 24/11/2)

## 204.07 Motions Requiring Staff Study or Implementation

All motions of the Board of Directors requiring staff study or implementation shall set an estimated date on which the requested implementation or study shall be completed. (BD 9/71/1, BD 64/03/2, BD 11/11/2, BD 24/11/2)

## 205.00 Displays and Exhibits at Board of Directors Meetings

Displays, exhibits or representations at Board of Directors meetings by any firm, organization or group outside of those sponsored by the Association shall be prohibited unless prior written approval is obtained from the president. (BD 238/75/5, BD 59/94/2, BD 24/11/2)

## 206.00 Inspection of Corporate Records by Directors

### 206.01 Right to Inspect Records

Members of the Board of Directors have an absolute right to inspect and copy all records of the corporation and to inspect the physical properties of the corporation in accordance with the following guidelines: (BD 18/92/1, BD 83/95/4, BD 11/11/2, BD 24/11/2, BD 2/13/1)

(a) The request must be in writing, addressed to the president, specifying the items to be reviewed; (BD 18/92/1, BD 11/11/2, BD 24/11/2)

(b) Reasonable notice must be given; (BD 18/92/1, BD 11/11/2, BD 24/11/2)

(c) The inspection must be made at a reasonable time; and (BD 18/92/1, BD 11/11/2, BD 24/11/2)

(d) The right to inspect does not extend to confidential records which are protected by law from release. If any confidential records of any nature are released to a member of the Board of Directors, he/she is prohibited from copying, releasing or distributing the records or communicating their contents to any other. (BD 27/01/1, BD 11/11/2, BD 24/11/2)

### 206.02 Misuse of Corporate Records

Any director who misuses corporation records shall be immediately suspended in accordance with Division 7: Discipline & Grievances of the Policy File. Misuse, as determined by the Board of Directors, shall include, but not be limited to, release of the following: (BD 18/92/1, BD 59/94/2, BD 83/95/4, BD 64/03/2, BD 11/11/2, BD 24/11/2, BD 2/13/1)

(a) Confidential information; (BD 18/92/1, BD 64/03/2, BD 64/03/2, BD 11/11/2, BD 24/11/2)

(b) Membership lists; (BD 18/92/1, BD 59/94/2, BD 64/03/2, BD 11/11/2, BD 24/11/2)

(c) Confidential information during negotiations with the staff union; and (BD 18/92/1, BD 59/94/2, BD 64/03/2, BD 11/11/2, BD 24/11/2)

(d) Individual expense claims of members or staff. (BD 18/92/1, BD 64/03/2, BD 11/11/2, BD 24/11/2)

### **207.00 Resolution of Conflicts in Bylaws**

When a conflict between sections of the Bylaws is brought to the attention of the Board of Directors, it has the authority and responsibility, as corporate governing authority of the Association, to declare which section of the Bylaws has priority over the other section. In arriving at its decision the Board of Directors shall consider the overall intent of the Bylaws, the good of the Association and applicable law as it may apply to the particular situation. (BD 13/00/1, BD 11/11/2, BD 24/11/2, BD 2/13/1)

### **208.00 Board Member Attendance at Association Meetings**

Members of the Board of Directors are authorized to attend all Association Board and committee meetings and any other meeting or event that is an element of CSEA strategic plan or otherwise specifically authorized by Board action subject to the provisions of Bylaws Article XV: Meetings, Section 9, Attendance at Closed Meetings and subject to the provisions of Division 13: Association Travel Expense for reimbursement of time and expenses. (BD 157/00/3, BD 34/04/2, BD 22/08/3, BD 11/11/2, BD 24/11/2, BD 2/13/1)



## **Division 3: Association Communications**

### **301.00 Agendas**

#### **301.01 Board of Directors Meetings**

A copy of the agenda shall be posted on the CalCSEA website at the same time as the agenda is mailed to the board members. (BD 50/92/2, BD 59/94/2, BD 96/02/5, BD 15/09/1, BD 23/11/2, BD 24/11/2)

#### **301.02 Committee and Other Statewide Meetings**

A copy of the agenda for all statewide meetings shall be posted on the CalCSEA website at least 15 calendar days prior to the date of each meeting. (BD 145/77/5, BD 59/94/2, BD 23/11/2, BD 24/11/2)

### **302.00 Minutes**

#### **302.01 Executive Committee**

A summary list of motions considered at all Executive Committee meetings shall be mailed to members of the Board of Directors within ten working days following the meeting. The minutes of Executive Committee meetings, sufficiently comprehensive to justify recommendations to the Board of Directors shall be furnished to members of the Board of Directors, committee members, chapter/DLC presidents and council chairs. Any member may upon written request receive a copy of the minutes of the last previous Executive Committee meeting. The minutes shall reflect the maker and second of all motions. (BD 52/94/2, BD 15/09/1, BD 24/11/2)

#### **302.02 Committees and Other Statewide Meetings**

Minutes of committee meetings, except for the Board Agenda Committee, shall be published and distributed as follows: (BD 59/94/2, BD 14/05/1, BD 24/11/2)

(a) Within ten working days after the meeting the minutes shall be sent in rough draft to the chair of the committee; (BD 53/94/2, BD 24/11/2)

(b) Within 15 working days after the meeting the chair of the committee shall have corrected and approved the rough draft and returned it to headquarters; (BD 54/94/2, BD 24/11/2)

(c) Within 30 working days after the meeting the minutes shall be distributed to the members of the committee and Board of Directors and made available upon request to all other individuals receiving agendas under Division 3: Association Communications of the Policy File; (BD 55/94/2, BD 23/11/2, BD 24/11/2)

(d) Any exception to this procedure must be approved by the president.  
(BD 45/77/5, BD 24/11/2)



## **Division 4: General Council**

### **401.00 General Council Resolutions**

All matters presented to General Council for action shall be submitted in the form of a resolution. A resolution consists of whereas and resolved clauses. Whereas clauses state the need for action and resolved clauses state the action requested. (BD 59/94/2, BD 24/11/2)

#### **401.01 Drafting of Resolutions**

A resolution begins with an idea addressing an issue that a person feels needs to be improved, amended, replaced or rescinded. A resolution can be submitted by any active member of the Association, delegate of General Council, delegate-elect, or delegate-designate to General Council, or proposed by a chapter/DLC, or any subject or procedural committee, Association affiliate/division or Board of Directors for the purpose of drawing attention to the subject. (BD 84/94/3, BD 55/97/3, BD 43/09/2, BD 24/11/2)

A resolution is written in two parts. The first part states the reason for the resolution, pointing out selected facts concerning the issue. Each reason or fact is a short, separate paragraph which begins with "WHEREAS," is consecutively numbered, and must be a complete statement. Any number of WHEREAS clauses can be presented to support the reason for the proposal. (BD 84/94/3, BD 63/03/2, BD 24/11/2)

The second part of a resolution simply states what action should be taken to achieve the desired result. Again, there can be any number of actions intended in separate statements called "RESOLVED" paragraphs, consecutively lettered. All requested actions should be related to the particular issue. (BD 84/94/3, BD 63/03/2, BD 24/11/2)

Requirements for preparation of RESOLVED clauses are:

- (a) Must be complete statements (sentences) which stand on their own merits; (BD 84/94/3, BD 24/11/2)
- (b) Must clearly state the intent of the author; (BD 84/94/3, BD 24/11/2)
- (c) Must identify the section of Bylaws which is affected, if any; (BD 84/94/3, BD 55/97/3, BD 43/09/2, BD 24/11/2)
- (d) Must clearly reflect the subject matter. (BD 84/94/3, BD 24/11/2)

#### **401.02 Responsibility of Proponent**

The primary responsibility for ensuring that a resolution intended for submission to General Council is in proper form rests with the proponent. (BD 50/92/2, BD 24/11/2)

#### 401.03 Format of Resolution

Resolutions submitted to General Council must set forth the subject, the name of the proponent, including chapter/DLC number and affiliate/division if it is submitted by an individual, and a reference to the appropriate section of the Bylaws, if ascertainable by the proponent, in the following form at the beginning of the resolution: (BD 50/92/2, BD 84/94/3, BD 43/09/2, BD 10/11/2, BD 24/11/2)

SUBJECT:

SUBMITTED BY:

REFERENCE:

WHEREAS, (1), now therefore be it

RESOLVED, (a)

Principal Proponent: \_\_\_\_\_  
(Individual, chapter/DLC or affiliate/division) (BD 84/94/3, BD 43/09/2, BD 24/11/2)

Resolutions submitted by 50 or more active members of the Association or signed by 20 or more members or members-elect of General Council shall indicate the principal proponent in the above form. (BD 50/92/2, BD 84/94/3, BD 24/11/2)

In drafting resolutions, each whereas clause shall be consecutively numbered, and each resolved clause shall be consecutively lettered. (BD 50/92/2, BD 24/11/2)

Amendments to the Bylaws shall be in a form which indicates proposed deletions to existing language in strikeout type and proposed additions to existing language in underline type. If a proposed amendment is to delete an entire section, a statement to that effect is all that is necessary. (BD 80/84/3, BD 59/94/2, BD 43/09/2, BD 24/11/2)

The resolution must contain an estimate of probable cost to the Association in the following form: (BD 50/92/2, BD 24/11/2)

ESTIMATED CSEA COST:

#### 401.04 Processing of Resolutions

All resolutions received in headquarters office no later than 60 days prior to the convening of General Council shall be forwarded to the chair of the Bylaws, Policies, Procedures and Programs Committee on the first day of each month, or more frequently if it is deemed necessary, immediately after the last day for submission of resolutions.

The resolutions shall be reviewed for the immediate purpose of offering guidance to the proponent of a resolution that has inadequacies. The proponent will be informed as to what changes or corrections need to be made in order to eliminate the inadequacies. Submissions which add, amend, or delete Policy File language only should be referred to the Board of Directors. Headquarters should be notified as soon as possible in order for them to notify the proponent so the resolution that has been returned to the proponent can be corrected and put in proper form. Any change or correction must be submitted prior to the deadline for submission of resolutions. (BD 50/92/2, BD 8/09/1 BD 10/11/2, BD 24/11/2)

#### 401.05 Personal References

The Association will not publish resolutions to be heard at General Council which name any individual person or allude to any Association member in language that will be deleterious to that person's character and reputation. (Bylaws Article VIII: General Council, Section 11(c)) (BD 50/92/2, BD 59/94/2, BD 69/04/3, BD 10/11/2, BD 24/11/2)

#### 401.06 Conflicts Between Resolutions

In interpreting the actions of General Council where a conflict exists between two or more resolutions: (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(a) The most recently adopted resolution shall govern when the conflicting resolutions were adopted at different General Councils; (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(b) The Board of Directors shall resolve the conflicts between resolutions adopted at the same General Council by taking into consideration the overall actions of General Council in order to determine its intent. (BD 50/92/2, BD 59/94/2, BD 63/03/2, BD 69/04/3, BD 24/11/2)

(c) If the Board of Directors cannot determine the intent of General Council, it may submit conflicting resolutions to the delegates pursuant to Bylaws Article VIII: General Council, Section 15, to resolve a conflict. (BD 50/92/2, BD 59/94/2, BD 44/99/2, BD 63/03/2, BD 69/04/3, BD 10/11/2, BD 24/11/2)

(1) The Board of Directors shall prepare a ballot with instructions for the delegates to vote for the resolution they prefer. A majority vote of returned ballots shall resolve the conflict. (BD 63/03/2, BD 69/04/3, BD 24/11/2)

#### 401.07 Status Report on General Council Resolutions

At each meeting of the Board of Directors, the president shall report in writing on the status of all General Council resolutions for which final action is pending. (BD 50/92/2, BD 63/03/2, BD 69/04/3, BD 10/11/2, BD 24/11/2)

## **402.00 Rules of General Council**

### 402.01 Rules Adopted by General Council

It is the prerogative of each General Council to adopt the rules to govern its own session of General Council. The rules as adopted at the last previous General Council shall remain in effect until new rules are adopted and shall be printed herein so that they are available for study on a continuous basis. (BD 59/94/2, BD 122/00/2, BD 24/11/2)

#### RULES OF GENERAL COUNCIL

1. Only delegates to the General Council, those persons having official council duties and other persons authorized by the president shall be permitted on the General Council floor. Official badges must be worn; anyone not wearing a badge will be escorted from the floor.
2. Unless excused by the presiding officer, delegates must be present at all sessions of the General Council, including their affiliate meetings. Delegates must be seated at their designated tables and must report to their sergeant-at-arms when leaving the General Council floor. Any chapter/DLC delegate vacancy during general session should be filled immediately following a negative roll call or after an unexcused absence of two hours or more, provided the next ranked alternate is available.
3.
  - A. Certification by the Credentials Committee as to the attendance of delegates at each session shall constitute the roll call.
  - B. On the last day of General Council, attendance cards will be collected after the last resolutions committee has reported.
4. Two-thirds of the credentialed delegates must be present to constitute a quorum.
5. Floor Debate –
  - A. Floor debate will be allowed on all matters except appeals to General Council or where debate is precluded by another rule.
  - B. Delegates will be allowed up to three minutes to speak to the motion currently under consideration. No delegate may speak more than twice on a motion and will not be allowed to speak a second time until all other delegates who are at a microphone have had an opportunity to speak. Two minutes shall be allotted for the second speech. Delegates may not yield their time to other speakers.
  - C. Speakers will not be interrupted by requests for “points of information.” Delegates may raise a “point of information” card while another delegate is speaking, but will not be recognized for that purpose until the end of the speaker’s presentation.

D. A request for a point of information must be in the form of a question; any affirmative statement by the delegate so recognized will be ruled out of order. If, in the presiding officer's judgment, a delegate has intentionally misused a point of information to engage in debate, the presiding officer may deem the delegate as having spoken to the question and shall not recognize the delegate further until all other delegates wishing to speak to the question have done so.

## 6. Resolutions --

- A. 1. A General Council resolutions committee shall consider all resolutions referred to them.
2. Committees may amend and consolidate resolutions.
3. Committee reports shall be in writing and include recommendations for:
- (a) adoption in original form;
  - (b) adoption in amended form;
  - (c) adoption as consolidated with one or more resolutions;
  - (d) referral to the Board of Directors for study and appropriate action;
  - (e) referral to the Board of Directors for study and report to the next General Council;
  - (f) referral to the president for appropriate action;
  - (g) referral to an appropriate affiliate or division council
  - (h) rejection with reasons; and
  - (i) rejection in amended form, with reasons.
4. When a committee has recommended an amendment to a resolved clause, all resolved clauses, highlighting any amendments made, shall be presented to General Council in writing before action is taken on the resolution. Whereas clauses only need to be reprinted if they were amended.
5. Before any vote is taken by the delegates on any committee report that proposes to amend the Bylaws, the report shall be referred to the Association Bylaws, Policies, Procedures and Programs Committee to determine if any conflict exists.

B. When possible, resolutions and amendments should be presented in an electronic format and displayed using a projection system for review, debate, amendment, and disposition.

C. When called upon by the presiding officer, the chairperson of a resolution committee shall report the recommendations of the committee to the General Council, such recommendations constituting a motion.

D. 1. If a motion for adoption is not adopted by the General Council, the resolution is rejected.

2. If a motion to reject is not adopted by the General Council, the resolution continues as a subject before the council and must be disposed of by subsequent action of the General Council.

3. If a motion to amend and adopt is not adopted, then a motion to consider the resolution in its original form is in order. That motion must be seconded by twenty percent (20%) of the registered delegates; otherwise the original resolution is rejected.

4. If a motion to refer is not adopted by the General Council, the resolution continues as a subject before the council and must be disposed of by subsequent action of the General Council.

5. In the event a resolution is adopted that requires separate approval of one or more classes (affiliates), immediately after the adoption of the resolution, the president shall call for a separate vote of each affected class (affiliate). Should any affected class (affiliate), which has the right to a separate class (affiliate) vote, fail to adopt a resolution by an appropriate majority, the resolution shall be deemed rejected.

If the president is uncertain about whether the resolution adopted by the delegates requires separate approval of one or more classes (affiliates), the president may take an advisory vote of those classes (affiliates) to establish the necessary record in the event there is a challenge of General Council's action. However, the advisory vote will not affect the finality of the delegates' action.

E. Separate action is not required on resolutions that have been consolidated with other resolutions. However, a motion to divide the question and consider an individual resolution separately may be made. Such a motion must be seconded by twenty percent (20%) of the registered delegates and adopted by a majority vote.

F. 1. Except as follows, a motion to accept a committee's recommendations in toto is in order if the recommendations have been distributed to the delegates in writing at least four (4) hours prior to the committee's report, except as contained in Rule 6.F.2.

2. Committee recommendations that would amend the Bylaws shall require individual action by the General Council.

3. All Fiscal Committee resolutions shall require individual action and shall only be considered after final action on all B&P resolutions have been taken.

4. Before the vote is taken on a motion to accept recommendations in toto, any delegate may ask that a resolution be withdrawn for separate consideration.

G. The final report of General Council actions on committee recommendations shall be in written form and must show all the resolved clause(s), including any amendments, and the final action taken. "Whereas" clauses need not be reprinted.

H. Policy File language included in a resolution shall be referred to the Board of Directors, which shall adopt it as board policy.

## 7. Motions --

A. The following motions are not in order at any time:

(i) substitute motion or substitute amendment.

(ii) to lay on the table.

(iii) to reconsider and enter on the minutes.

B. Upon the adoption of a motion to adjourn, closing ceremonies shall commence before actual adjournment.

C. A motion to reconsider may only be made by a delegate who voted on the prevailing side. It requires a two-thirds (2/3) vote, except for a motion to reconsider the Central Support budget, which shall require a majority vote. If the motion prevails, the motion to be reconsidered comes back exactly as it was when it was previously acted upon. It is then open for amendment, adoption, referral or rejection.

D. A motion to rescind requires a two-thirds (2/3) vote.

E. A delegate who makes a motion must rise only for that purpose and will be given the first opportunity to speak on the motion.

F. A motion for the previous question (to end debate and proceed to a vote) may be made only by a delegate who rises solely for this purpose. The motion must be seconded by twenty percent (20%) of the registered delegates. It is not amendable; it is not debatable. It requires a two-thirds vote. Unless either the "pro" or "con" speaker list has been exhausted, the chair shall not accept a motion to end debate until a minimum of three (3) "pro" and three (3) "con" arguments have been heard.

## 8. Voting --

- A. 1. Votes may be taken by show of hands, standing vote, voting cards, standing counted vote or roll call vote. The presiding officer may call for any of these actions at his/her discretion.
2. At the discretion of the presiding officer, a motion may be set aside until all delegates have been given an opportunity to return to the floor.
3. A motion to suspend a rule must be seconded; is not amendable; is not debatable; and requires a three-quarters (3/4) vote.
4. A motion for a standing vote to be visually determined by the chair requires one second.
5. Motions calling for a standing counted or roll call vote must be seconded by twenty-percent (20%) of the registered delegates and require a majority vote.
6. To conduct a roll call vote, the sergeants-at-arms shall poll the delegates within their assigned areas and present their recorded tallies to the presiding officer when called.
7. A motion for a standing vote, standing counted vote or roll call vote must be made before another motion is put by the presiding officer.
8. On a standing counted vote or a roll call vote the presiding officer shall direct the sergeants-at-arms to instruct all delegates who are away from the General Council floor to return for the vote.
9. A "majority vote" means a vote of a majority of the delegates present and voting, a quorum being present. Similarly, a two-thirds (2/3) vote or three-quarters (3/4) vote is a decision made by that number of delegates present and voting, a quorum being present.

## 9. Elections --

- A. After the nominations for all offices have been closed, the presiding officer shall call for a motion to declare as elected any unopposed candidates for office.
- B. Pursuant to Bylaws Article IV: Elections and Terms of Office, Section 1(b), nominations and elections shall be conducted according to the procedures established by the Board of Directors in Policy File Sections 503.01 – 503.08.



C. Election protests, if any, shall conform to Policy File Section 503.08, as follows:

Candidate Election Protest Procedure

1. A candidate for Association office may protest an election by:

(a) Seeking recognition of the presiding officer, not later than one hour after the election results have been announced, for presentation of the protest.

(b) Specifically explaining the irregularity or procedure violated.

2. The presiding officer shall immediately rule upon the protest. If the protester or any other candidate for that office disagrees with the ruling of the presiding officer, he/she may challenge the ruling of the chair. The presiding officer shall immediately take appropriate action to obtain a decision of General Council.

D. At the conclusion of all elections, the president may recognize candidates for elective office for the purpose of thanking the delegates for their election support.

10. Appeal from Decision of Chair --

An appeal from a ruling by the chair must be seconded by twenty percent (20%) of the registered delegates. The chair's ruling is sustained by either a majority or a tie vote.

11. Appeal to General Council --

A. The appeal must be presented in writing to the president.

B. The presiding officer shall appoint an ad hoc committee to hear an appeal and make written recommendations to General Council.

C. The written report of the committee shall include:

1. A statement of the appeal;

2. Its findings; and

3. Its recommendation.

12. With the exception of materials that can be placed at each delegate table location, all campaign/electioneering material, including posters, banners and other forms of displayed material, is not allowed in any location where it could be observed by delegates while they are in session.

No material may be placed at the delegate tables which names any individual person or alludes to any Association delegate in language that may be deleterious or derogatory to a person's character and reputation. Questionable material shall be referred to the Rules Committee, whose decision is final. At the direction of the presiding officer, questionable material shall be confiscated by the sergeants-at-arms until a determination is made by the Rules Committee.

13. The Bylaws, these rules, and the latest edition of Robert's Rules of Order, constitute the rules of General Council, including any affiliate meetings occurring during this session.

14. Smoking and alcoholic beverages are prohibited on the floor of General Council.

15. Decorum shall be maintained on the floor of General Council. Cellular phones brought onto the floor must be in silent or vibratory mode. Delegates should leave the floor to answer. Candidates for office are prohibited from using cellular phones while they are sequestered during the candidates' speeches.

16. The minutes of this 67<sup>th</sup> General Council will be approved by a committee appointed by the president.

17. Late submitted resolutions submitted by an affiliate and emergency resolutions approved by the Rules Committee shall be referred by the president to an appropriate subject committee.

### **403.00 Report of General Council**

Following General Council, the headquarters staff shall issue a report of actions of General Council. (BD 69/04/3, BD 24/11/2)

### **404.00 Delegates to General Council**

#### **404.01 Delegates' Folder**

The delegates' folder should include at least the following: (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(a) A section describing the action taken on all resolutions not rejected by the previous General Council; (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(b) A section containing the report of the secretary-treasurer; (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(c) A section containing a list of all members of General Council; (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(d) A section containing General Council subject committee reports; (BD 50/92/2, BD 59/94/2, BD 69/04/3, BD 24/11/2)

(e) A section containing Board of Directors standing committee reports; (BD 50/92/2, BD 59/94/2, BD 69/04/3, BD 24/11/2)

(f) A section containing affiliate/division reports; (BD 50/92/2, BD 59/94/2, BD 69/04/3, BD 10/11/2, BD 24/11/2)

(g) A section containing resolutions before the current General Council; (BD 50/92/2, BD 69/04/3, BD 24/11/2)

(h) A section containing rules from the preceding General Council and/or proposed amendments to the rules. (BD 50/92/2, BD 69/04/3, BD 24/11/2)

#### 404.02 Delegate Status

##### (a) Assignment to Affiliate/Division

All delegates shall be assigned to the appropriate affiliate/division based on their membership class as defined in Article III: Membership, Section 7, of the Bylaws. (BD 57/93/3, BD 69/04/3, BD 10/11/2, BD 24/11/2)

##### (b) Voting Rights at General Council

(1) All delegates regardless of the class to which they are assigned have the right to vote on all matters coming before the general session of the General Council. (BD 57/93/3, BD 69/04/3, BD 24/11/2)

(2) Delegates from the affiliates/divisions shall have the right to attend and vote at all sessions of their affiliate/division meetings of the General Council. A delegate's status, as determined by class of membership at the time of the meeting, shall determine voting rights, provided he/she remains a delegate pursuant to Article VIII: General Council, of the Bylaws. (BD 57/93/3, BD 69/04/3, BD 10/11/2, BD 24/11/2)

#### 405.00 Seating Arrangements

##### 405.01 Affiliate/Division Delegate Seating

Each affiliate/division shall determine the seating of its affiliate's/division's delegates at General Council. Headquarters shall assign areas for affiliate/division delegates, with locations rotating each assignment with the exception of Retired Division delegates who shall be seated in the front. Headquarters shall notify each division director of the assigned area for the affiliate/division delegates, and request seating arrangements to be returned by a specific date. The seating arrangements within

the assigned affiliate/division area are to be rotated. Affiliate/division presidents shall respond with seating assignments by the due date, or seats will be assigned by headquarters. (BD 50/92/2, BD 59/94/2, BD 130/00/2, BD 69/04/3, BD 10/11/2, BD 24/11/2)

## **406.00 Budget**

### **406.01 Budget Distribution**

The Board of Directors' approved budget proposal in resolution form shall be mailed, not later than 60 days prior to convening of General Council, to:  
(BD 66/93/3, BD 70/03/2, BD 10/11/2, BD 24/11/2)

Members of the Board of Directors; (BD 50/92/2, BD 10/11/2, BD 24/11/2)  
Affiliate/Division board members; (BD 50/92/2, BD 59/94/2, BD 70/03/2, BD 10/11/2, BD 24/11/2)  
Delegates of General Council; (BD 50/92/2, BD 10/11/2, BD 24/11/2)  
Members of Bylaws, Policies, Procedures, and Programs, Member Benefits, and Fiscal Committees. (BD 66/93/3, BD 70/03/2, BD 52/09/2, BD 10/11/2, BD 24/11/2)

This document shall be provided to any active member who, on an individual basis, requests it in writing from headquarters. (BD 50/92/2, BD 10/11/2, BD 24/11/2)

## **407.00 Oath of Office for Statewide Officers**

I do hereby solemnly affirm that I will faithfully discharge the duties of the office to which I have been elected in accordance with the Bylaws and Policy File of the California State Employees Association to the best of my ability. I will deliver to my successor in office all books, papers and other property of this Association that may be in my possession at the close of my official term. (BD 61/90/2, BD 59/94/2, BD 64/03/2, BD 10/11/2, BD 24/11/2, BD 4/13/1)

## **Division 5: Association Elections**

### **501.00 Association Elections**

#### **501.01 Establishment of Rules**

##### **(a) Association Officers**

All elections of Association officers shall be held under rules and regulations established by the Board of Directors in accordance with CSEA Bylaws. (BD 79/92/3, BD 25/92/2, BD 68/95/4, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

##### **(b) Affiliate/Division Delegates**

An affiliate may adopt its own rules for elections as long as they are consistent with the CSEA Bylaws. All elections of General Council chapter/DLC delegates from affiliates/divisions that have not established election procedures shall be held under rules and regulations established by the Board of Directors. (BD 66/04/3, BD 18/11/2, BD 18/11/2, BD 24/11/2)

#### **501.02 Election Coordination**

##### **(a) Association Elections**

Association elections are under the general direction of the secretary-treasurer, unless otherwise stated in policy, who is empowered to take appropriate actions necessary to ensure compliance with election policy. In the absence of the secretary-treasurer, the president shall appoint another officer which may be himself/herself to act in place of the secretary-treasurer. (BD 79/92/3, BD 68/95/4, BD 55/97/3, BD 3/98/1, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

##### **(b) Affiliate Delegates to General Council**

When the affiliate(s) do not have rules and regulations for the election and removal of General Council chapter/DLC delegates that conform to Bylaws Article VIII: General Council, Sections 4, the secretary-treasurer, unless otherwise stated in policy, is empowered to ensure compliance with election policy. In the absence of the secretary-treasurer, the president shall appoint another officer which may be himself/herself to act in place of the secretary-treasurer. (BD 25/95/2, BD 68/95/4, BD 55/97/3, BD 3/98/1, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

### 501.03 Computation of Time

When the last day for performance of any act required by this election code falls upon a Saturday, Sunday or holiday, such act may be performed upon the next business day with the same effect as if it had been performed upon the day appointed. (BD 102/84/4, BD 18/11/2, BD 24/11/2)

## **502.00 Association Officers and General Council Delegates**

### 502.01 Electorate

(a) Association officers are elected by the delegates of General Council. (BD 79/92/3, BD 18/11/2, BD 24/11/2)

(b) General Council chapter/DLC delegates are elected by the active members of their respective affiliate/division chapters/DLCs, and in accordance with their election policies and procedures. (BD 25/95/2, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

### 502.02 Term of Office

(a) Association officers and General Council chapter/DLC delegates shall be elected for three-year terms. The new term becomes effective after the 2009 General Council. (BD 4/99/1, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

(b) No General Council delegate shall lose his/her position by virtue of any affiliate/division or chapter/DLC realignment until his/her existing term of office expires pursuant to Bylaws Article VIII: General Council, Section 4 (b)(1). (BD 75/00/2, BD 18/11/2, BD 24/11/2)

### 502.03 Time of Election

(a) The election of Association officers shall be held at the general session of General Council at a time prescribed by the Board of Directors. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(b) Chapter/DLC delegate elections shall be held every three years. (BD 4/99/1, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

### 502.04 Eligibility for Affiliate/Division Officers and General Council Delegates

Any active member in good standing in a chapter/DLC, including any member of the Nominating Committee, is eligible for the office of General Council chapter/DLC delegate. A written consent form and optional candidate statement must be filed with the appropriate affiliate/division prior to the closing of nominations. (BD 25/95/2, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

#### 502.05 Candidate Consent Form

Affiliate/division members in good standing shall file an affiliate candidate consent form for any chapter/DLC position, and for General Council delegate with his/her respective affiliate. (BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

#### 502.06 Submission of Candidate Consent Form and Optional Candidate Statement

The signed consent form and optional candidate statement shall be filed with the appropriate affiliate/division election committee. (BD 25/95/2, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

#### 502.07 Candidate Notification

Headquarters office staff shall notify candidates that their candidate consent form and/or optional candidate statement have been received within five (5) business days of receipt. If no candidate statement is submitted, the notification will include information regarding candidate statements. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 502.08 Candidate Statements for General Council Chapter/DLC Delegates

Candidates for General Council chapter/DLC delegates may submit written candidate statements, which may include a telephone number, e-mail and web site address, not to exceed 100 words and the statements will be published with the ballots at no cost to the candidates. Such statement(s) shall be received in headquarters office between 9 a.m. on January 1 and 5 p.m. on February 7. Words beyond the 100 word limit shall be deleted. (BD 3/98/1, BD 47/99/2, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

#### 502.09 Affiliate Chapter/DLC Delegate Election Process

##### (a) Mailing of Ballots

Ballots shall be mailed by headquarters no later than April 20 to each active member in good standing, by nonprofit or first-class mail to those members with an address within the state, by first-class mail for all others and shall comply with the following rules: (BD 138/83/3, BD 100/98/5, BD 18/11/2, BD 24/11/2)

(1) The position(s) to be filled by the election shall be shown; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(2) The order of the candidates for each position shall be determined by lot; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(3) Each candidate shall be identified by name and classification; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(4) There shall be no write-in candidates; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(5) The number of candidates to be elected for each office shall be shown; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(6) First-class return postage shall be used for all elections. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(b) Voting Instructions

Voting instructions and optional candidate statements shall accompany each ballot. (BD 138/83/3, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(1) Vote for the number of candidates as indicated on the ballot; (BD 138/83/3, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(2) Instructions to place signature and print name in the designated location on the envelope; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(3) To be valid, ballots must be received in headquarters by 5 p.m., May 20. If May 20 falls on a Saturday or Sunday the deadline will be the first working day following; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(4) Election protest must be in writing to the CSEA president and received in Association headquarters by 5 p.m., June 10; (BD 10/86/1, BD 42/02/4, BD 18/11/2, BD 24/11/2)

(5) A plurality is required to elect, a tie shall be broken by lot. (BD 138/83/3) (BD 48/06/2, BD 18/11/2, BD 24/11/2)

(c) Election Materials

The secretary-treasurer shall be responsible for retention of all General Council chapter/DLC delegate election materials until the next General Council. (BD 125/00/2, BD 22/08/3, BD 18/11/2, BD 24/11/2)

(d) Computation of Election Results

(1) Under the direction of secretary-treasurer, headquarters office shall verify the validity of all returned ballots according to the following principles: (BD 138/83/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

a. Absence of the signature in the designated location voids ballot; (BD 138/83/3, BD 18/11/2, BD 24/11/2)



b. If the irregularities go to the essence of the entire ballot, the ballot shall be invalidated; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

c. Where Association policy is silent the secretary-treasurer shall be authorized to take appropriate steps consistent with public election laws in the computer counting of ballots. (BD 138/83/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

(2) In the event of a tie vote, the secretary-treasurer shall resolve the tie by lot in the presence of witnesses. (BD 133/83/3, BD22/08/3, BD 18/11/2, BD 24/11/2)

(e) Results and Publication

By May 30 the secretary-treasurer shall cause the election results to be sent to each candidate and the appropriate president by first class mail. (BD 138/83/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

General publication of the results shall be released the following working day. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

No results shall be released prior to the candidate notification. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(f) Recounts

Upon written request from any candidate during the protest period, headquarters office shall cause an immediate recount of ballots for that office to be held. No further recount shall be required unless it is requested through the election protest procedure. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(g) General Council Delegates, Affiliate/Division Offices and Chapter/DLC Offices

(1) Non-affiliate election protests shall follow CSEA's protest procedures. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

(2) Affiliate election protests shall follow their respective protest procedures. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

502.10 Re-election Process

(a) The secretary-treasurer shall be responsible for carrying out the directive of the Board of Directors for re-election of division officers. (BD 86/95/4, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

(b) All re-elections, unless otherwise specified by the Board of Directors' action, shall be completed no later than 60 days after the Board of Directors' decision. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(c) The affiliate president shall be responsible for carrying out the directive of their respective council's or affiliate's re-election of their chapter/DLC officers and General Council chapter/DLC delegates. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

### **503.00 General Council Elections**

#### **503.01 Eligibility for Association Offices**

Any active member in good standing is eligible to run for any Association office. Written consent must be given prior to the closing of all nominations. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### **503.02 Association Consent Form**

##### **(a) Prior to General Council**

The signed consent form shall be delivered to headquarters office not more than 180 days prior to the convening of the general session of the General Council. Headquarters office shall immediately acknowledge receipt of the consent form to the candidate. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

##### **(b) Consent Form at General Council**

Within 24 hours of convening the general session of General Council, the signed consent form shall be delivered to the chairperson of the Nominations Committee. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

##### **(c) At General Council**

After the convening of the general session of General Council, but prior to the closing of all nominations, the signed candidate consent form shall be delivered to the presiding officer. (BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

##### **(d) Candidate Consent Form**

Members in good standing must complete and sign the following candidate consent form prior to the closing of nominations.

"I \_\_\_\_\_, \_\_\_\_\_  
(Print Name) (Affiliate)

hereby consent to be a candidate for the office(s) checked below and will serve if elected."

Association Officers

- President
- Vice President
- Secretary-Treasurer

I acknowledge that it shall be my duty and responsibility to submit to my successor to the office, all books, papers and other property of CSEA or its affiliate in my possession at the close of my official term.

Address \_\_\_\_\_  
(Street) (City) (Zip)

Phone: Work (\_\_\_\_) \_\_\_\_\_ Home (\_\_\_\_) \_\_\_\_\_

Cell (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

E-mail \_\_\_\_\_  
(Work) (Personal)

Signature \_\_\_\_\_ Date \_\_\_\_\_

(BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

503.03 Candidate Publicity -- Association Officers

In order for the candidate to have material concerning his/her candidacy distributed by headquarters office to the delegates of the General Council, the signed candidate statement shall be received in headquarters office at least 90 days prior to the convening of the general session of General Council. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

(a) Distribution of Candidate Material

Material for distribution in the delegates' folder shall be delivered to headquarters office at least 60 days before the convening of the general session of General Council. The material submitted shall be reproduced by CSEA at no cost to the candidate and shall not exceed one page 8-1/2"x 11" in size; both sides of which may be utilized. Material so submitted shall be mailed with the delegates' folder no less than 30 days prior to General Council. Other than as provided herein, no material concerning candidates shall be mailed or distributed by headquarters office, except as provided in the Policy File. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

## 503.04 General Council Nominations Committee

### (a) Composition

The General Council Nominations Committee shall be composed of one representative from each affiliate who is a General Council delegate appointed by their respective affiliate president. The Association president shall appoint a past president to chair the committee. In the interest of fairness, no person who is a candidate shall serve on the Nominations Committee. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

### (b) General Council

(1) The Nominations Committee shall hold an open meeting at the opening ceremonies of the general session of General Council. This meeting shall be open to all members. The committee may establish rules of order for candidate presentations. (BD 53/88/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(2) The General Council Nominations Committee shall report to the general session of General Council during the opening ceremonies. The committee shall announce the names of all eligible candidates who have filed a consent statement. Campaign materials may not be distributed to the delegates during the nomination procedure. (BD 79/92/3, BD 66/04/3, BD 18/11/2, BD 24/11/2)

### (c) Nominations from the Floor

After the Nominations Committee has completed its report, nominations from the floor are in order. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

## 503.05 Election of Unopposed Candidates

After nominations have been closed the presiding officer shall call for a motion to declare elected any unopposed candidates. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

## 503.06 Introduction of Candidates at General Council

The nominated candidates shall be excused to a nearby room. The presiding officer shall introduce each of the candidates who have filed consent statements. The Nominations Committee will then conduct interviews of the candidates, consisting of four questions prepared by the committee, one from each affiliate member, which have been kept confidential. The candidates shall be introduced and speak in the sequence in which they were placed in nomination. The candidates will be allowed two minutes to respond to each of the four questions, after which each candidate may speak for not more than five minutes. Presentations by candidates shall be timed by an official timekeeper. A 30-second warning shall be given to the speaker

and at the conclusion of the allotted time the speaker's microphone shall be ordered turned off by the timekeeper. Following completion of the statements for each office the candidates for that office may return to the General Council floor. (BD 68/88/3, BD 79/92/, BD 95/98/5, BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 503.07 Ballots

##### (a) Time of Balloting

The president shall set a date and time certain for Association officer elections at General Council. The results shall be announced immediately upon completion of the tabulation. If a runoff is necessary, the election shall be conducted immediately. (BD 55/86/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

##### (b) Ballot Counting

The counting of the ballots shall be the responsibility of the Election Tellers Committee. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

##### (c) Confidentiality of Election Results

It shall be the responsibility of the chair of the Election Tellers Committee to maintain confidentiality of the election results until they are announced to the General Council. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

##### (d) Sequestering of the Election Tellers Committee

After the ballots are tabulated, members of the Election Tellers Committee, staff and all others with a knowledge of the results shall remain sequestered in the counting room and shall not communicate with anyone outside of the room until the election results are announced to the General Council by the chairperson. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

##### (e) Disposal of Election Materials

All ballot materials shall be secured and retained until the close of General Council. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

#### 503.08 Election Protest Procedure of Association Officer

A candidate for Association office may protest an election for that office at the general session of General Council. The protestor shall: (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(a) (1) Seek recognition of the presiding officer, not later than one hour (excluding breaks) after the election results have been announced, for presentation of the protest; (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(2) Specifically explain the irregularity or procedure violated. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(b) The presiding officer shall immediately rule upon the protest and if the protestor or any candidate for that office disagrees with the ruling of the presiding officer, he/she may challenge the ruling of the chair. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

The presiding officer shall immediately take appropriate action to enact the decision of General Council. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

#### 503.09 Installation

(a) Association Officers

The installation of elected Association officers shall be on the last day of the general session of General Council, but they shall not assume their duties until the close of General Council. The outgoing president may designate the installing officer. (BD 138/83/3, BD 18/11/2, BD 24/11/2)

(b) General Council Chapter/DLC Delegates

General Council chapter/DLC delegates, upon presentation of satisfactory evidence of being elected, are installed as the first order of business on the first day of General Council. (BD 25/95/2, BD 18/11/2, BD 24/11/2)

#### 503.10 Filling of Vacancies

(a) Association Officers

The filling of vacancies among the Association officers shall be in accordance with Bylaws Article XVIII: New Governance Structure for the Association. (BD 138/83/3, BD 59/94/2, BD 18/11/2, BD 24/11/2)

(b) General Council Chapter/DLC Delegates

A chapter/DLC with a vacancy in a chapter/DLC delegation of General Council chapter/DLC delegates shall fill the vacancy with an elected chapter/DLC alternate in order of the number of votes received by each alternate, and certify such alternate to the secretary-treasurer of the Association. (BD 25/95/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

## **504.00 Recall of Association Officers**

Association officers may be recalled pursuant to Bylaws Article IV: Elections and Terms of Officers, Section 1 (d). (BD 49/94/2, BD 18/11/2, BD 24/11/2)

### **504.01 Recall Electorate**

Proponents for recall of Association officers are limited to General Council delegates or the Board of Directors. (BD 10/93/1, BD 18/11/2, BD 24/11/2)

### **504.02 Notice of Intent to Recall**

(a) Before recall proponents may obtain signatures on a petition, they must send notice of intent to recall to the Association president, or the secretary-treasurer if the recall is for the president, and to the officer being recalled. Within 14 days after the notice is postmarked, the officer may respond in writing to the proponents with a copy to the president, or the secretary-treasurer if the recall is for the president. The reasons for recall and the response shall be limited to 200 words each. Any words in excess of 200 in the reasons for recall or the response shall be deleted. (BD 10/93/1, BD 82/98/5, BD22/08/3, BD 18/11/2, BD 24/11/2)

(b) A recall may also be initiated by the Board of Directors when a disciplinary action results in a recommendation for removal from office. When so initiated, no petition is necessary and the matter will proceed directly to a vote. (BD 10/93/1, BD 18/11/2, BD 24/11/2)

### **504.03 Petition for Recall**

The General Council delegates may petition the Association president, or the secretary-treasurer if the recall is for the president, at headquarters office to request a recall election for an Association officer. A separate petition, containing a least 300 General Council delegates' signatures, no more than 30 percent being from any one region, is required for recall of each officer. (BD 10/93/2, BD 70/01/2, BD 66/04/3, BD 22/08/3, BD 18/11/2, BD 24/11/2)

### **504.04 Mailing of Petition to Proponent**

Within 30 days from the date of receipt of the notice of intent to recall an Association officer, headquarters office shall send the petition form to the proponent for the recall. (BD 10/93/2, BD 18/11/2, BD 24/11/2)

#### 504.05 Timeliness of Petition

In order to be timely the petition for recall of an Association officer must be received in Association headquarters within 60 days from the date the petition was mailed from Association headquarters pursuant to Section 504.04. (BD 10/93/1, BD 59/94/2, BD 18/11/2, BD 24/11/2)

#### 504.06 Content of Petition

The top portion of the petition shall contain the name and office of the officer being recalled, a statement of the reasons for recall, and the response of the officer being recalled. If no response is made, the petition shall so indicate. The name of each signatory must be printed as well as signed. (BD 10/93/1, BD 18/11/2, BD 24/11/2)

#### 504.07 Validation of Petition

Within 30 days of receipt of the petition in Association headquarters, the signatures shall be validated by headquarters office. (BD 10/93/1, BD 59/94/2, BD 18/11/2, BD 24/11/2)

#### 504.08 Recall Election Order

Immediately upon validation of the necessary signatures, the president or the secretary-treasurer if the recall is for the president, shall order a recall election and assign an officer to monitor the election process. (BD 10/93/1, BD 36/96/2, BD 22/08/3, BD 18/11/2, BD 24/11/2)

#### 504.09 Balloting Process

(a) No later than 30 days after the recall election order pursuant to Section 504.08 above, ballots shall be mailed from Association headquarters to all General Council delegates using balloting procedures. (BD 10/93/1, BD 59/94/2, BD 22/08/3, BD 18/11/2, BD 24/11/2)

(b) All ballots must be received in Association headquarters no later than 30 days from the date of mailing of the ballots from Association headquarters. (BD 10/93/1, BD 59/94/2, BD 18/11/2, BD 24/11/2)

(c) Ballots shall be counted no later than five days after the deadline for receipt of ballots. The officer assigned shall supervise the counting of the ballots and certify the results. (BD 10/93/1, BD 18/11/2, BD 24/11/2)



#### 504.10 Vote

An affirmative vote of the majority of valid ballots cast shall be required to recall an elected Association officer, provided a quorum of General Council delegate votes are cast (which affirmative votes also constitute a majority of the required quorum). The quorum required is that required at a regular session of the General Council. (BD 10/93/1, BD 18/11/2, BD 24/11/2)

#### 504.11 Notification

The officer assigned to monitor the election shall, by registered letter, transmit the results of the recall election to the Association president, or the secretary-treasurer if the recall is for the president, the recall proponent, and the officer who is the subject of the recall election. (BD 10/93/1, BD 22/08/3, BD 18/11/2, BD 24/11/2)

#### 504.12 Filling of Vacancy

Any vacancy created by a valid recall election shall be filled in accordance with Bylaws Article XVIII: New Governance Structure for the Association. (BD 10/93/1, BD 59/94/2, BD 18/11/2, BD 24/11/2)

### **505.00 Recall of General Council Chapter/DLC Delegates**

General Council chapter/DLC delegates may be recalled as provided by the affiliate/division policies and procedures. (BD 25/95/2, BD 40/98/3, BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 505.01 Recall Electorate

Proponents for recall of General Council chapter/DLC delegates must be active members of their respective affiliate/division, and must comply with affiliate/division policies and procedures regarding recall process. (BD 40/98/3, BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 505.02 Notice of Intent of Recall of Affiliate Delegate to General Council

Before recall proponents may obtain signatures on a petition, they must send notice of intent to recall to the affiliate president, chapter/DLC president and the delegate being recalled. Within 14 days after the notice is postmarked, the delegate may respond in writing to the proponents with a copy to the affiliate president and the chapter/DLC president. The reasons for recall and the response, if any, shall be limited to 200 words each and shall be mailed with the ballot. All words in excess of 200 shall be deleted. (BD 40/98/3, BD 74/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(a) A recall may also be initiated by the affiliate board when a disciplinary action results in a recommendation for removal from office. When so initiated, no petition is necessary and the matter will proceed directly to a vote. (BD 40/98/3, BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 505.03 Balloting Process

The balloting process must be in compliance with affiliate policies and procedures. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 505.04 Votes

Voting must be in compliance with affiliate election policies and procedures. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 505.05 Notification

Notification must be in compliance with affiliate policies and procedures. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 505.06 Filling of Vacancy

Any vacancy created by a valid recall election shall be filled in accordance with Bylaws Article VIII: General Council, Section 5. (BD 40/98/3, BD 18/11/2, BD 24/11/2)

### **506.00 Removal of General Council Chapter/DLC Delegates**

The removal of General Council chapter/DLC delegates must be in compliance with affiliate policies and procedures. (BD 66/04/3, BD 18/11/2, BD 24/11/2)

### **507.00 Election Conduct for CSEA General Election**

#### 507.01 Prohibited Activities and Conduct

The following code of conduct and prohibited activities shall apply to elections for all Association offices: (BD 155/85/5, BD 72/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(a) Candidates and members are prohibited from using obscene or untrue statements; (BD 155/85/5, BD 72/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(b) Candidates and members shall not encourage Association voters to base their judgments on considerations of race, color, sex, religion, occupation, national origin, gender identification, ancestry, disability, or age; (BD 155/85/5, BD 72/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(c) The Association and its affiliates/divisions and chapters/DLCs may not use members' dues to contribute to or support a candidate for any Association or affiliate, division or chapter/DLC office; (BD 23/00/1, BD 72/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(d) The Association and affiliates/divisions, chapters/DLCs and members shall not use Association, affiliate/division or chapter/DLC equipment such as, but not limited to, telephones, fax machines, and computers for the purpose of supporting or opposing a candidate for an elected position in the Association. (BD 55/01/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### 507.02 Violations

(a) A candidate for an Association office may file a protest for that office with the Association's president or designee concerning violations of prohibited activities and conduct. Such protests shall be immediately referred by the president to a hearing panel selected from a hearing panel pool. The hearing panel shall immediately review the protest, and upon a finding by the hearing panel upholding the protest, the following actions shall take place: (BD 155/85/5, BD 89/94/3, BD 88/98/5, BD 72/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

(1) If the protest concerns the conduct of a candidate, the candidacy of the member may be terminated; (BD 155/85/5, BD 89/94/3, BD 72/00/2, BD 18/11/2, BD 24/11/2)

(2) Charges shall be filed under Division 7: Discipline and Grievances of the Policy File seeking disciplinary action. (BD 155/85/5, BD 72/00/2, BD 18/11/2, BD 24/11/2)

(b) If the activities continue after being notified of the hearing panel's findings, the Board of Directors may suspend the member from the Association, pursuant to Division 7: Discipline and Grievances of the Policy File. (BD 59/94/2, BD 72/00/2, BD 66/04/3, BD 18/11/2, BD 24/11/2)

#### **508.00 Prohibited Activities by CSEA Staff**

CSEA staff are prohibited from advocating for or against candidates for any Association or affiliate elective office. No employee shall be required to render service in support or opposition of any particular candidate for any Association or affiliate elective office. (BD 66/04/3, BD 18/11/2, BD 24/11/2)



## **Division 6: Committees**

### **601.00 General Council Subject Committees**

General Council subject committees are: (Bylaws Article IX: Committees, Section 1)

Bylaws, Policies, Procedures and Programs  
Member Benefits  
Fiscal  
(BD 21/95/2, BD 22/08/3, BD 12/11/2, BD 24/11/2)

#### **601.01 Size Restriction**

The size of committees shall be composed of at least one (1) member of each affiliate/division and shall be restricted to as few members as can be utilized effectively with a view to economy of operation. (BD 50/92/2, BD 5/03/1, BD 16/05/1, BD 12/11/2, BD 24/11/2)

### **602.00 Duties of General Council Subject Committees**

**602.01 Bylaws, Policies, Procedures and Programs Committee** (BD 22/08/3, BD 12/11/2, BD 24/11/2)

The basic responsibility of the Bylaws, Policies, Procedures and Programs Committee is to protect the integrity of the Association by serving as the forum for discussion of all matters that relate to the governing principles of the Association. The committee: (BD 39/91/3, BD 21/95/2, BD 22/08/3, BD 12/11/2, BD 24/11/2)

(a) Independently reviews all actions of General Council, the Board of Directors, and affiliates/divisions for conformance with the Articles of Incorporation, Bylaws and Policy File and brings to the attention of the Board of Directors any actions found not in conformance therewith; (BD 39/91/3, BD 59/94/2, BD 65/03/2, BD 12/11/2, BD 24/11/2)

(b) Upon referral by the Board of Directors or the president, studies and makes recommendations on matters as appropriate; (BD 139/77/5, BD 24/11/2)

(c) Upon request of the Board of Directors or the president, interprets unclear or ambiguous portions of the Bylaws and, along with any such interpretation, makes recommendations as appropriate; (BD 139/77/5, BD 59/94/2, BD 24/11/2)

(d) Assumes and performs such other functions as delineated in the Bylaws and Policy File; (BD 139/77/5, BD 24/11/2)

(e) Reviews assigned sections of the Policy File and makes recommendations to the Board of Directors; (BD 82/95/4, BD 65/03/2, BD 24/11/2)

(f) Reviews affiliate's/division's policy and actions for conformance with Bylaws and Policy File and brings to the attention of the Board of Directors policies and actions not in conformance; (BD 65/03/2, BD 12/11/2, BD 24/11/2)

(g) Reviews subjects pertaining to operations of the Association and its policies relative to its members, public relations, intra-organizational matters and relations with other organizations; (BD 22/08/03, BD 24/11/2)

(h) Reviews referrals from the Board of Directors or the president on matters relating to operations. (BD 22/08/03, BD 24/11/2)

#### 602.02 Member Benefits Committee

The Member Benefits Committee has the primary responsibility for insurance, other benefit programs, retirement programs and related matters. The committee:  
(BD 195/80/5, BD 16/05/1, BD 24/11/2)

(a) Reviews each Association-sponsored member benefit plan at least annually, and makes recommendations relating to benefits, plan reserves, premiums, costs, and continuation of the plans; (BD 195/80/5, BD 16/05/1, BD 24/11/2)

(b) Reviews potential member benefit programs which may have merit as Association-sponsored member benefit plans; (BD 195/80/5, BD 16/05/1, BD 24/11/2)

(c) Approves specifications, reviews the bids received and makes recommendations to the Board of Directors regarding the awarding of a contract for the plan or the rejection of all bids received when any Association-sponsored plan is put out to bid; (BD 195/80/5, BD 24/11/2)

(d) Reviews and analyzes resolutions which are referred to it and prepares amendments and makes recommendations to General Council; (BD 104/79/5, BD 65/03/2, BD 24/11/2)

(e) Reviews referrals from the Board of Directors or the president on matters relating to member benefits. (BD 16/05/1, BD 24/11/2)

#### 602.03 Fiscal Committee

(a) The primary responsibility of the committee is to advise the Board of Directors and General Council on all matters relating to the ability of the Association to fund programs and objectives recommended and/or approved by the Board of Directors or General Council as follows: (BD 15/78/1, BD 16/05/1, BD 24/11/2)

(1) Use of reserves; (BD 15/78/1, BD 59/94/2, BD 16/05/1, BD 24/11/2)

(2) Deferment of specific programs and objectives; (BD 15/78/1, BD 59/94/2, BD 16/05/1, BD 24/11/2)

(3) Reviews referrals from the Board of Directors or the president on matters relating to fiscal items; and (BD 16/05/1, BD 24/11/2)

(4) Recommends to the Board of Directors policy sections which relate to the financial operation of the Association. (BD 15/78/1, BD 59/94/2, BD 16/05/1, BD 24/11/2)

### **603.00 General Council Procedures Committees**

The General Council procedural committees are: (Bylaws Article IX: Committees, Section 1 (b))

Arrangements

Nominations

Courtesy

Rules

Credentials

Sergeants-at-Arms

Election Tellers (BD 50/92/2, BD 12/11/2, BD 24/11/2)

#### **603.01 General Activity**

General Council procedural committees exist only during General Council and assist in its operation. (BD 31/71/1, BD 24/11/2)

### **604.00 Board of Directors Standing Committees**

#### **604.01 Standing Committees**

Agenda (BD 50/92/2, BD 24/11/2)

Hearing Officers Panel (BD 200/82/6, BD 44/09/2, BD 24/11/2)

Human and Civil Rights (BD 4/78/1, BD 59/94/, BD 44/09/2, BD 24/11/2)

Women's (BD 50/93/3, BD 44/09/2, BD 24/11/2)

#### **604.02 General Activity**

Board of Directors standing committees review matters assigned by General Council or the Board of Directors. (Bylaws Article IX: Committees, Section 2) (BD 10/86/1, BD 59/94/2, BD 12/11/2, BD 24/11/2)

(a) Agenda Committee

The committee shall consist of members of the Board of Directors. It shall be the duty of the committee to review all items submitted for addition to the printed agenda. Every item submitted to the committee as an emergency item to be placed on the action agenda of the Board of Directors meeting shall meet one of the following standards, as determined by the Board Agenda Committee: (BD 17/77/1, BD 16/05/1, BD 24/11/2)

(1) Must arise out of circumstances which could not reasonably have been foreseen by the deadline for submission of regular agenda items; (BD 17/77/1, BD 24/11/2)

(2) Some substantial damage or loss to the Association or its members will occur if action is not taken by the Board of Directors; (BD 17/77/1, BD 24/11/2)

(3) The proposed action involves some nonrecurring opportunity or benefit which will be lost if not acted upon. (BD 17/77/1, BD 24/11/2)

Any item accepted by the Agenda Committee shall become an action item by the Board of Directors. Any item rejected by the Agenda Committee shall be reported to the Board of Directors and shall become an action item by a two-thirds vote of the Board of Directors. (BD 51/83/1, BD 16/05/1, BD 24/11/2)

(b) Women's Committee

The committee's role within the Association shall be to: (BD 10/86/1, BD 12/11/2, BD 24/11/2)

(1) Organize and train women members to assume leadership roles in the Association through its chapters, councils, affiliates/divisions, committees and regions; (BD 26/84/2, BD 59/94/2, BD 12/11/2, BD 24/11/2)

(2) Educate and inform all members about the needs and concerns of women in the Association and in state service, identifying issues of particular concern, and supporting the Association through its leadership roles for a policy of more aggressive advocacy and sensitivity in such areas as affirmative action, upward mobility, comparable worth, pay equity, child care, discrimination, sexual harassment, hostile work environment and violence in the workplace; (BD 26/84/2, BD 59/94/2, BD 82/01/3, BD 95/02/5, BD 12/11/2, BD 24/11/2)

(3) Communicate with the women of the Association through a network of contacts representing chapters/DLCs, regions, bargaining units, and

affiliates/divisions for the purpose of gathering information on their special concerns and disseminating information on the activities of the Women's Committee and cooperating women's organizations and conferences; (BD 5/93/1; BD 50/93/3, BD 82/01/3, BD 95/02/5, BD 12/11/2, BD 24/11/2)



(4) Develop educational activities to raise the awareness of Association women as to their legal rights; the availability of state supported in-service and out-service career development training programs and of promotional opportunities in state service; their rights and benefits as state employees or retirees, as Association members, and the Bylaws and Policy File provisions that govern the actions of Association components and members; (BD 26/84/2, BD 59/94/2, BD 82/01/3, BD 12/11/2, BD 24/11/2)

(5) Review and monitor existing and proposed laws and regulations covering areas of particular significance to women, applying pressure for changes or for enforcement, as appropriate, through recommendations for action to the Association Board of Directors; (BD 26/84/2, BD 95/02/5, BD 12/11/2, BD 24/11/2)

(6) Hold a conference in the years preceding each General Council commencing 2008. (BD 43/02/4, BD 71/04/3, BD 22/08/3, BD 12/11/2, BD 24/11/2)

(c) Human and Civil Rights Committee

For the purpose of the performance of the committee, human rights shall be defined as those rights that exist within the Bylaws and Policy File of the Association, and that exist under the Constitution and laws of the United States, and that exist under the Constitution, laws, rules and regulations of the State of California or any department of the California State University. (BD 56/87/3, BD 59/94/2, BD 12/11/2, BD 24/11/2)

The goal of the committee shall be to ensure an environment free of persecution and discrimination. (BD 56/87/3, BD 12/11/2, BD 24/11/2)

The committee shall:

(1) Provide educational training for members who are targets of any form of discrimination (including but not limited to women, minorities, and all persons with disabilities), as defined elsewhere in this Policy File, to assume participational and leadership roles in the Association through its chapters, committees, affiliates/divisions and regions; (BD 59/94/2, BD 46/97/3, BD 12/11/2, BD 24/11/2)

(2) Provide education and information for all members about the needs and concerns of targets of any form of discrimination (including but not limited to women, minorities, and all persons with disabilities) in the Association and in state service; (BD 56/87/3, BD 46/97/3, BD 12/11/2, BD 24/11/2)

(3) Develop and conduct educational activities to raise the awareness of the members of the Association as to the rights of targets of any form of

discrimination (including but not limited to women, minorities, and all persons with disabilities); (BD 56/87/3, BD 46/97/3, BD 12/11/2, BD 24/11/2)

(4) Review and monitor existing and proposed policy and practices of the Association for adherence to the policy of protection of the rights of all members in both civil and human concerns; (BD 56/87/3, BD 12/11/2, BD 24/11/2)

(5) Review and monitor proposed and existing laws, rules and regulations of the state and the implementation of them to ensure the protection of the rights of all members; (BD 56/87/3, BD 12/11/2, BD 24/11/2)

(6) Develop and propose policies and plans to the Association to further the practice of fair and equal treatment of all its members; (BD 56/87/3, BD 12/11/2, BD 24/11/2)

(7) Coordinate the Association's participation in fairs, parades and ethnic, minority and women's events designed to raise awareness of human rights issues; and (BD 56/87/3, BD 49/01/2, BD 12/11/2, BD 24/11/2)

(8) Encourage all chapters/DLCs to fund member participation in the CSEA and SEIU Human and Civil Rights Conference and Women's Conference. (BD 46/97/3, BD 49/01/2, BD 12/11/2, BD 24/11/2)

(d) Hearing Officers Panel Pool

The panel shall conduct investigations and hearings and make recommendations to the Board of Directors pursuant to Divisions 5: Association Elections and 7: Discipline and Grievances of the Policy File. This panel may also be used by the affiliate(s)/division(s). (BD 37/96/2, BD 12/11/2, BD 24/11/2)

## **605.00 Committee Appointments**

### **605.01 Appointments**

Unless otherwise provided, the president coordinates the appointment of members nominated by their affiliates to General Council subject committees. The president may not appoint any member to a subject committee unless that member is nominated by an affiliate. The president may not veto an affiliate appointment without cause subject to review by the CSEA Board of Directors. Such subject committees shall consist of active members of the Association's affiliates; shall be appointed within 50 days of the close of General Council; and shall serve until the adjournment of the next succeeding General Council unless previously removed. (Bylaws Article IX: Committees, Sections 4 and 5) (BD 195/80/5, BD 59/94/2, BD 16/05/1, BD 12/11/2, BD 24/11/2, BD 5/13/1)

To ensure the greatest possible member involvement, the president should not appoint members of the Board of Directors to standing committees. (BD 43/81/3, BD 59/94/2, BD 22/08/3, BD 24/11/2)

## **606.00 Committee Duties and Responsibilities**

### 606.01 Interpretation of Bylaws Article IX: Committees

The Association shall interpret Bylaws Article IX: Committees, Section 6 in the following manner: (BD 80/78/4, BD 59/94/2, BD 12/11/2, BD 24/11/2)

- (a) The president shall assign resolutions and other matters to General Council committees when General Council is in session; (BD 31/71/1, BD 24/11/2)
- (b) When General Council is not in session, the president shall assign resolutions and other matters to an appropriate committee, council, forum, panel or such other body for deliberation and recommendation or disposition; (BD 80/78/4, BD 24/11/2)
- (c) The Board of Directors may assign resolutions or other matters to Board of Directors standing or ad hoc committees. (Bylaws Article IX: Committees)  
(BD 80/78/4, BD 59/94/2, BD 12/11/2, BD 24/11/2)

### 606.02 General Activity

General Council subject committees review resolutions at the time of General Council and continue their review of subject matter throughout the year.  
(BD 31/71/1, BD 24/11/2)

### 606.03 Responsibility to Board of Directors

Each committee is responsible to the Board of Directors between sessions of General Council, and shall keep the Board of Directors informed of its aims, findings, and objectives. (BD 31/71/1, BD 195/80/5, BD 12/11/2, BD 24/11/2)

### 606.04 Responsibility for Policy Review

Sections within various subject matter areas may be assigned to ad hoc committees, other Board of Directors committees or affiliates/divisions. (BD 50/92/2, BD 59/94/2, BD 12/11/2, BD 24/11/2)

- (a) The subject matter areas covered by the Policy File are primarily the responsibility of the following: (BD 50/90/2, BD 28/95/2, BD 80/95/4, BD 16/05/1, BD 22/08/3, BD 44/09/2, BD 12/11/2, BD 24/11/2)

## Part II: Association Policy and Procedures

Division 1: Policy-Making Procedures	B&P Committee
Division 2: Association Governance	B&P Committee
Division 3: Association Communication	B&P Committee
Division 4: General Council	B&P Committee
Division 5: Association Elections	B&P Committee
Division 6: Committees	B&P Committee
Division 7: Discipline and Grievances	B&P Committee
Division 8: Membership	B&P Committee
Division 9: Member Benefits Programs	MB Committee
Division 10: Headquarters	B&P Committee
Division 11: Association Liability	B&P Committee
Division 12: Association Finances	Fiscal Committee
Division 13: Association Travel Expense	Fiscal Committee
Division 14: California State Employees Building Corporation	B&P Committee

### **607.00 Committee Meeting Procedures**

Items on the agenda of the Board of Directors that are referred to committees should include reasons for such referral with suggestions for improving or correcting them. The Board of Directors should express its desired date for return of a report or recommendation. (BD 28/01/1, BD 24/11/2)

The rules of General Council governing the consideration of resolutions shall apply to the actions of the committees when considering General Council resolutions. (BD 50/92/2, BD 24/11/2)

#### **607.01 Review of Board of Directors Material**

Each committee shall review matters referred by the Board of Directors and report to the next Board of Directors meeting. (BD 31/71/1, BD 59/94/2, BD 12/11/2, BD 24/11/2)

#### **607.02 Open Meetings**

Members may speak at any open committee meeting on any subject which may be appropriately considered by the committee, subject to the chairperson's right to determine a reasonable time for the member to appear, to put a reasonable limit on the length of the presentation and to require that the presentation be germane to the subject under consideration. (BD 31/71/1, BD 12/11/2, BD 24/11/2)

### 607.03 Action Agenda Item

Action may not be taken on any agenda item for which the committee members have not had back-up material in their possession for at least five days. This does not, however, preclude discussion of the matter. Exceptions to this rule may be approved by the committee. (BD 195/80/5, BD 55/97/3, BD 12/11/2, BD 24/11/2)



## **Division 7: Discipline and Grievances**

### **701.00 Discipline**

The Association may preserve and protect its integrity through disciplinary procedures. (BD 59/94/2, BD 24/11/2)

#### **701.01 Criteria and Procedures for Disciplinary Action**

Disciplinary action may be taken by the Association's Board of Directors for any of the following charges: (BD 262/75/5, BD 31/04/2, BD 24/11/2)

(a) Gross neglect of duty by a member holding an elected or appointed Association office; (BD 156/85/5, BD 46/09/2, BD 24/11/2)

(b) Treating Association staff in an unprofessional, discourteous, disrespectful, or abusive manner which includes but is not limited to vulgar language and public humiliation; (BD 52/97/3, BD 24/11/2)

(c) Activity by an Association officer actively working for or supporting any other organization that violates the Bylaws and/or Policy File of the Association; (BD 52/97/3, BD 24/11/2)

(d) Intentional breach of confidence in matters appropriately designated confidential when said breach could harm the Association; (BD 156/85/5, BD 24/11/2)

(e) Improper distribution or other misuse of material designed for use within the Association; (BD 262/75/5, BD 24/11/2)

(f) Willful violation of the Association's, Bylaws or Policy File; (BD 40/81/3, BD 69/03/2, BD 31/04/2, BD 46/09/2, BD 15/11/2, BD 24/11/2)

(g) Taking an active part in promoting another organization which is undermining the objectives or the existence of the Association or is seeking decertification of any of its affiliates/divisions; (BD 156/85/5, BD 46/09/2, BD 24/11/2)

(h) Unexcused absences from Board of Directors meetings by Association officers, or failure to participate in activities as assigned; (BD 46/81/3, BD 69/03/2, BD 46/09/2, BD 15/11/2, BD 24/11/2)

(i) Taking a public position contrary to a policy regularly adopted by the Board of Directors or General Council, in the name of the Association, or purporting to act by or with the authority of the Association. It shall not be an offense for an individual to take any position whatsoever on any policy provided he or she takes such a position as an individual and disclaims any intent to represent the position of the Association on the matter; (BD 262/75/5, BD 31/04/2, BD 24/11/2)

(j) Seeking or holding elective or appointive office in the Association while concurrently holding elective or appointive office in another organization representing state employees which is in competition with the Association; (BD 156/85/5, BD 48/94/2, BD 31/04/2, BD 24/11/2)

(k) Conduct that is in opposition to or different from that taken by the Board of Directors or the negotiating team, during the period of time that there are ongoing negotiations between the Association and its bargaining unit staff; (BD 156/85/5, BD 48/94/2, BD 31/04/2, BD 24/11/2)

(l) Misuse of Association affiliate/division funds, equipment, supplies or other assets; (BD 62/87/3, BD 59/94/2, BD 31/04/2, BD 15/11/2, BD 24/11/2)

(m) Violation of an oath of office; (BD 45/96/2, BD 31/04/2, BD 24/11/2)

(n) Use of membership and/or mailing lists, including addressed envelopes and mailing labels, for any purpose other than the specific purpose for which they were requested. (BD 4/97/1, BD 31/04/2, BD 24/11/2)

#### 701.02 Authority for Discipline

A division may take the following actions after investigation of and deliberation over a disciplinary charge: rejection of charges; reprimand; suspension from office within the division; removal from office within the division; recommendation to the Board of Directors that the member be suspended or dismissed from Association membership or office; or other action the division sees fit. (BD 47/92/2, BD 59/94/2, BD 31/04/2, BD 46/09/2, BD 24/11/2)

#### 701.03 Suspension of Membership

When, in the opinion of the president, the actions of an Association officer or member (who is not a member of an affiliate) are such as to pose an immediate threat to the welfare of the Association, the president may suspend the member until the procedure established in Division 7: Discipline and Grievances of the Policy File is concluded, so long as such action is consistent with corporate law. If written charges are not filed within 10 working days, the suspension is terminated. (BD 47/92/2, BD 59/94/2, BD 37/96/2, BD 46/09/2, BD 15/11/2, BD 24/11/2)

However, if the suspension is brought within 90 days immediately prior to General Council, the written charges must be ratified by a majority of the Executive Committee, and filed within 10 days or the suspension is terminated. (BD 156/85/5, BD 59/94/2, BD 24/11/2)



#### 701.04 Suspension of President

If in the opinion of three-fourths of the members of the Executive Committee of the Association, the action of the president is such as to pose an immediate threat to the welfare of the Association, the Executive Committee shall authorize and direct the vice president to suspend the president until the procedure established in Division 7: Discipline and Grievances of the Policy File is concluded. If written charges are not filed within ten days, the suspension is terminated. (BD 47/92/2, BD 59/94/2, BD 46/09/2, BD 15/11/2, BD 24/11/2)

#### 701.05 Procedure for Disciplinary Action

The procedures for discipline shall be as follows: (BD 251/74/3, BD 46/09/2, BD 24/11/2)

(a) Disciplinary action shall commence when a member who is aggrieved by the actions of a member of the Board of Directors or officers files specific charges in writing on an Association Form HR1, which may be obtained from CSEA headquarters, and subsequently submitted to the president. If said charges are filed against the president, charges shall be filed with the vice president. In any case, charges must be filed within one year of occurrence of the acts complained of or within one year after such acts reasonably should have been discovered. The member filing the charges must agree to be present when the action is heard, to substantiate the charges, and present the facts supporting them; (BD 81/98/5, BD 9/00/1, BD 46/09/2, BD 15/11/2, BD 24/11/2)

(b) Upon receipt of the completed Form HR1, the president, or the vice president if the action is against the president shall, within 10 working days, review the charges and if he/she finds the charges impact the members of only one affiliate/division, the president shall refer the charges to that affiliate/division. Otherwise, the president or vice president shall refer it to a hearing officer or panel. (BD 31/04/2, BD 46/09/2, BD 24/11/2)

##### (c) Specific Hearing Officer Panels

(1) Specific panels shall be selected randomly from the members and appointed to the panel pool in the area of the jurisdiction in which the hearing will be held. If an insufficient number of pool candidates are available to fill specific area hearing panel officer vacancies, the president shall cause the selection of candidates from available pool members statewide. (BD 37/96/2, BD 24/11/2)

(2) Specific panels usually have three members, whose names shall be randomly drawn by the chair of the Statewide Hearing Officer Panel pool. Thereafter each panel shall select one of its members to act as chairperson and to preside at all hearings on the matter at hand, and to report to the Board of Directors. The names of the panelists shall be reported to the parties. The

complainant and respondent each shall have the right to exercise one peremptory challenge to remove one panel member within ten calendar days of the report of the names of the panelists. Such challenges may reduce the panel to one or two members. The vacancies created by such challenges will be filled by random selection from the pool. There will be no additional peremptory challenges. (BD 81/98/5, BD 24/11/2)

(d) The hearing panel shall at all times maintain a fair and impartial hearing environment throughout the hearing process; (BD 29/01/1, BD 46/09/2, BD 24/11/2)

(e) In an appropriate case the president may refer the matter to a person(s) who is/are not member(s) of the Association, including professional arbitrators/mediators, to act as the hearing officer or panel. Such person(s) must be trained in and familiar with relevant CSEA practices and policies; (BD 87/94/3, BD 37/96/2, BD 99/98/5, BD 9/00/1, BD 29/01/1, BD 24/11/2)

(f) The hearing officer or panel shall determine the validity of the charges. Such determination shall be made no later than 30 days from the date of mailing to the panel. If the hearing officer or panel determines that the charges are not valid, the charging party will be notified, within 10 working days, and the file will be closed. If the charges are found to be valid, the hearing officer or panel shall hold a hearing within 30 days. A participant in the dispute shall not be a member of the hearing body. If the matter has been referred to an external hearing officer or panel pursuant to Policy File Section 701.05 (e), the validity of charges shall be determined as soon as practicable; (BD 9/00/1, BD 29/01/1, BD 31/04/2, BD 15/11/2, BD 24/11/2)

(g) The findings of the hearing officer or panel shall be confidential, unless released by the Board of Directors for appeal to General Council as provided in Division 7: Discipline and Grievances of the Policy File; (BD 51/93/3, BD 59/94/2, BD 37/96/2, BD 9/00/1, BD 29/01/1, BD 46/09/2, BD 15/11/2, BD 24/11/2)

(h) The hearing officer or panel shall have the authority to grant one extension requested from each side and continuances for good cause to a date certain; (BD 31/04/2, BD 24/11/2)

(i) The individuals involved in the hearing shall be personally notified in writing at least 10 working days prior to the hearing. Notice given by mail must be by certified mail sent to the last known address shown on the Association's records. Such notice shall include the date, time and place of the hearing and a list of charges to be heard. New charges may not be introduced after the hearing notice is mailed; (BD 47/92/2, BD 37/96/2, BD 9/00/1, BD 29/01/1, BD 24/11/2)

(j) The accused and the charging party shall have the right to all written and documentary evidence and a list of witnesses to be introduced at the hearing at least 10 working days prior to the date of the hearing. In the event additional

evidence and/or witnesses are required, either party shall provide the opposing party within at least five (5) working days prior to the hearing with such additional evidence and/or witnesses. The hearing officer or panel may allow the accused to introduce documentary evidence and/or witness testimony relevant to a defense even if it was not disclosed pursuant to the timelines in this section; provided however that the charging party may be allowed an opportunity to rebut the new evidence and/or testimony if the hearing officer or panel believes the rebuttal is essential to adjudicate the issues in dispute; (BD 132/00/2, BD 29/01/1, BD 31/04/2, BD 24/11/2)

(k) The burden of proof shall be with the accuser, and the standard of proof shall be clear and convincing evidence. Findings of fact are required for each issue involved; (BD 37/96/2, BD 9/00/1, BD 29/01/1, BD 31/04/2, BD 24/11/2)

(l) The parties to the hearing shall have the right to be represented at their own cost, to introduce evidence supporting or refuting the charges and to cross-examine witnesses. Strict rules of evidence are not applicable; (BD 47/92/2, BD 9/00/1, BD 29/01/1, BD 24/11/2)

(m) A failure to appear in person or respond in writing, without good cause, in response to the notice of hearing by the member so charged may be deemed sufficient cause for a finding that the charges are correct; (BD 47/92/2, BD 9/00/1, BD 29/01/1, BD 24/11/2)

(n) A failure to personally appear, without good cause, at the hearing by the charging party shall be deemed sufficient cause to dismiss the charges; (BD 47/92/2, BD 9/00/1, BD 29/01/1, BD 24/11/2)

(o) When a charge contains an obvious typographical error, the hearing officer or panel may permit the charge to be amended to correct the error provided that such amendment does not prejudice the accused; (BD 132/00/2, BD 29/01/1, BD 24/11/2)

(p) Once the hearing starts, the charging party may withdraw the charge without prejudice, if the hearing officer or panel finds good cause exists to justify the withdrawal and that the accused is not unduly prejudiced. Such findings shall be made a part of the record of the case; (BD 132/00/2, BD 29/01/1, BD 24/11/2)

(q) No later than 20 days after completion of the hearing, the hearing officer or panel shall only file its report with the president, or the vice president if the charges are against the president, who shall transmit the report to the Board of Directors. The parties shall be sent a copy of the report at the same time it is sent to the Board of Directors. Such report shall include both findings and a recommendation for action; (BD 29/01/1, BD 31/04/2, BD 24/11/2)

(r) The Board of Directors shall act on the report in closed session no later than its next regularly scheduled meeting. The parties shall be entitled to submit written argument, not to exceed five typewritten pages in print no smaller than 10 pt. font, to the Board of Directors. Disciplinary action requires a three-fourths vote of the board. The board must make immediate disposition of the case by board motion and such action must result in one or more of the following with supporting reasons: (Bylaws Article III: Membership, Section 12) (BD 47/92/2, BD 59/94/2, BD 37/96/2, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 15/11/2, BD 24/11/2)

(1) Rejection of the charges; (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(2) Reprimand; (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(3) Suspension from office; (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(4) Removal from office; (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(5) Suspension from privileges of membership; (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(6) Suspension of membership; (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(7) Dismissal from the Association. (BD 251/74/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(s) The decision of the Board of Directors is effective immediately. The decision may be appealed as provided by General Council rules, to General Council; (BD 47/92/2, BD 37/96/2, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(t) Unless otherwise specified in this division, in any case where a procedural error is alleged to have occurred, it shall be determined whether any charged party has been unfairly prejudiced by the error. If it is determined that prejudicial error has occurred, the charges against that party shall be dismissed. Otherwise, the disciplinary action shall proceed. Procedural violations not raised by a party within a reasonable time shall be deemed waived; and (BD 47/92/2, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

(u) All time requirements within these procedures will be subject to a good faith effort by the responsible parties. A good faith effort is defined as making all reasonable attempts to comply. (BD 88/94/3, BD 9/00/1, BD 132/00/2, BD 29/01/1, BD 24/11/2)

#### 701.06 Reimbursement of Costs to Member

In the event the charges against the member are not sustained, the Board of Directors shall provide reimbursement of reasonable costs to the member. (BD 251/74/3, BD 24/11/2)

#### 701.07 Procedures for Implementation of Disciplinary Actions Taken by Affiliates

When an affiliate terminates the membership pursuant to its disciplinary process, the Board of Directors shall also terminate the membership status in the Association. Any membership so terminated shall not be reinstated with the Association unless approval is first obtained from the affiliate. (BD 46/09/2, BD 24/11/2)



## **Division 8: Membership**

### **801.00 Eligibility**

#### **801.01 Determination of Eligibility**

The Board of Directors shall determine which groups of employees are eligible for membership when eligibility is not specifically stated in the Association's Bylaws. (Bylaws Article III: Membership, Section 2) (BD 174/61, BD 59/94/2, BD 24/11/2)

#### **801.02 Persons Eligible for Membership**

(a) Persons are not excluded from eligibility for active membership because of the form of their employment status. Persons in all the following categories are eligible for membership: supervisory, management, confidential, temporary (TAU), probationary, part time, intermittent, limited term, and similar categories. (It should be recognized that the form of employment status may limit eligibility for certain benefit programs.) (BD 195/80/5, BD 80/92/3, BD 24/11/2)

(b) Persons employed in rank-and-file classes not represented by the Association in collective bargaining matters are eligible for special membership pursuant to Bylaws Article III: Membership, Section 6 and Division 8: Membership of the Policy File. (BD 11/82/1, BD 59/94/2, BD 24/11/2)

#### **801.03 Conflict of Interest of Association Officials**

A conflict of interest shall exist:

(1) If any member seeking election or appointment, or serving as an elected or appointed representative of the Association concurrently holds an elective or appointive office in another organization representing state employees which is in competition with the Association; (BD 77/80/3, BD 24/11/2)

(2) If any member seeking election or appointment, or serving as an elected or appointed representative of the Association is concurrently active in organizing or recruiting for an organization which is or intends to become competitive to the Association. (BD 77/80/3, BD 24/11/2)

#### **801.04 Disciplinary Action**

(a) Action taken against an Association official pursuant to the Bylaws and/or Policy File of the Association, shall follow the procedure outlined in Division 7: Discipline and Grievances of the Policy File. (BD 36/99/2, BD 24/11/2)

(b) An Association official or representative charged under Division 8: Membership of the Policy File shall be suspended from his or her office upon majority vote of the board until a final determination has been made on the charges.  
(BD 151/79/3, BD 59/94/2, BD 24/11/2)

## **802.00 Active Membership**

### 802.01 Employed Eligible Group

- (a) Employees, as defined by Article III: Membership, Section 2 of the Bylaws, not elected by the people nor appointed directly by the governor, including those on authorized leave; (BD 59/94/2, BD 24/11/2)
- (b) Member help at the veterans home; (BD 195/80/5, BD 24/11/2)
- (c) Employees of auxiliary activities at state facilities and institutions providing they are directly responsible to a state employee; (BD 195/80/5, BD 24/11/2)
- (d) Employees of the California Exposition and Fair; (BD 195/80/5, BD 24/11/2)
- (e) Members who are laid off or involuntarily terminated from state service during the duration of their re-employment rights or administrative appeal proceedings for reinstatement. (Bylaws Article III: Membership, Section 3 (c)) (BD 195/80/5, BD 80/92/3, BD 59/94/2, BD 24/11/2, BD 24/11/2)

### 802.02 Retired Eligible Group

- (a) Within the purview of Bylaws Article III: Membership, Section 3 (c), persons who retired from state service under provisions of a public retirement system and who continued retired from state service. (BD 195/80/5, BD 80/92/3, BD 59/95/4, BD 24/11/2)
- (b) Retired employees of auxiliary activities at state facilities and institutions providing that during the course of their employment they were directly responsible to a state employee. (BD 195/80/5, BD 24/11/2)

## **803.00 Associate Membership**

### 803.01 Eligible Groups

- (a) Beneficiaries of any deceased persons who were active members at the time of death; (BD 195/80/5, BD 59/94/2, BD 135/00/2, BD 24/11/2)
- (b) Spouses or domestic partners of active retired state employees who are members of CSEA. (BD 59/94/2, BD 135/00/2, BD 24/11/2)



(c) Employees on authorized leave of absence from state service who elect not to be active members; (BD 195/80/5, BD 59/94/2, BD 135/00/2, BD 24/11/2)

(d) Association members while in state service, who have separated from state service, and are recommended by a chapter for membership; (BD 80/92/3, BD 59/94/2, BD 135/00/2, BD 24/11/2)

(e) Association members while in state service who have been laid off; (BD 80/92/3, BD 59/94/2, BD 135/00/2, BD 24/11/2)

(f) Employees of the legislature; (Bylaws Article III: Membership, Section 4 (f)) (BD 195/80/5, BD 59/94/2, BD 135/00/2, BD 24/11/2)

(g) Retired state employees who are not eligible for active retired membership; BD 135/00/2, BD 24/11/2)

whose dues for Association membership in each respective case are not delinquent. (BD 59/94/2, BD 135/00/2, BD 24/11/2)

#### 803.02 Assignment to Affiliate/Division

Associate members shall be assigned to an appropriate affiliate/division. (BD 24/95/2, BD 24/11/2)

#### 803.03 Rights of Associate Members

Associate members shall have the rights to participate in all member benefit discount programs and, if previously enrolled while in full membership status, can continue their participation in insurance member benefit programs, but shall not have the right to representation or to vote and hold office. (BD 137/00/2, BD 24/11/2)

#### **804.00 Honorary Membership**

Honorary membership is limited to the spouse of a deceased president or deceased past president. (Bylaws Article III: Membership, Section 5), (BD 10/86/1, BD 59/94/2, BD 24/11/2)

#### **805.00 Special Membership**

##### 805.01 Definition

Special membership is limited to those employees of the State of California as defined by the Board of Directors. (Bylaws Article III: Membership, Section 6.) (BD 195/80/5, BD 59/94/2, BD 24/11/2)

(a) The constitutional officers of the state, members of the legislature, regents and the president of the University of California, trustees and chancellor of the California State Universities, board of directors of the Hastings College of Law, persons excluded from membership by a formal representation statute or comparable provision, members or boards or commissions appointed by the governor, heads of agencies or departments or deputies appointed by the governor or by another constitutional officer, departmental, executive and nonclerical secretaries to the governor, judges of all California courts of record, and disabled persons employed by the workshops for the blind, who have had continuous membership in the Association since December 9, 1978 and are continuing to pay special member dues. (BD 80/92/3, BD 24/11/2)

(b) Members of organizations including non-Association members of the California Faculty Associations, subject to applicable dues, fees and rights specified in an agreement. (BD 80/92/3, BD 24/11/2)

(c) Employees in the rank-and-file classes for whom a union other than the Association has been certified as the exclusive representative for collective bargaining purposes. (BD 11/82/1, BD 59/94/2, BD 24/11/2)

(d) Exempt employees of all California courts of record and of the governor's office who held associate membership in the Association on or before December 1, 1981, and who elect to relinquish the right to vote and hold office. (BD 58/82/2, BD 80/92/3, BD 57/03/2, BD 24/11/2)

(e) Exempt employees of the state legislature. (BD 80/92/3, BD 24/11/2)

(f) Employees of auxiliary or foundation organizations of the California State University. (BD 70/86/2, BD 24/11/2)

## 805.02 Rights of Special Members

Special members shall have the right to all insurance, discount and other member benefit programs, but shall not have the right to representation or to vote and hold office. (BD 80/92/3, BD 24/11/2)

## 806.00 Membership Effective Date

### 806.01 Initial Membership

Association membership is effective at the time a payment of dues or a signed membership payroll deduction application is received by an authorized Association or chapter representative. (Bylaws Article III: Membership, Section 8) (BD 28/89/2, BD 59/94/2, BD 24/11/2)

A person whose membership has been terminated under Article III: Membership, Section 12 may not restore his/her membership by filing a new membership application form, but must instead request the Board of Directors under Article III: Membership, Section 14 for restoration of membership. (BD 133/00/2, BD 24/11/2)

#### 806.02 Continuation of Active Membership into Retirement

Active employed Association members become active retired members on the effective date of their retirement from state service, provided a signed application for retired membership has been received in headquarters. (BD 41/99/2, BD 81/01/3, BD 24/11/2)

### **807.00 Membership Dues And Fees**

#### 807.01 Dues and Fees Structure

(a) The annual dues and fees for active and associate members are not refundable and no other dues or fees shall be collected. (BD 146/82/4, BD 59/94/2, BD 24/11/2)

(b) Annual dues and/or fees for the Association's mutually exclusive classes of special membership or fair share fee shall be: (BD 9/83/1, BD 24/11/2)

(1) The constitutional officers of the state, members of the legislature, regents and the president of the University of California, trustees and chancellor of the California State Universities, board of directors of the Hastings College of Law, persons excluded from active membership by a formal representation status or comparable provisions, members of boards or commissions appointed by the governor, heads of agencies or departments or deputies appointed by the governor or by another constitutional officer, departmental, executive and non-clerical secretaries to the governor, judges of all California courts of record, and disabled persons employed by the workshops for the blind, who continued membership in the Association since December 9, 1978; no dues or fees; (BD 55/83/1, BD 24/11/2)

(2) Members of affiliated organizations, including non-Association members of the California Faculty Association: applicable dues and fees as specified in an agreement; (BD 55/83/1, BD 80/92/3, BD 24/11/2)

(3) Members in rank-and-file classes not represented by the Association in collective bargaining and having fair share: \$60 effective July 1, 1983; (BD 9/83/1, BD 24/11/2)

(4) Exempt employees of all California courts of record and of the governor's office who held associate membership in the Association on or before

December 1, 1981, and who elect to relinquish the right to vote and hold office, whose dues are set by the appropriate affiliate/division; (BD 80/92/3, BD 57/03/2, BD 24/11/2)

(5) Exempt employees of the state legislature at a rate of \$12 per year. (BD 80/92/3, BD 24/11/2)

(c) Monthly dues for Association members taking a leave of absence from state service to work for the Association shall be active member dues, based on gross monthly compensation. (BD 80/92/3, BD 24/11/2)

#### 807.02 Method of Payment

(a) Members covered by Association MOUs containing "maintenance of membership" provisions shall pay their annual dues and fees in monthly installments of 1/12th of the annual dues or fees by payroll deduction. (BD 146/82/4, BD 24/11/2)

(b) Members not covered by (a) above are encouraged to avail themselves of payroll deduction of dues and fees where this method of payment is available, or they shall pay them in accordance with one of the following methods: (BD 146/82/4, BD 24/11/2)

(1) Lump sum -- pays 1/12 the annual dues for each month remaining in the year, commencing with the month following application, and January 1 of each subsequent year pays the annual dues for that year; (BD 146/82/4, BD 24/11/2)

(2) Direct monthly payment -- members who have been laid off or involuntarily terminated may pay their dues or fees directly to headquarters office during the duration of their re-employment rights or appeal proceedings for reinstatement; (BD 146/82/4, BD 24/11/2)

(3) Monthly payment by use of Master Card, Visa or automatic checking account withdrawal for those members ineligible for payroll deduction. (BD 146/82/4, BD 24/11/2)

(4) Monthly payment is permitted for members who work at the Lawrence Livermore National Laboratory until such time as maintenance of membership is negotiated. (BD 178/82/5, BD 24/11/2)

#### 807.03 Renewal Notice

The annual renewal notice to members paying annually must include information that payroll deduction is available, must include payroll deduction authorization

form, and must advise the member that if he/she chooses payroll deduction he/she must do so prior to December 1, to be effective January 1. (BD 146/82/4, BD 24/11/2)

#### 807.04 Delinquency of Dues

Membership becomes delinquent if dues are not paid within 90 days after they are due. However, when dues are not forwarded to headquarters through no delinquency or fault on the part of the member, the member shall be considered to be in good standing. Dues for the various methods of payment are due and payable in accordance with the following: (BD 249/62, BD 17/77/1, BD 59/94/2, BD 24/11/2)

(a) Payroll deduction -- on the date of the last remittance to the Association headquarters. The last remittance is the last day of the month for which dues provided paid membership coverage. One month's deduction provides coverage for the following month; (BD 249/62, BD 17/77/1, BD 24/11/2)

(b) Lump sum -- January 1 of each calendar year; (BD 249/62, BD 17/77/1, BD 24/11/2)

(c) Headquarters office shall have discretion in the matter of collecting back dues. (BD 17/77/1, BD 24/11/2)

#### 807.05 Termination of Membership

Membership is terminated under the following conditions: (BD 249/62, BD 17/77/1, BD 24/11/2)

(a) Upon delinquency of dues; (BD 249/62, BD 17/77/1, BD 24/11/2)

(b) Upon written notice of resignation to headquarters office, except that employees covered by Association MOUs containing "maintenance of membership" provisions may only terminate their membership in accordance with the applicable MOU. Notice of resignation does not make dues refundable. (BD 146/82/4, BD 24/11/2)

(c) Upon order of the Board of Directors for removal of membership after the necessary procedures have been concluded under Division 7: Discipline and Grievances of the Policy File or Corporate Law. (BD 8/00/1, BD 24/11/2)

### **808.00 Membership Status While Off Payroll**

#### 808.01 Continuation of Benefits

If a member is off the payroll because of serious illness or an accident and his/her group insurance may be jeopardized because of nonmembership, the secretary-

treasurer may continue the active membership involved by handling the dues as an account receivable with the member's chapter. (BD 26/58, BD 80/92/3, BD 24/11/2)

#### 808.02 Layoff or Termination

If a member is off the payroll because of layoff or involuntary termination he/she is eligible for Association benefits and representation provided that membership dues and fees are paid. (BD 146/82/4, BD 80/92/3, BD 24/11/2)

### **809.00 Membership Cards**

#### 809.01 Issuance

The Association shall prepare and issue membership cards. The cost of membership cards shall be borne by the affiliate(s)/division(s). (BD 80/92/3, BD 24/11/2)

#### 809.02 Card Size

The membership card shall be a single card suitable to fit in a standard insert card holder. (BD 50/92/2, BD 24/11/2)

#### 809.03 Listed Information

The membership card will list the member's bargaining unit affiliation together with chapter affiliation. (BD 50/92/2, BD 59/94/2, BD 24/11/2)

### **810.00 Membership Lists**

#### 810.01 Exclusive Rights

The complete official membership list shall be maintained by headquarters office and is the exclusive property of the Association. The Association shall ensure that permitted use of its membership lists shall be for purposes consonant only with stated goals and organizational activities. (BD 25/01/1, BD 24/11/2)

#### 810.02 Use

The membership lists shall be used as follows:

(a) The Board of Directors authorizes headquarters office to disseminate by direct mail: (BD 80/01/3, BD 24/11/2)

(1) Official publications and communications as directed by General Council and Board of Directors or as required and budgeted for the normal business of the Association; (BD 14/60, BD 24/11/2)

(2) Official region, chapter, bargaining unit council, affiliate/division communication within respective jurisdictions at cost of materials, labor and postage to the official requesting mail services; (BD 82/80/3, BD 80/92/3, BD 59/94/2, BD 24/11/2)

(3) Information to the full membership or any portion thereof on matters relating to member benefits, including PERS-sponsored health programs, will comply with the following criteria: (1) that such mailings be at the cost of the company requesting the mailing; (2) that the mailings be done in the Association print shop or by a certified mailing company; (3) that subject mailings be authorized by the president or designee; (BD 102/85/4, BD 59/94/2, BD 24/11/2)

(4) Educational information with respect to the Association's legislative program. (BD 14/60, BD 24/11/2)

(b) Any direct mailing will be reviewed as to context in conformity with Association policy and in terms of good internal and external public relations. (BD 84/64, BD 105/70/2, BD 24/11/2)

(c) Chapters may utilize the names and addresses of their own members by requesting headquarters office to provide them with addressed envelopes and/or sticker tapes for use in the conduct of official chapter business, the cost of which shall be borne by the chapter. Chapters may not receive mailing addresses for members of other chapters; (BD 177/73/3, BD 59/94/2, BD 80/01/3, BD 24/11/2)

(d) Chapters may request headquarters office to use the names and addresses of chapter members for mailing of chapter benefit programs; (BD 80/01/3, BD 24/11/2)

(e) Regional directors may request headquarters office to use the names and addresses of chapter members within their regions for mailing of regional benefit programs. In addition, regional directors may request headquarters office to mail notices of region meetings to delegates and chapter officers or they may utilize the names and addresses of delegates in their respective regions by requesting headquarters office to provide them with addressed envelopes and/or sticker tapes for use in the conduct of official region business, the cost of which shall be borne by the region. The addressed envelopes and/or sticker tapes may be used only for the specific purpose for which they were requested. (BD 80/01/3, BD 24/11/2)

(f) Bargaining unit councils and affiliates/divisions may request headquarters to mail information to their own members for use in the conduct of official bargaining unit or affiliate/division business. (BD 80/01/3, BD 24/11/2)

(g) The secretary-treasurer may authorize the use of the membership list by headquarters office to mail material on behalf of an individual member. To be eligible for such a mailing, a member must apply for use of the membership list by submitting a written request to the secretary-treasurer, stating: (1) the purpose for

the mailing, explaining how such a mailing is in the person's interest as a member; (2) specifying which members are to receive the mailing. A copy of the material to be mailed must accompany the request. A form to make such a request may be obtained from headquarters; (3) The secretary-treasurer shall verify that the member(s) requesting the mailing are dues paying member(s) in good standing. If not, the request will be denied; (4) If any names are on the material to be mailed, those names of non-dues paying members shall be stricken and only the names(s) of dues paying members shall remain; (5) The request must be signed by the member(s) requesting the mailing; and (6) If denied, the member may appeal to the president. (BD 22/99/1, BD 24/11/2)

The secretary-treasurer will respond within ten business days as to whether the membership list can be used for the mailing and, if the use is authorized, the print shop shall also be notified. In making this determination the secretary-treasurer shall act in accordance with applicable law. (BD 22/99/1, BD 24/11/2)

When notifying a member that use of the membership list is approved, the secretary-treasurer will advise the member of the estimated cost of the services required to do the mailing on the member's behalf. This cost will be the actual cost of the services, by either first class mail or by pre-sorted standard mail at the members option. Members may either use the Association's services to prepare the materials to be mailed, or may deliver the material to the print shop already prepared for mailing. The member must pay for the services in full prior to the mailing. The check or other proof of payment received for the services shall be copied and the copy shall be attached to the work order. (BD 22/99/1, BD 58/99/2, BD 22/00/1, BD 26/01/1, BD 33/04/2, BD 24/11/2)

All mailings under this section shall have the following statement prominently displayed on the outside of the mailer at no less than 8 point bold print on the bottom or along the side margin of the message, and the return address must be the home address of the person requesting the mailing: "THIS MATERIAL IS NOT PAID FOR OR ENDORSED BY CSEA." (BD 58/99/2, BD 33/04/2, BD 24/11/2)

### 810.03 Improper Use

Membership lists shall not be used for:

(a) Dissemination of information which is contrary to provisions of the Association's Bylaws or aimed at opposing any program endorsed or sponsored by General Council or the Board of Directors or contrary to the approved policies of the Association; (BD 14/60, BD 59/94/2, BD 91/98/5, BD 24/11/2)

(b) Sale, loan or gift to any person or organization; (BD 17/77/1, BD 24/11/2)



(c) Subject to the provisions of the California Corporations Code, the membership lists for any affiliate/division, bargaining unit or any group of members shall not be given to anyone without permission of the Board of Directors. (BD 35/91/3, BD 59/94/2, BD 80/01/3, BD 24/11/2)

(d) Solicitation for or opposition to the candidacy of any member for any elected position in the Association, except as provided in Policy File Sections 507.01 and 810.02 (g). (BD 80/01/3, BD 24/11/2)

### **811.00 Membership Limitations**

No member or group of members, including councils, conferences, leagues, clubs, caucuses, organizations or associations, not already recognized in the Bylaws or Policy File, composed of members of the Association, shall, in any manner, directly or indirectly, use, exploit or take the name, or any similar name or designation of the Association or any region, affiliate/division, council or chapter, without first obtaining recognition and permission from the Board of Directors. (BD 48/94/2, BD 83/95/4, BD 24/11/2)

None of the above-described may, without first obtaining recognition and permission from the Board of Directors, levy, solicit or collect any tax, dues or other monies; distribute materials, literature or newsletters at any function of the Association or any region, affiliate/division, council or chapter; advertise either directly or indirectly in any publication of the Association or any region, affiliate/division, council or chapter. (BD 48/94/2, BD 24/11/2)

To receive recognition, any of the above may petition the Executive Committee for recognition. The petitioners shall submit a petition signed by two-thirds of the current membership of the petitioning group. They shall include a copy of their bylaws and/or statement of goals and objectives. (BD 48/94/2, BD 24/11/2)

The Executive Committee shall present the petition to the Board of Directors with a recommendation to recognize the petitioners or to reject the petition. If the recommendation is to reject, the Executive Committee shall give the reason(s) why the petition should be denied. (BD 48/94/2, BD 55/97/3, BD 24/11/2)

The Board of Directors may grant or deny the petition. If granted, the board may, with or without cause, withdraw such recognition at any time. (BD 79/01/3, BD 24/11/2)

### **812.00 Qualification To Hold Office**

The basic qualification for a person to run for and to maintain an elected or appointed office in the Association is that the person must be a member in good standing, which is defined as: (BD 71/03/2, BD 24/11/2)

(a) Dues are current; (BD 71/03/2, BD 24/11/2)

(b) If membership has been terminated pursuant to Policy File Section 806.01, the member has complied with Policy File Section 806.01 (a); and (BD 71/03/2, BD 24/11/2)

(c) This section shall not be applied in conflict with Corporate Code provisions.  
(BD 71/03/2, BD 24/11/2)

## **Division 9: Member Benefits Programs**

### **901.00 Program Objectives**

#### **901.01 Benefit Programs for Association Members**

The Association may provide, sponsor or endorse benefit programs for its members which are not directly related to their employment. These are referred to as member benefit programs. The object of such programs is to provide members (through the members, their families) tangible benefits at a reduced cost which results from the purchasing advantage of the Association. (BD 265/69/4, BD 251/74/3, BD 59/94/2, BD 24/11/2)

#### **901.02 Contracting Policies**

The Association shall continue to investigate, develop, endorse/sponsor and be responsible for obtaining appropriate insurance and other benefits for its members and their dependents. Such benefit programs shall be governed by the following contracting policies: (BD 19/11/2, BD 24/11/2)

- (a) Maximum benefits; (BD 19/11/2, BD 24/11/2)
- (b) Lowest cost commensurate with safeguards and benefits provided; (BD 19/11/2, BD 24/11/2)
- (c) Subject to annual, and if necessary, more frequent review by the Board of Directors and continuation by renegotiation or by putting out to competitive bid; (BD 19/11/2, BD 24/11/2)
- (d) Strive for statewide; (BD 19/11/2, BD 24/11/2)
- (e) Avoid illegal discrimination; (BD 19/11/2, BD 24/11/2)
- (f) Provide open enrollment at such time as the Board of Directors shall direct or when substantial changes in programs occur. Provide at least 30 days' notice for any such open enrollment. (BD 19/11/2, BD 24/11/2)
- (g) Provide the Association/affiliate/division with appropriate indemnification and protection from liability. (BD 19/11/2, BD 24/11/2)

Any deviation from the contracting policies shall require specific action by the sponsoring affiliate/division to be presented to the Board of Directors for approval. (BD 19/11/2, BD 24/11/2)

### 901.03 Administration

(a) Contracting parties shall furnish reports to the Association in the form and at such intervals as the Board of Directors shall determine. Such reports shall be reviewed by the Member Benefits Committee with recommendations made to the Board of Directors. (BD 19/11/2, BD 24/11/2)

(b) Audits shall be made at such intervals if recommended by the Member Benefits Committee or by action of the Board of Directors. (BD 19/11/2, BD 24/11/2, BD 5/14/1)

### 901.04 Provisions of Contract

Those contracts obtained pursuant to Policy File Section 901.02 shall maintain the following minimum standards, whenever possible: (BD 19/11/2, BD 24/11/2)

(a) Vesting of reserves on behalf of participants; (BD 19/11/2, BD 24/11/2)

(b) Interest on all funds; (BD 19/11/2, BD 24/11/2)

(c) Minimum retention by provider. (BD 19/11/2, BD 24/11/2)

### 901.05 Minimum Standards

Those contracts obtained pursuant to Policy File 901.02 shall maintain the following minimum standards: (BD 19/11/2, BD 24/11/2)

(a) Provide for payroll deduction when feasible; (BD 19/11/2, BD 24/11/2)

(b) Provide reasonable and optional levels of benefit provisions and premiums or other costs; (BD 19/11/2, BD 24/11/2)

(c) Provide benefits and costs that are clearly and concisely identified. (BD 19/11/2, BD 24/11/2)

### 901.06 Deviation from Standards

Any deviation from the minimum standards shall require specific affirmative action by the Board of Directors. (BD 19/11/2, BD 24/11/2)

## **902.00 Program Selection Guidelines for Association Programs**

### **902.01 Review of Association Programs**

- (a) Member benefit programs shall not be sponsored or endorsed by the Association unless reviewed by the Member Benefits Committee and approved by the Board of Directors. (BD 84/82/3, BD 59/94/2, BD 19/11/2, BD 24/11/2)
- (b) Any affiliate/division seeking benefits for its members must refer the program to the Member Benefits Committee for review prior to seeking approval of the Board of Directors or the Executive Committee. (BD 4/88/1, BD 59/94/2, BD 19/11/2, BD 24/11/2)
- (c) Input from the members on the insurance programs shall be solicited and reviewed by the Member Benefits Committee prior to seeking approval of the program by the Board of Directors. (BD 101/03/5, BD 19/11/2, BD 24/11/2)

### **902.02 Prohibition of Gifts**

No Association member or staff shall accept or receive bonuses, commissions, rebates or gratuities of any kind or value from any business, person or vendor doing or seeking to do business with the Association without previous authorization. (BD 84/82/3, BD 99/03/5, BD 19/11/2, BD 24/11/2)

### **902.03 Membership Verification**

Association and/or affiliate membership must be a prerequisite for participation in any member benefit program sponsored or endorsed by the Association. There must be a provision for at least annual verification of those participating to determine membership. (BD 276/69/4, BD 251/74/3, BD 19/11/2, BD 24/11/2)

- (a) The Association shall actively pursue the termination of any benefit being received by a nonmember where membership is required. (BD 50/92/2, BD 19/11/2, BD 24/11/2)

### **902.04 Profits**

#### **(a) Nonprofit Status**

The nonprofit corporate status of the Association must be preserved. (BD 84/82/3, BD 42/06/2, BD 19/11/2, BD 24/11/2)

#### **(b) Staff or Member Profits**

Association members and staff are prohibited from profiting in any way from a member benefit program. (BD 10/86/1, BD 19/11/2, BD 24/11/2)

#### 902.05 Services by Headquarters

Services of any type furnished by headquarters office are to be paid for at the current rate for time and use of facilities. (BD 225/66, BD 251/74/3, BD 19/11/2, BD 24/11/2)

#### 902.06 Quality Goods and Services

Goods and services offered must be name brands or of comparable quality. (BD 255/66, BD 251/74/3, BD 19/11/2, BD 24/11/2)

#### 902.07 Records of Operating Firms

Records of the operating firms relating to the Association must be available for periodic review by qualified accounting firms authorized by the Board of Directors. (BD 84/82/3, BD 19/11/2, BD 24/11/2)

#### 902.08 Competitive Bidding Guidelines

Upon the adoption of a new program, and at other times as the Board of Directors deems appropriate, Association-sponsored member benefit programs shall be subject to competitive bidding under guidelines established by the Board of Directors. The programs shall meet the following criteria: (BD 84/82/3, BD 19/11/2, BD 24/11/2)

##### (a) Qualifications of Bidders

(1) Must be licensed to do business by the proper governmental jurisdiction; (BD 185/73/3, BD 251/74/3, BD 19/11/2, BD 24/11/2)

(2) Must have the ability, resources and facilities to provide adequate service; (BD 185/73/3, BD 251/74/3, BD 19/11/2, BD 24/11/2)

(3) Must have been in business and providing allied services or merchandise for not less than three years; (BD 185/73/3, BD 251/74/3, BD 19/11/2, BD 24/11/2)

(4) Must furnish satisfactory evidence of current financial stability and be willing to provide a performance bond, if selected, naming Association as obligee; (BD 84/82/3, BD 19/11/2, BD 24/11/2)

(5) Must maintain good labor relations. (BD 85/85/4, BD 19/11/2, BD 24/11/2)

##### (b) Solicitation of Bids

(1) Send a Request for Proposal (RFP) to at least three Benefits Providers whenever possible; (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(2) Request a Better Business Bureau Report upon receipt of the completed proposal. (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(c) Procedure for Ranking and Awarding Bids

Staff shall use the following procedures: (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(1) Review all proposals for completeness and compliance with qualifications and specifications; (BD 185/73/3, BD 251/74/3, BD 19/11/2, BD 24/11/2)

(2) Evaluate reports from the Better Business Bureau to check stability and good customer relations of acceptable bidders; (BD 209/76/4, BD 19/11/2, BD 24/11/2)

(3) Submit recommendations to the Member Benefits Committee for review; (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(4) The Member Benefits Committee, shall after consideration of all bids and the recommendations of headquarters, submit its recommendations to the Board of Directors with specific reasons for their choice; (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(5) The Board of Directors shall designate the winning bids with justification for its choice. (BD 10/86/1, BD 56/01/2, BD 19/11/2, BD 24/11/2)

(d) Merchandising Program

(1) Once established, the program shall be actively promoted by benefit providers with no fewer than one marketing effort per year and endorsed by the Association, its officials and staff; (BD 10/86/1, BD 56/01/2, BD 19/11/2, BD 24/11/2)

(2) A list of all participating Benefits Providers shall be on file with Member Benefits; (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(3) Benefits Providers shall be encouraged to advertise in Association publications to the maximum degree consistent with sales potential; (BD 10/86/1, BD 19/11/2, BD 24/11/2)

(e) Grievance Procedures

(1) The Association maintains contact with all contracting dealers to ensure that service is satisfactory; (BD 10/86/1, BD 18/05/1, BD 19/11/2, BD 24/11/2)

(2) Members to be advised that all grievances should be in writing to the Benefit Provider with a copy to the Association; (BD 10/86/1, BD 18/05/1, BD 19/11/2, BD 24/11/2)

(3) The Benefits Provider handles or settles all complaints within a reasonable time and will notify the Association of their action; (BD 10/86/1, BD 18/05/1, BD 19/11/2, BD 24/11/2)

(4) The benefits manager will review quarterly with the Member Benefits Committee, all grievance/complaint resolutions. (BD 18/05/1, BD 19/11/2, BD 24/11/2)

### **903.00 Program Plans and Administration**

#### **903.01 Proposed Changes in Insurance and Benefit Plan Contracts**

Any proposed change in a contract by any carrier or plan provider must be presented to the Member Benefits Committee for analysis and recommendation to the Board of Directors. (BD 180/75/4, BD 24/11/2)

#### **903.02 Notification of Change in Insurance Contract**

When there is a negotiated change in any insurance contract affecting coverage, participants shall be notified prior to the effective date. Such notification shall be first reviewed by headquarters office to make certain that the wording meets the intent of the Board of Directors. (BD 180/75/4, BD 24/11/2)

#### **903.03 Excess Reserves**

If, upon annual review of all Association-endorsed/sponsored insurance or related benefit plans by the headquarters staff and the Member Benefits Committee, excess reserves are determined to have accumulated in any plan, such excess shall be returned to the California State Employees Association, in a fiduciary capacity for the subscriber, in a plan so identified and in a manner to be determined by the Board of Directors. (BD 50/92/2, BD 19/11/2, BD 24/11/2)

#### **903.04 Disability Income Protection Plans**

(a) Any contract signed for disability income protection plan which includes different waiting periods, shall be rated on the different waiting periods. (BD 50/92/2, BD 24/11/2)

(b) The Association shall establish and maintain disability income protection plans in accordance with standards set by the Board of Directors. (BD 50/92/2, BD 24/11/2)



(c) Until the state pays all or substantially all of the cost of disability income protection plans, such plans shall not consider sick leave when designating the elimination periods. (BD 50/92/2, BD 24/11/2)

#### 903.05 Member Benefit Review Board

##### (a) Composition of Board

It is recommended that the Member Benefits Committee chairperson, the vice president and the president should constitute the review board. (BD 10/86/1, BD 24/11/2)

##### (b) Inquiries and Grievances

Members are urged to channel unresolved problems and complaints to headquarters office. (BD 202/74/3, BD 209/76/4, BD 18/05/1, BD 24/11/2)

##### (c) Contract Disputes

Headquarters office is the clearing house for disputed claims or underwriting problems arising out of Association contracts excepting those health benefits plans for which a procedure has been established under the Meyers-Geddes Act. (BD 84/82/3, BD 24/11/2)

##### (d) Subject Matter for Review

Matters referred to the review board shall include, but not be limited to:

(1) Those matters the headquarters office finds appropriate; (BD 383/67, BD 209/76/4, BD 24/11/2)

(2) Those matters in which the claimant desires to appeal the decision of headquarters office and makes the request in writing. (BD 84/82/3, BD 24/11/2)

##### (e) Conflict of Interest

Any member of the review board who may have a conflict of interest shall be excused from participation on the review board. (BD 209/76/4, BD 24/11/2)

##### (f) Aggrieved Member

The aggrieved member has the option of appearing before the review board. (BD 209/76/4, BD 24/11/2)

(g) Board Decisions

Decisions of the review board shall be controlling on headquarters office and the member, subject to the right of appeal to the Board of Directors.  
(BD 209/76/4, BD 24/11/2)

903.06 Unsolicited Member Benefit Proposals

Unsolicited proposals for member benefits received from outside insurance companies or service organizations shall be evaluated by headquarters office; those proposals of significant merit shall be forwarded to the Member Benefits Committee for review and report to the Board of Directors. (BD 50/92/2, BD 24/11/2)

903.07 Annual Evaluation

The Association shall review all benefit plans and report on each with recommendations; these reports shall be submitted to headquarters office for review by the appropriate committee at its meeting prior to, but in sufficient time to report to, the last Board of Directors meeting each year. (BD 2/91/1, BD 24/11/2, BD 5/14/1)

**904.00 Association Plans**

904.01 Guidelines

Affiliates/divisions may not offer member benefit programs to their members and families unless first reviewed by the Member Benefits Committee with final approval by the CSEA Board of Directors. No plan may be offered which is in competition with programs sponsored or endorsed by the Association. If the Association subsequently offers a similar program, the affiliate/division program shall be discontinued. The Member Benefits Committee will make every effort to transition members on the affiliate/division plan to the Association plan. (BD 103/03/5, BD 19/11/2, BD 24/11/2)

(a) Approved affiliate/division member benefit programs may only have mailings made to their members through Member Benefits, subject to the following requirements: (BD 103/03/5, BD 19/11/2, BD 24/11/2)

(1) Reviewed by Member Benefits Director and approved by the affiliates;  
(BD 103/03/5, BD 19/11/2, BD 24/11/2)

(2) Affiliate/division sponsored programs must have the written approval of the Member Benefits Director/affiliate president and/or appropriate affiliate staff; (BD 103/03/5, BD 19/11/2, BD 24/11/2)

(3) The notice to the members shall be printed with the proper Association/affiliate logo letterhead and shall identify the respective Association affiliate/division on the letterhead; (BD 103/03/5, BD 19/11/2, BD 24/11/2)

(4) The notice shall include the following information:

California State Employees Association (CSEA) funds/membership dues are not used for this promotional program or any other related expenses. (BD 19/11/2, BD 24/11/2)

(5) The material must be received by headquarters at least ten working days prior to the proposed mailing date; (BD 45/75/2, BD 111/76/3, BD 24/11/2)

(6) All mailings should comply with Division 9: Member Benefits Programs of Part II of the Policy File. (BD 84/82/3, BD 59/94/2, BD 57/01/2, BD 19/11/2, BD 24/11/2)

## **905.00 Discounts and Group Purchase Offers**

### **905.01 Dissemination to Members**

Proposals for entertainment, merchandise, lodging, auto rentals or other offers to Association members at a discount shall, after review by the Member Benefits Director and staff be disseminated to members by: (BD 84/82/3, BD 19/11/2, BD 24/11/2)

(a) Distribution of information to chapter/DLC presidents; (BD 121/80/4, BD 19/11/2, BD 24/11/2)

(b) Listing of the information via: (BD 121/80/4, BD 19/11/2, BD 24/11/2)

(1) Member Benefits Web Site (BD 19/11/2, BD 24/11/2)

(2) Monthly E-Newsletter (BD 19/11/2, BD 24/11/2)

(3) E-Mail Blasts (BD 19/11/2, BD 24/11/2)

(4) Employee Benefit Representatives (EBRs) (BD 19/11/2, BD 24/11/2)

(5) Member Benefits Directory (BD 19/11/2, BD 24/11/2)

(c) Other methods as determined by Member Benefits Director and staff.  
(BD 121/80/4, BD 19/11/2, BD 24/11/2)

Other than staff time required in review of the programs, costs of advertising the programs shall be borne by the sponsoring organization. (BD 121/80/4, BD 19/11/2, BD 24/11/2)

## **Division 10: Headquarters**

### **1001.00 Staff Operations**

#### 1001.01 General Manager

(a) The general manager shall be employed under terms of a contract, which shall be negotiated by the Executive Committee subject to confirmation by a two-thirds vote of the Board of Directors. (BD 66/88/3, BD 59/94/2, BD 75/03/2, BD 24/11/2)

(b) The Chair of the Board, with the approval of the Directors, may summarily suspend the general manager, when, in the Chair of the Board's opinion, the actions of the general manager pose an immediate threat to the welfare of the Association. The action of the Chair of the Board is effective immediately. Concurrence of a simple majority of the Directors is required in accordance with Bylaws Article XVIII: New Governance Structure for the Association. (BD 48/83/1, BD 59/94/2, BD 75/03/2, BD 13/11/2, BD 24/11/2)

(c) The suspension of the general manager shall be terminated on the 31st day following the date of approval of suspension by the Board of Directors, unless dismissal proceedings have commenced. (BD 81/78/4, BD 75/03/2, BD 24/11/2)

#### 1001.02 Central Support Operations

The general manager is delegated the authority and responsibility for the entire central support operation, including legal and legislative representation programs. Under direction of the president, the general manager shall: (BD 278/74/3, BD 10/09/1, BD 24/11/2)

(a) Administer, direct, manage, organize, coordinate, plan and control all activities of central support; (BD 258/74/3, BD 10/09/1, BD 24/11/2)

(b) As the administrator of headquarters office staff, the general manager is responsible for Association hired temporary help; (BD 56/97/3, BD 93/98/5, BD 10/09/1, BD 24/11/2)

(c) Advise and consult with the Board of Directors and Executive Committee and render such assistance as may be required; (BD 191/75/4, BD 59/94/2, BD 24/11/2)

(d) In accordance with standards fixed by the Board of Directors, appoint such assistants, experts and other employees as are necessary; (BD 17/77/1, BD 24/11/2)

(e) Implement the Association programs and policies developed by the Board of Directors and General Council; (BD 82/78/4, BD 24/11/2)

(f) Maintain a record of activities within the general manager's purview; (BD 17/77/1, BD 24/11/2)

(g) Implement a strategic planning process for all Central Support and Association business ventures; and, report on the status and progress of the strategic plan at every scheduled Board of Directors Meeting; (BD 50/09/2, BD 24/11/2)

(h) Render to General Council delegates, delegates-elect and delegates-designate a report of the administration with such recommendations as deemed advisable; and (BD 10/86/1, BD 50/94/2, BD 55/97/3, BD 10/09/1, BD 24/11/2)

(i) Assign one staff member to each division who shall be responsible for the implementation of the programs developed by the division. Any other duties assigned to the division administrator shall be limited to temporary duties only during an emergency situation. (BD 50/92/2, BD 59/94/2, BD 24/11/2)

### **1002.00 Relations with Staff**

(a) Members, chapter/DLC officers and officials of the Association are urged to use restraint in criticizing the members of Association staff until they have complete information of the particular situation involved. They are especially urged to avoid personal accusations. (BD 50/92/2, BD 59/94/2, BD 83/01/3, BD 13/11/2, BD 24/11/2)

(b) Divisions or affiliates shall not violate staff collective bargaining agreements or the general manager's contract which have been ratified or approved by the Board of Directors. (BD 83/01/3, BD 13/11/2, BD 24/11/2)

### **1003.00 Hiring of Past and Present Board Members**

Members of the Board of Directors, during the term for which elected or for two years thereafter, shall not be considered for employment by the Association, except with prior approval of the Board of Directors. (BD 50/92/2, BD 59/94/2, BD 13/11/2, BD 24/11/2)

### **1004.00 Headquarters Facilities**

The Association shall own a suitable facility for headquarters operations. (BD 50/92/2, BD 13/11/2, BD 24/11/2)

### **1005.00 Sealing or Destroying Records**

Sealing or destroying the proceedings, as part of the settlement of any arbitration process between the Association and its employees, directly or indirectly, shall not be

agreed to by management staff without first explaining to the Executive Committee full details of, and reasons for, such action. (BD 50/92/2, BD 59/94/2, BD 13/11/2, BD 24/11/2)

## **1006.00 Agreements with Anti-Union Employers Prohibited**

### 1006.01 Responsibility Regarding Agreements

(a) The general manager shall ensure that the Association does not knowingly enter into any agreements with anti-union employers. (BD 73/84/3, BD 83/95/4, BD 13/11/2, BD 24/11/2)

(b) All contracts entered into by the Association or an agent of the Association, or using the name of the Association, must be reviewed by the Association's Legal Division. (BD 10/86/1, BD 13/11/2, BD 24/11/2)

(c) The general manager shall ensure that Association business is not conducted in or with any clubs, businesses or organizations which are known to deny membership on the basis of sex, race, religious creed, color, national origin, ancestry, age, gender identification or disability. (BD 50/92/2, BD 13/11/2, BD 24/11/2)

### 1006.02 Savings Clause in All Agreements

All agreements shall contain the following clause:

"If, at the time services are being rendered to CSEA, a labor dispute exists between \_\_\_\_\_ and its employees, CSEA may declare this agreement void."  
(BD 73/84/3, BD 13/11/2, BD 24/11/2)

Any agreement not containing this clause must be approved by the Board of Directors. (BD 73/84/3, BD 13/11/2, BD 24/11/2)

## **1007.00 Affirmative Action**

(a) Employees and applicants shall not be discriminated against based on their color, race, sex, religion, age, military reserve, veterans status, national origin, political affiliation, ancestry, marital status, gender identification or disability. (BD 50/92/2, BD 13/11/2, BD 24/11/2)

(b) Employment decisions shall be based on merit and efficiency and the goals and objectives of the Association's affirmative action program. (BD 50/92/2, BD 13/11/2, BD 24/11/2)

(c) Affirmative action shall be taken to address any under-utilization of women, ethnic minorities and disabled in our workforce. (BD 50/92/2, BD 13/11/2, BD 24/11/2)

(d) The general manager is responsible for guiding and evaluating the development and implementation of the Association affirmative action plan. The general manager will appoint an affirmative action officer to coordinate the Association's affirmative action efforts on a full-time basis. (BD 50/92/2, BD 59/94/2, BD 13/11/2, BD 24/11/2)

## **1008.00 Association Publications**

### **1008.01 Discriminatory Advertisers**

The Association shall not accept or will cancel advertising matter in its various publications from advertisers which are known to discriminate against state employees or the general public on the basis of race, religious creed, ancestry, marital status, color, national origin, age, gender identification or disability. (BD 123/59, BD 70/04/3, BD 31/08/3, BD 13/11/2, BD 24/11/2)

## **1009.00 Preservation of Historical Documents, Pictures and Memorabilia**

(a) The Association shall be the custodian of all pictures, documents and memorabilia of the Association's historical events and accomplishments. (BD 13/97/1, BD 70/04/3, BD 13/11/2, BD 24/11/2)

(b) The Association shall provide an accessible, adequate and secure storage area for said items. (BD 13/97/1, BD 70/04/3, BD 13/11/2, BD 24/11/2)



## **Division 11: Association Liability**

### **1101.00 Indemnification from Liability**

#### 1101.01 Indemnification

Consistent with corporate law, the Association shall indemnify and defend the officers, directors, members and staff when acting as agents of the corporation (California State Employees Association, a nonprofit corporation) from any and all claims and liabilities arising from acts or omissions that are in full accord with the stated principles and policies of the Association. The payment of any claim or liability under the Policy File section shall require authorization of the Board of Directors and is subject to the availability of funds except, however, that the indemnification of directors under this section shall satisfy the requirements of corporate law. Indemnification and defense by the Association of members of affiliates shall be secondary to that provided by the affiliate. (BD 195/80/5, BD 123/00/2, BD 12/05/1, BD 24/11/2)



## **Division 12: Association Finances**

### **1201.00 General**

#### 1201.01 Financial Statements

Financial statements of dues, income including reserve balances, and cash flow projections shall be issued by the secretary-treasurer to the Board of Directors and affiliates/divisions 25 days after the close of business on March 31 and each month thereafter. (BD 50/92/2, BD 59/94/2, BD 17/11/2, BD 24/11/2)

#### 1201.02 Financial Audits

The Board of Directors shall retain a certified public accountant to review financial procedures and audit financial records of the Association annually. An audit report shall be issued within 90 days after the close of the audit period. (BD 49/99/2, BD 11/05/1, BD 24/11/2)

#### 1201.03 Provision of Bonds

The Association officers and employees whose duties involve the handling of monies shall be bonded, the premiums of which shall be paid by the Association. (BD 50/92/2, BD 59/94/2, BD 17/11/2, BD 24/11/2)

### **1202.00 Building Reserves**

There is a building reserve to meet the cost of expansion and/or replacement of Association offices and/or other meeting facilities. The building reserve may be augmented by the General Council through transfer of surplus funds or by the Board of Directors through transfer of excess funds if any, from the operating budgets approved by General Council. (BD 50/92/2, BD 59/94/2, BD 24/11/2)

### **1203.00 Budget**

#### 1203.01 Budget Bases

The budget of the Association shall be a program budget based on its goals and objectives and shall state the composite totals of the budget line items. (BD 50/92/2, BD 59/94/2, BD 24/11/2)

### 1203.02 Budget Period

The budget of the Association shall cover a period of at least one year. (BD 50/92/2, BD 59/94/2, BD 24/11/2)

### 1203.03 Past Expenditure Information

The budget of the Association shall contain expenditure information in the format of section 1203.01 relating to the last completed year and the current year for each activity to permit delegates to compare past expenditures with the current and the proposed budget. (BD 50/92/2, BD 59/94/2, BD 17/11/2, BD 24/11/2)

### 1203.04 Surplus Estimate

In addition to estimated revenue, an estimate of the amount of unallocated surplus which will be available at the beginning of each budget year shall be included. (BD 50/92/2, BD 24/11/2)

### 1203.05 Budget Development and Adoption Process

The budget shall be developed and adopted in the following manner:

- (a) In January of the year of General Council, the president shall request affiliates/divisions to submit budget recommendations for a three-calendar year budget period. Based upon these submissions and appropriate General Council resolutions and committee recommendations the overall budgeting assumptions and Association objectives including anticipated central support schedules of services shall then be formulated by the president, secretary-treasurer, and Fiscal Committee; (BD 50/99/2, BD 11/05/1, BD 52/09/2, BD 17/11/2, BD 24/11/2)
- (b) Based on the overall assumptions and objectives developed in (a) above, non-programmatic activity requirements are developed for central support; (BD 66/93/3, BD 24/11/2)
- (c) The cost estimates of the various programs and activities will be developed by the chief financial officer, with the direct and indirect costs to be applied to expenditures for each affiliate's/division's allocation of these costs. A comparison with anticipated revenue is made and a preliminary budget is submitted to the Fiscal Committee; (BD 66/93/3, BD 11/05/1, BD 17/11/2, BD 24/11/2)
- (d) The Fiscal Committee will review the preliminary budget and make adjustments as appropriate. After Fiscal Committee approval, the proposed budget is submitted to the Board of Directors at least 30 days before action is required; (BD 66/93/3, BD 24/11/2)

(e) The Board of Directors reviews the recommendations of the Fiscal Committee, makes adjustments and approves the proposed budget; (BD 66/93/3, BD 24/11/2)

#### 1203.06 Budgetary Adjustments

Adjustments to the budgets adopted by General Council for central support budgetary allocations may be modified by transfer by the Board of Directors between central support allotments. (BD 19/87/1, BD 70/03/2, BD 17/11/2, BD 24/11/2)

### **1204.00 Investments**

#### 1204.01 Emergency Reserves

The rules governing investment of emergency reserve funds by the Board of Directors are contained in Bylaws Article XII: Financial Operations of the Association. (BD 50/92/2, BD 17/11/2, BD 24/11/2)

#### 1204.02 Reserve Funds Investment

The Board of Directors, by two-thirds vote, may authorize the investment of other Association reserve funds in a manner other than described in Bylaws Article XII: Financial Operations of the Association, if it is to the benefit of the Association and consistent with sound business practice. (BD 50/92/2, BD 59/94/2, BD 17/11/2, BD 24/11/2)

### **1205.00 Membership Prohibitions**

Association funds may not be used to purchase memberships in, or otherwise support, any club, business or organization which is known to prohibit or deny membership on the basis of sex, race, religious creed, color, national origin, ancestry, age, gender identification or disability. (BD 50/92/2, BD 17/11/2, BD 24/11/2)



## **Division 13: Association Travel Expense**

### **1301.00 Persons Eligible for Reimbursement**

#### 1301.01 Reimbursement on Association Business

The following persons may be reimbursed for expenses in connection with official business of the Association: (BD 17/77/1, BD 24/11/2)

(a) Delegates of General Council, when General Council is in session; (BD 17/77/1, BD 59/94/2, BD 24/11/2)

(b) Association Officers; (BD 17/77/1, BD 24/11/2, BD 2/13/1)

(c) Affiliate/division officers including the designated alternate voting officer from each affiliate/division as defined in the Bylaws; (BD 17/77/1, BD 17/05/1, BD 19/09/1, BD 22/10/2, BD 24/11/2)

(d) Members of Association committees, councils, ad hoc committees, and advisory groups; (BD 17/77/1, BD 22/10/2, BD 24/11/2)

(e) Members of staff; and (BD 195/80/5, BD 24/11/2, BD 2/13/1)

(f) Interpreters for the hearing impaired. (BD 75/77/3, BD 59/94/2, BD 17/05/1, BD 24/11/2, BD 2/13/1)

(g) With prior approval of the president, any elected official of the Association including General Council delegates may be reimbursed for travel expenses incurred for personal care services when on authorized Association business. The president shall require medical verification of the need for personal care services prior to granting approval. The president shall also require, prior to granting approval, a written waiver of liability for the Association which shall be executed by both the member and the person(s) providing personal care services. (BD 49/97/3, BD 24/11/2, BD 2/13/1)

### **1302.00 Processing of Expense Claims**

#### 1302.01 Necessary Expenses

The most economical use of Association funds, consistent with the convenience of the claimant and the schedule for the meeting, is the standard to be used in determining whether expenses claimed are "necessary." In review, the secretary-treasurer shall include mode of travel, needed lodging and meals relative to necessary time of departure and return. (BD 17/77/1, BD 59/94/2, BD 24/11/2)

## **1303.00 Limitations on Reimbursements**

### **1303.01 Expenses Incurred as a Candidate for Association Office**

The following general limitations apply: (BD 17/77/1, BD 24/11/2)

(a) Expenses incurred as a candidate for any Association office are not reimbursable by the Association, affiliate/division, council or chapter/DLC; (BD 45/94/4, BD 85/95/4, BD 76/03/2, BD 22/10/2, BD 24/11/2)

(b) The preceding section does not prohibit such officials from claiming, or the secretary-treasurer from approving, expenses for a trip which is primarily and substantially required in the furtherance of Association business. If the activities of the official in promotion of his/her candidacy for office are wholly incidental, the claim is not improper within the meaning of this section. (BD 17/77/1, BD 76/03/2, BD 24/11/2)

### **1303.02 Reimbursement of Expenses in Excess of Standard**

Reimbursement for meal and travel expenses in excess of reimbursement limits shall be paid only with the approval of the secretary-treasurer. (BD 25/88/1, BD 59/94/2, BD 85/95/4, BD 24/11/2)

## **1304.00 Computation of Expenses**

### **1304.01 (a) Meals**

Daily meal allowance is \$52. Individual meal limitations are as follows: breakfast \$12, lunch \$15 and dinner \$25. (BD 14/96/1, BD 76/03/2, BD 24/11/2), (BD 17/12/2)

(1) Breakfast shall not be claimed if departure is after or return is prior to 8 a.m. Lunch shall not be claimed if departure is after or return is prior to 12 noon. Dinner shall not be claimed if departure is after or return is prior to 7 p.m. (BD 17/77/1, BD 24/11/2)

(2) When meals are purchased for other persons authorized or unauthorized to claim meal expense, such persons must be listed on the expense claim with receipt attached. (BD 17/77/1, BD 76/03/2, BD 24/11/2)

(3) Members of headquarters management staff are authorized, when necessary, to claim meal expenses for other persons authorized to claim meal reimbursement. Receipts are necessary and such persons must be listed by name and title. Meal expenses for other than authorized persons may be allowed when supported by: (a) a complete explanation of the need for the



exception; (b) the names and business affiliation of the persons; and (c) receipts for the meal expenses. (BD 16/78/1, BD 76/03/2, BD 41/06/2, BD 24/11/2)

(b) Lodging

The regular allowance is up to \$150 plus tax per night or the negotiated rate. Lodging shall not be allowed if residence is within 40 miles from meeting location. Only actual expense within the above limits is reimbursed and receipts are required. (BD 18/87/1, BD 59/94/2, BD 17/05/1, BD 51/09/2, BD 24/11/2), (BD 17/12/2, BD 3/13/1)

General Council Delegates not using housing may claim mileage and parking. (BD 3/13/1)

Incidental expense for up to \$12 per day is allowed if lodging is involved. No receipts are required. (BD 76/03/2, BD 24/11/2), (BD 17/12/2)

(c) Travel Allowance

Travel expense allowances are computed as follows:

(1) Common carrier -- actual coach fare expense is reimbursed, and receipts are required; (BD 17/77/1, BD 24/11/2)

(2) Airporter -- actual is reimbursed, and no receipts are required. First class rate for common carrier is not authorized for officers, members or staff; (BD 17/77/1, BD 22/10/2, BD 24/11/2)

(3) Personal car -- authorized use of a personal car is reimbursed at the current IRS allowable rate, except that the reimbursement shall not exceed the common carrier rate unless the common carrier would be reasonably inconvenient. The number of miles traveled must be indicated; if more than one person eligible for mileage rates rides in the car, reimbursement will be allowed for only one claimant; (BD 75/90/2, BD 67/00/2, BD 17/05/1, BD 41/06/2, BD 24/11/2)

(4) Parking -- actual authorized expenses are reimbursed but amounts in excess of \$5 per day require receipts; (BD 75/90/2, BD 59/94/2, BD 17/05/1, BD 24/11/2)

(5) Bridge tolls -- actual expense is reimbursed, and no receipts are required; (BD 17/77/1, BD 24/11/2)

(6) Taxicab -- taxi fares will not be reimbursed except when no other transportation is practical or available, or unless the taxi fare for several riders is

less than the common carrier fare. Delegates to the General Council may not claim reimbursement for taxi fares; (BD 17/77/1, BD 59/94/2, BD 24/11/2)

(7) Telephone -- actual expenses are reimbursed when date and place called are shown on the expense claim, but amounts in excess of \$2.50 require receipts. Delegates to General Council may not claim reimbursement for telephone calls. (BD 17/77/1, BD 59/94/2, BD 17/05/1, BD 24/11/2, BD 17/12/2)

### **1305.00 Claim Information**

Expense claims must be submitted by claimant with all requested information (date, time, location, signature, etc.). (BD 59/94/2, BD 24/11/2, BD 2/13/1)

#### **1305.01 Deadline for Submission of Claims**

Association expense claims may be submitted at any time, but no later than the calendar month following the date the expenditures were made. Late claims must be accompanied by a written statement explaining valid reasons for the delay in filing and must be approved by the secretary-treasurer. Late expense claims received after January 31 of the next calendar year require approval of the Board of Directors. Approval of late claims may be partial. (BD 61/94/2, BD 51/09/2, BD 24/11/2, BD 2/13/1)

#### **1305.02 Requirement of Receipt**

Deductions may be made from expense claims for any item which is not accompanied by the required receipt, authorization or explanation. (BD 16/78/1, BD 24/11/2)

#### **1305.03 Reimbursement from Other Sources**

No expense may be claimed which was reimbursed from any other source. (BD 17/77/1, BD 24/11/2)

#### **1305.04 Travel to and from Home City of General Council**

Travel to and from the home city of General Council is included in the delegate allowance. No claims should be made for travel to the Board of Directors or committee meetings which normally precede General Council, unless a committee member is not a delegate to General Council and the appropriate claim is submitted. (BD 10/86/1, BD 24/11/2)

#### **1305.05 Family Members**

Members of the Board of Directors are not entitled to expense reimbursement for family members. (BD 9/89/1, BD 24/11/2)

## 1305.06 Extraordinary Expenses

(a) General Council delegates (and alternate delegates as defined in Division 13: Association Travel Expense of the Policy File) are reimbursed only for actual authorized expenses necessary for attendance at General Council and related preliminary committee meetings. (BD 17/77/1, BD 59/94/2, BD 22/10/2, BD 16/11/2, BD 24/11/2, BD 2/13/1)

(b) Claims for reimbursement of extraordinary expenses of members of General Council shall be submitted to the appropriate affiliate/division for approval and submission to the secretary-treasurer. Members of the Board of Directors shall submit claims directly to the secretary-treasurer for approval. (BD 17/77/1, BD 59/94/2, BD 22/10/2, BD 24/11/2, BD 2/13/1)

(c) Expenses resulting from assignment of members of General Council to a hotel/motel more than one mile distance from General Council assembly location shall be approved by the appropriate affiliate/division prior to submission to the secretary-treasurer. (BD 17/77/1, BD 59/94/2, BD 22/10/2, BD 24/11/2, BD 2/13/1)

## 1305.07 Travel Advance

(a) A travel advance, in an amount not to exceed estimated expenses for one month, may be requested. Each advance must be fully accounted for before additional advances will be issued. (BD 17/77/1, BD 59/94/2, BD 24/11/2, BD 2/13/1)

(b) Headquarters office shall estimate expenses for members of General Council and issue an advance to each delegate prior to the opening of General Council. The amount of the advance will be deducted from the delegate's General Council expense claim. (BD 17/77/1, BD 59/94/2, BD 29/03/2, BD 24/11/2)

## 1305.08 Exception of Expense Rules

(a) The secretary-treasurer may make exceptions to the rules in unusual circumstances. The secretary-treasurer shall require concurrence of the president prior to approval. (BD 17/77/1, BD 17/05/1, BD 24/11/2)

(b) Except as may otherwise be provided in the contract between the general manager and the Association, the expense rules of the Association fully apply to the authorized activities of the general manager. However, within the limitations of the annual travel budget for general administration established by the General Council and/or the Board of Directors, the officers may authorize the general manager to exceed the expense rules to the extent of an amount recommended to the officers each year by the secretary-treasurer. The amount may be increased or decreased by the officers. (BD 10/86/1, BD 59/94/2, BD 17/05/1, BD 24/11/2)

## **1306.00 Affiliate/Division Representatives on the Board of Directors**

Affiliate/division representatives on the Board of Directors or on the Executive Committee are reimbursed from their respective affiliate budgets for all allowable expenses incurred in attending those meetings. (BD 158/80/4, BD 59/94/2, BD 55/97/3, BD 22/10/2, BD 24/11/2, BD 2/13/1)

### **1306.01 CSEA Officer Travel and Union Leave**

- (a) CSEA officers are authorized to attend all CSEA Board meetings, CSEA committee meetings and meetings for central support business operations and shall be reimbursed for all associated travel and union leave expenses. Union leave requests shall be routed to and signed by the CSEA President and the designated signatory for the affiliate in which the officer is a member. Travel expense claims are approved by the CSEA President or by the CSEA Secretary Treasurer for the President's travel. (BD 2/13/1)
- (b) Reimbursement of travel expenses and union leave by CSEA officers to attend any affiliate-sponsored meeting is the responsibility of the affiliate and requires prior authorization by the affiliate president or designee. Union leave requests shall be routed to and signed by the designated signatory for the affiliate sponsoring the meeting and the designated signatory for the affiliate in which the officer is a member. Travel expense claims are approved by the designated affiliate officer. (BD 2/13/1)
- (c) Reimbursement for travel expenses and union leave by CSEA officers to attend any other meeting or event not covered by (a) or (b) above must be authorized by Board action and is subject to all other travel and reimbursement rules in this division. Union leave requests shall be routed to and signed by the CSEA President and the designated signatory for the affiliate in which the officer is a member. Travel expense claims are approved by the designated CSEA officer as described in section (a) above. (BD 2/13/1)

## **1307.00 Members of Association Committees and Councils**

All Association committee meetings require prior approval of the Association president. (BD 66/88/3, BD 22/10/2, BD 24/11/2, BD 2/13/1)

### **1307.01 Expenses of Attending Scheduled Meetings and/or Duties Assigned**

Committee members are reimbursed from the central support budget for all allowable expenses incurred in attending assigned meetings or performing other duties as directed by the president. (BD 66/88/3, BD 22/10/2, BD 16/11/2, BD 24/11/2)

### 1307.02 Chairperson Reports to Board of Directors

Chairpersons of committees are reimbursed for all allowable expenses incurred in reporting to the Board of Directors. (BD 17/77/1, BD 59/94/2, BD 24/11/2)

### **1308.00 Expenses Authorized by the General Manager**

#### 1308.01 Expenses for Special Consultants

Travel expenses as specified by the general manager shall be paid for special consultants in accordance with Association policy. (BD 17/77/1, BD 24/11/2)

#### 1308.02 Staff Advisors' Conference Expenses

The general manager may authorize meetings and expenses of staff advisors to confer with headquarters staff on matters relating to occupational groups. (BD 17/77/1, BD 24/11/2)

### **1309.00 Interpreters for the Hearing Impaired**

The president shall authorize reimbursement for all allowable expenses for interpreters for the hearing impaired at any official Association function provided that a request for such services is made at least ten days in advance. (BD 61/88/3, BD 59/94/2, BD 24/11/2)

### **1310.00 Appeals**

A claimant may appeal the deduction of any expense item from the expense claim, first to the Executive Committee through the president. If satisfaction is not received at that level, the claimant may appeal to the Board of Directors. (BD 17/77/1, BD 24/11/2)

### **1311.00 Travel Accident Insurance**

When on official Association business, members of the Board of Directors, affiliate officers, statewide committee members, council members, stewards, chapter/DLC officers, delegates to the General Council (for the General Council meeting only) and headquarters staff shall be covered by a master travel accident policy. (BD 66/88/3, BD 17/05/1, BD 18/09/1, BD 24/11/2)



## **Division 14: California State Employees Building Corporation**

### **1401.00 Board of Directors**

#### 1401.01 Candidates

Each year the president shall appoint from the active membership of the Association a candidate for election to the State Employees Building Corporation Board of Directors. Representatives shall serve three-year overlapping terms. (BD 50/92/2, BD 59/94/2, BD 24/11/2)

#### 1401.02 Vacancy

An unscheduled vacancy of an Association representative on the Board of Directors of the State Employees Building Corporation shall be filled by an appointment by the president from among the active membership of the Association to serve the unexpired term subject to disaffirmation by the Board of Directors of the Association. (BD 35/77/2, BD 73/03/2, BD 24/11/2)

### **1402.00 Reports**

The Association's senior member on the Building Corporation Board of Directors shall report semi-annually to the president and the Board of Directors; and annually to the Fiscal Committee, prior to the preparation of the annual budget; and to General Council members prior to each General Council. (BD 50/92/2, BD 73/03/2, BD 24/11/2)

### **1403.00 Duties**

The Association representatives on the State Employees Building Corporation shall act for the Association on all matters before the corporation. The representatives shall make recommendations to the Board of Directors regarding space needs and the methods for acquiring the space. Real property transactions shall not be made without approval of the Board of Directors. (BD 50/92/2, BD 59/94/2, BD 24/11/2)





## Index

Active Members .....	60, 63
Active Membership.....	60, 63
Actuarial Evaluation .....	78
Administration .....	76
Advance .....	95
Affiliate.....	23, 24, 25, 26, 27, 29, 37, 61, 96
Affirmative Action .....	83
Agenda .....	5, 6, 11, 43, 44, 49
Agreements .....	83
Amendment.....	2
Anti-Union.....	83
Appeal .....	21
Appointments .....	46
Assignment.....	23, 61
Associate Membership.....	60
Attendance .....	9
Audits .....	87
Authority .....	2, 52
Ballots.....	27, 33, 36
Benefits .....	24, 41, 42, 65, 73, 75, 76, 77, 78, 83
Board of Directors ..	1, 2, 5, 6, 7, 8, 9, 11, 13, 15, 17, 19, 20, 23, 24, 25, 26, 29, 30, 35, 39, 41, 42, 43, 44, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 65, 66, 68, 69, 73, 74, 75, 76, 78, 81, 82, 83, 85, 87, 88, 89, 94, 95, 96, 97, 99
Board of Directors".....	1, 81
Building Corporation.....	99
California State University.....	45, 62
Cards.....	66
Central Support .....	19
Child Care .....	7
Civic Involvement .....	84
Claims .....	91, 94, 95
Closed Meetings .....	9
Communications .....	5, 11
Competitive Bidding .....	74
Composition .....	32, 77
Computation of Election Results.....	28
Confidential .....	8, 9
Conflict of Interest .....	59, 77
Conflicts.....	9, 15
Consent .....	27, 30
Consultants .....	97
Continuation of Benefits .....	65
Contracts .....	76
Corporate Records.....	8
Credentials .....	16, 43
Credentials Committee.....	16
Deadline .....	94
Delegate ...	16, 22, 23, 25, 26, 27, 29, 34, 37, 38, 91, 94
Delinquency .....	65
Destroying Records .....	82
Disability Income Protection Plans .....	76
Discipline.....	51, 52, 53
Discounts .....	79
Displays .....	8
Dues.....	63, 65, 70
Duties.....	41, 47, 96, 99
Election Conduct.....	38
Election Order .....	36
Election Tellers .....	33, 43
Electorate.....	26, 35, 37, 39
Emergency.....	89
Emergency Reserve .....	89
Employed Eligible Group .....	60
Exclusive Rights.....	66
Executive .5, 6, 11, 52, 53, 69, 73, 81, 83, 96, 97	
Executive Committee 5, 6, 11, 52, 53, 69, 73, 81, 83, 96, 97	
Exhibits .....	8
Expense .....	91, 94, 95
Expense Claims .....	91
Fees .....	63
Financial Statements .....	87
Fiscal Committee .....	42, 48, 88, 89, 99
General Council ..	1, 5, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 45, 46, 47, 48, 51, 52, 54, 56, 66, 68, 81, 82, 87, 88, 89, 91, 94, 95, 97, 99
General Council" .....	47
Grievance Procedures .....	75
Group Purchase.....	79
Headquarters ..	15, 23, 27, 30, 65, 74, 77, 81, 82, 95
Hearing Officer .....	43, 46, 53
Hiring.....	82
Honorary Membership .....	61
Human and Civil Rights .....	43, 45, 46
Improper Use .....	68
Incorporation .....	41
Indemnification.....	85
Inspection of Corporate Records .....	8
Insurance .....	76, 97
Interpreters.....	91, 97
Investment .....	89
Layoff .....	66
Liability .....	85
Limitations.....	69, 92
Lodging .....	93
Meals .....	92
Meeting Procedures.....	5, 48
Membership 9, 52, 59, 60, 61, 62, 63, 65, 66, 68, 69, 73, 89	

Membership Lists .....	66	Reserves .....	87, 89
Minutes .....	7, 11	Resolution of Conflicts in Bylaws .....	9
Motions .....	7, 8, 19	Resolutions .....	13, 14, 15, 17
Notice of Intent .....	35, 37	Retired Eligible Group .....	60
Notification.....	27, 37, 38, 76	Review .....	45, 46, 47, 48, 73, 75, 77
Notification of Change in Insurance Contract ..	76	Review Board.....	77
<i>Oath of Office</i> .....	24	Screening Committee .....	1, 14
Open Meetings .....	7, 48	Seating Arrangements .....	23
Operations .....	24, 81	Secretary-Treasurer .....	31
Order of Business .....	5	SEIU .....	46
Organize .....	44	Sergeant-at-Arms.....	43
Orientation.....	5	Solicitation.....	69, 74
Petition .....	35, 36	Special Membership .....	61
Pledge of Allegiance .....	5	Standing Committees .....	43
Policy File Structure .....	2	Surplus .....	88
Procedures.....i, 1, 5, 17, 24, 41, 43, 48, 51, 75		Suspension .....	52, 53, 56
Profits .....	73	Term of Office .....	26
Prohibited .....	38, 39, 83	Termination .....	65, 66
Proposed Changes in Insurance.....	76	Timeliness.....	36
Protest .....	21, 33	Travel Allowance.....	93
Publicity .....	31	University of California .....	62, 63
Quality Goods and Services.....	74	Unopposed.....	32
Recall .....	34, 35, 36, 37	Unsolicited Member Benefit Proposals.....	78
Recruitment.....	73	Vacancy .....	37, 38, 99
Reimbursement.....	57, 91, 92, 94		