

**CONSTITUTION OF  
San Mateo Community College District Chapter No. 33, CSEA  
Latest Revision July 23, 2008**

**This Constitution is the local operating document for this Chapter as formulated under Article III, Section 8 of the Association Constitution.**

**Where used throughout this document, "Association" means the California School Employees Association, the statewide governing body for this organization; "organization" and "Chapter" are interchangeable and mean San Mateo Community College District Chapter No. 33, CSEA.**

**APPROVED**  
**WITH EXCEPTION\***

**California School Employees Association**

**Date: November 11, 2008**

**By: *Denise K. Jensen*, Senior Executive Manager**

**\*EXCEPTION: The chapter needs to determine the number of stewards elected to the Executive Board.**

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**ARTICLE I  
NAME AND OBJECTS**

**Section 1. Name:** The name of this organization shall be San Mateo Community College District Chapter No. 33 of the California School Employees Association.

**Section 2. Objects:** The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system, and to secure for them reasonable hours, fair wages and improved working conditions; to establish a spirit of cooperation, good faith and fair dealings with the employer; to safeguard, advance and promote the principle of free collective bargaining in a democratic society; to promote such legislation as may be in the best interests of the members of this organization; to promote the efficiency and raise the standards of service of its members and other public service workers; to instill confidence, good will and understanding among the members and their employers; to promote the economic and social welfare of the members of the Association through unity of action and mutual cooperation.

**ARTICLE II  
MEMBERSHIP**

**Section 1.** Membership in this Chapter shall be as follows:

(a) **Active:** "Active" membership, which carries with it the privilege of full participation in Chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in a bargaining unit represented by this Chapter, without regard to race, creed, color, national origin, sex, age, sexual orientation or political belief. Active membership status shall cease at such time as the member becomes eligible for any other category of membership defined herein, except as follows:

(1) Active members who are laid off may continue in Active status until expiration of their 39-month reemployment period or until reemployed, whichever comes first, upon continued payment of the established dues in effect at the time of layoff.

(2) Active members who are appealing an involuntary termination action by the employer may continue in Active status until the appeal(s) process has been terminated and the status of their employment has been finally decided, upon continued payment of the established dues in effect at the time of the involuntary termination.

(3) Nothing herein shall be construed to require continued Active status of members under paragraphs (1) and (2) above for the purpose of continued CSEA representation regarding their employment/reemployment rights. However, retention of Active status shall be required for such employees to continue to be eligible to hold

1 appointed or elective offices within the Association and Chapter and to have voice and  
2 vote and otherwise participate in Chapter and Association affairs.

3  
4 (4) Active members of this Chapter must also be Active members of  
5 the Association as defined in the Association's Constitution.

6  
7 (b) **Inactive:** Any Active member of this Chapter who (1) is granted an  
8 unpaid leave of absence by the employer, or (2) is placed on a reemployment list for  
9 reasons other than layoff and is not otherwise in a paid status with the employer, or (3)  
10 is laid off and elects not to continue as an Active member under provisions of paragraph  
11 (a)(1) above, may continue membership in an "Inactive" status until expiration of the  
12 approved leave of absence or reemployment list, or until returned to paid employment  
13 status in an eligible position [as defined by paragraph (a) above], whichever occurs first,  
14 upon continued payment of dues at half (1/2) the rate required of them as an Active  
15 member at the time the leave or placement on the reemployment list occurred. Such  
16 dues shall be paid annually in advance, or for the number of months of the approved  
17 leave if less than one (1) year. Such members shall be eligible to continue to receive  
18 such membership benefits as are generally made available to the Active membership,  
19 unless specifically excluded by contract. They shall not, however, be accorded voice or  
20 vote in Chapter or Association affairs.

21  
22 (c) **Active Retired:** Any person who was a member of the Chapter at the  
23 time of retirement and who also maintains a retired membership in good standing with  
24 the Association may continue as an Active member of this Chapter upon payment of the  
25 regular Chapter dues required of Active members. Such dues shall be paid annually in  
26 advance or monthly in advance direct to the Chapter Treasurer. Such members shall  
27 be entitled to continued full participation in Chapter affairs, including the right to hold  
28 appointive or elective offices and the right to vote, with the exception of the right to vote  
29 in contract ratification and concerted activities matters.

30  
31 Should such member cease to be a retired member in good standing of the  
32 Association, his/her Chapter membership shall automatically terminate.

33  
34 (d) **Lifetime Retired:** Any person who was a member of the Chapter at the  
35 time of retirement may become a "Lifetime Retired" member of this Chapter upon  
36 payment of a one-time fee of \$100.00. Such members shall be permitted to attend  
37 Chapter meetings and social functions and to receive the Chapter newsletter as long as  
38 they live in the local area. They shall not otherwise be accorded voice, vote or other  
39 participation in Chapter affairs.

40  
41 **Section 2.** Active membership shall be effective upon the completion, dating,  
42 and signing of an official CSEA application form as provided by the Association, and  
43 execution of a valid authorization for payroll deduction of dues or payment of at least  
44 one (1) year's dues in advance. The application shall be promptly countersigned by the  
45 Chapter Treasurer who shall immediately forward the approved application, together  
46 with advance dues received if any, to the Association, and submit payroll deduction  
47 authorizations to the appropriate district office.

1  
2           **Section 3.   Membership "In Good Standing"**  
3

4           (a)    Membership "in good standing" shall be effective and shall continue upon  
5 receipt of the required dues for the current month. For purposes of establishing voting  
6 rights and eligibility to hold an elected or appointed office, Active members whose dues  
7 are paid via payroll deduction shall not be deemed to be in good standing until the first  
8 of the month following the month in which the first dues are deducted, unless s/he pays  
9 dues in cash for the interim period.

10  
11           (b)    Membership shall terminate with:

12  
13               (1)    The effective date of layoff for members who are laid off and who  
14 choose not to continue in either an Active or Inactive status under provisions of Sections  
15 1(a)(1) or 1(b) above.

16  
17               (2)    The effective date of an unpaid leave of absence or placement on a  
18 reemployment list for reasons other than layoff, for such members who choose not to  
19 continue in an Inactive status under provisions of Section 1(b) above.

20  
21               (3)    The date of termination of their 39-month reemployment rights or  
22 approved leave of absence for members who have continued in an Active or Inactive  
23 status, if such members have not been returned to active employment.

24  
25               (4)    The date of execution of a document terminating payroll deduction  
26 of dues, unless arrangements have been made with the Chapter Treasurer for advance  
27 cash payment.

28  
29               (5)    The effective date of removal from the bargaining unit, or voluntary  
30 termination of employment.

31  
32               (6)    The effective date of involuntary termination of employment, unless  
33 the member is eligible to continue and elects to retain Active status as permitted under  
34 provisions of Section 1(a)(2) above.

35  
36               (7)    Actions pursuant to Sections 5 or 6 below.

37  
38           **Section 4.   Fair Share Service Fee Payers:** Employees obligated to pay  
39 either dues or fair share service fees to CSEA pursuant to organizational security  
40 provisions in the collective bargaining agreement and who choose not to be Active  
41 members of this Chapter shall be carried on the Chapter rolls as "Fair Share Service  
42 Fee Payers". Such persons shall pay fair share service fees in an amount equal to the  
43 dues required of Active members of the Chapter (less any local Chapter fees unless  
44 collection of local Chapter fees has been approved by the Association) subject to  
45 annual requests for advance refunds of the portion of fair share service fees that CSEA  
46 determines will be used for purposes not related to collective bargaining, in accordance  
47 with the policies of the Association.

1  
2  
3 Fair share service fee payers shall be entitled to full rights of representation in all  
4 matters related to their collective bargaining agreement. They shall not, however, have  
5 the right of voice, vote, or other participation in Chapter or Association affairs, unless  
6 otherwise provided herein or required by law.  
7

8 **Section 5. Delinquency & Resignation:**  
9

10 (a) Members who no longer wish to retain that status may resign CSEA  
11 membership by written notification to the Chapter Treasurer. They shall become fair  
12 share service fee payers subject to the same fair share service fees and rights, benefits  
13 and burdens as provided under Section 4 of this article.  
14

15 (b) Any member failing to pay all dues owed for the current month shall be  
16 deemed delinquent and shall not be considered to be in good standing until such  
17 delinquency has been remitted. Any member allowing his/her arrearages for dues to  
18 run over ninety (90) days shall be conclusively presumed to have resigned his/her  
19 membership effective on said date and if applicable shall be subject to paragraph (a)  
20 above and such action as may be provided under the collective bargaining agreement,  
21 unless the Treasurer is notified thirty (30) days prior thereto that the member has not  
22 resigned and arrangements for payment of arrearages are made.  
23

24 (c) Members who have resigned shall, upon reapplication, be admitted as  
25 new members.  
26

27 **Section 6. Expulsion, Suspension, Discipline:**  
28

29 (a) No member may be involuntarily removed from the membership rolls  
30 except as provided for in Sections 3 and 5 above, or in accordance with the procedures  
31 for expulsion, suspension and discipline of members as specified in the Association  
32 Constitution.  
33

34 (b) All matters for proposed disciplinary action against members shall be  
35 referred to the Association for action, except that members may be recalled from office  
36 in accordance with provisions of Article XI of this Constitution.  
37

38  
39 **ARTICLE III**  
40 **DUES and ASSESSMENTS**  
41

42 **Section 1. Association Per Capita Dues**  
43

44 (a) Per capita dues to the Association for Active members shall be assessed  
45 at the rate of 1.5% of the first \$2,450 of monthly gross salary (*excluding overtime*, but  
46 *including* longevity, professional growth and anniversary increments), but not to exceed  
47 a maximum of \$367.50 for the 12-month period commencing each September 1st and

1 continuing through the following August 31st. Said dues shall be payable by payroll  
2 deduction or annually in advance direct to the Association.

3  
4 (1) Payroll deduction shall commence in September of each year and  
5 continue through the following August for each month the member is in a paid status, or  
6 until the maximum of \$367.50 has been deducted, whichever comes first.

7  
8 (2) Annual in advance payments must be remitted direct to the  
9 Association's accounting office no later than September 30, or within thirty (30) days  
10 following membership application for new members after September. Such annual  
11 payments shall be as calculated by the Association's Accounting Office in accordance  
12 with the Association's Bylaws.

13  
14 **Section 2. Chapter Dues.** Local Chapter dues for Active members of this  
15 Chapter shall be \$30 per year (\$3.00 per month), payable by payroll deduction during  
16 each of the months September through June in which the member is in regular paid  
17 status; or payable annually in advance to the Chapter Treasurer.

18  
19 **Section 3.** The local Chapter dues plus the Association per capita dues equals  
20 the member's total dues requirement.

21  
22 **Section 4. Assessments:** No assessments shall be levied in this Chapter  
23 other than those approved by three-fourths (3/4) of the Chapter membership present  
24 and voting on the question by secret ballot, provided that each member has been  
25 notified in writing at least ten (10) days in advance of the nature of the proposal and the  
26 time, date and place where the matter will be voted on.

27  
28 **Section 5. Fund Solicitation:** No funds shall be solicited in the name of the  
29 Chapter without authorization of the Executive Board. All funds collected (together with  
30 an accounting of source) shall be delivered to the Chapter Treasurer within five (5)  
31 working days of receipt, for deposit in the Chapter's account.

32  
33  
34 **ARTICLE IV**  
35 **OFFICERS & EXECUTIVE BOARD/ELECTION PROCEDURES**

36  
37 **Section 1. Officers:** The following officers shall be elected by and from  
38 among the total Active membership of the Chapter, regardless of the location of their  
39 employment:

- 40 President  
41 1<sup>st</sup> Vice President  
42 2<sup>nd</sup> Vice President (CSM/District Office)  
43 2<sup>nd</sup> Vice President (Skyline)  
44 2<sup>nd</sup> Vice President (Canada)  
45 Secretary  
46 Treasurer  
47 Public Relations Officer (CPRO)  
48 # Job Stewards (CSM/District Office)

1       # Job Stewards (Skyline)

2       # Job Stewards (Canada)

3       Parliamentarian

4       Political Action Coordinator (CPAC)

5       **Section 2. Executive Board:** The elected officers designated in Section 1,  
6 plus the Junior Past President, shall constitute the Executive Board of this Chapter. To  
7 be eligible, the Past President must have completed at least one (1) full term in office as  
8 Chapter President.

9  
10       **Section 3. Eligibility to Hold Office:** Officers shall be elected from among  
11 the Active members of the Chapter who are in good standing.

12  
13       (a) Nominees for elected office shall be Active members of the Chapter in  
14 good standing at the time of nomination and can only accept nomination for one (1)  
15 Executive Board office.

16  
17       (b) Nominees for the office of President also must have been employed for at  
18 least three (3) previous consecutive years in a CSEA-represented position; must have  
19 been elected to the Chapter Executive Board for the last two (2) previous consecutive  
20 years in any combination of elective positions; and must have attended at least 60% of  
21 the Executive Board and Chapter meetings within the 12-month period prior to the  
22 opening of nominations.

23  
24       (c) Nominees for the office of 1<sup>st</sup> Vice President also must have been  
25 employed for at least three (3) previous consecutive years in a CSEA-represented  
26 position; must have been elected to the Chapter Executive Board for the last two (2)  
27 previous consecutive years in any combination of elective positions; and must have  
28 attended at least 60% of the Executive Board and Chapter meetings within the 12-  
29 month period prior to the opening of nominations.

30  
31       (d) Nominees for the offices of 2<sup>nd</sup> Vice President also must have been  
32 employed for at least two (2) previous consecutive years in a CSEA-represented  
33 position; and must have attended at least 25% of the Executive Board and Chapter  
34 meetings within the 12-month period prior to the opening of nominations.

35  
36       (e) Nominees for the offices of Job Steward also must have passed the  
37 Association's Basic Job Steward training class.

38  
39       **Section 4. Nominating and Election Procedures:**

40  
41       (a) Nominations to fill the elective offices of President, 2<sup>nd</sup> Vice President  
42 (Skyline), 2<sup>nd</sup> Vice President (Canada), Treasurer, and Political Action Coordinator shall  
43 be accepted in the odd-numbered years.

44  
45       Nominations to fill the elective offices of 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President  
46 (CSM/District Office), Secretary, Public Relations Officer, and Parliamentarian shall be  
47 accepted in the even-numbered years.

48

1 Nominations to fill the elective offices of Job Stewards (CSM/District Office), Job  
2 Stewards (Skyline), and Job Stewards (Canada) shall be accepted annually.

3  
4 (b) Nominations for these offices shall be accepted from the floor at the  
5 October and November Chapter meetings.

6  
7 (c) If, after nominations are closed at the November Chapter meeting there is  
8 only one (1) nomination for an office, the single nominee shall be declared elected to  
9 the office, and no balloting or other action shall be required. The Chapter President  
10 shall so notify the membership in writing as soon thereafter as possible.

11  
12 (d) When there is more than one (1) nominee for an office, a secret ballot  
13 election shall be conducted on the day scheduled for the December Chapter meeting.  
14 Balloting shall be conducted at such times and at campus site locations as determined  
15 by the Chapter President in coordination with the 2<sup>nd</sup> Vice Presidents and the Elections  
16 Committee. Hours for balloting shall be set so that polls will close prior to the start of  
17 the Chapter meeting.

18  
19 (e) Every member shall be notified, at least five (5) working days in advance  
20 of the date set for balloting, of the exact location of their balloting site, the specific date  
21 and time (hours) during which balloting will take place, and the candidates and offices  
22 which will appear on the ballot. At least two (2) election tellers will be present at each  
23 balloting site to verify voter eligibility and secure the balloting process.

24  
25 (f) Immediately following the appointed hour for close of polls, the election  
26 tellers shall deliver the ballot boxes, sign-in sheets, and related materials to a pre-  
27 determined location where the tally will then take place.

28  
29 (g) All procedural matters relating to the site balloting process and tally shall  
30 be conducted in accordance with Association Policy 618 and *Robert's Rules of Order*.  
31 All candidates shall be permitted to appoint an observer at each site to observe the  
32 balloting procedures, and each candidate or his/her representative shall be permitted to  
33 observe the ballot tally.

34  
35 (h) It shall require a plurality vote to elect an officer. If a tie exists, the election  
36 shall be determined by lot (draw) between the tied candidates. Write-in votes shall not  
37 be accepted. The official ballot tally shall be provided in writing to all candidates within  
38 five (5) working days, and shall be announced at the December Chapter meeting, where  
39 the presiding officer shall officially declare the winning candidates or announce such  
40 other action as may be necessary.

41  
42 (i) All ballots, including used, unused, invalid and challenged ballots, sign-in  
43 sheets, tally sheets, and related election documents, including notices of nomination  
44 and election, shall be retained by the Chapter Secretary for one (1) year, or until any  
45 and all challenges to the election or charges of misconduct in running the election have  
46 been resolved, whichever is the longer period.



1 A report on all actions taken by the Executive Board shall be made to the  
2 membership at the next regular or special Chapter meeting, with such actions subject to  
3 membership ratification if appropriate.  
4

5  
6 Minutes of Chapter and Executive Board meetings shall be kept on file for at least  
7 five (5) years. Chapter financial records shall be kept on file for at least five (5) years.  
8

9 The Executive Board shall meet monthly and at the call of the President, at such  
10 times and places designated by it. The schedule of such meetings shall be established  
11 in January of each year for the succeeding twelve (12) month period and shall be  
12 provided to the Executive Board members. The President sets the agenda for regular  
13 Executive Board meetings. The President shall call a special meeting upon the written  
14 request of a majority of the Board.  
15

16 A meeting notice shall precede all Executive Board meetings at least five (5)  
17 days in advance to allow officers a reasonable opportunity to attend. Said notice shall  
18 include a summary of the business to be acted upon, and the time, date and place of  
19 the meeting. Notice for special meetings shall include the specific topic(s) for  
20 discussion/action at said meeting, and unless otherwise required herein, a notice of less  
21 than five (5) days, but not less than twenty-four (24) hours in advance, may be given in  
22 an emergency situation.  
23

24 A majority of the members of the Executive Board shall constitute a quorum.  
25

26 **Section 2. Duties of Officers, General:**  
27

28 (a) All Executive Board officers must attend the Officer Skills Training offered  
29 by the Association for their office.  
30

31 (b) Upon separation from office, an officer shall immediately turn over to  
32 his/her successor or other properly designated CSEA official all books, records, money  
33 and other effects of the Chapter in his/her possession.  
34

35 **Section 3. President:** The President shall:  
36

37 (a) Be chairperson of the Executive Board, call and preside over all meetings  
38 of the Chapter and Executive Board at which s/he is in attendance.  
39

40 (b) Fix the time and place of meetings except as otherwise directed by the  
41 membership.  
42

43 (c) Set the agenda for Chapter meetings, as noted in Article VI.  
44

45 (d) Appoint and direct the activities of the various committees, standing or  
46 special, required by this constitution or established by the Executive Board, or as may  
47 be ordered by vote of the membership, except as otherwise provided herein.

1  
2 (e) Attend or send a substitute to all regional presidents' meetings (RPMs)  
3 and such other meetings as required by the Association or direction of the Chapter such  
4 as District Board meetings, and report back to the Executive Board and Chapter  
5 membership at the next Chapter meeting, with recommendations for Chapter action or  
6 as otherwise required.

7 (f) Perform such other duties as normally pertain to the office of President or  
8 ordered by this constitution.

9  
10 **Section 4. 1<sup>st</sup> Vice President:** The 1<sup>st</sup> Vice President shall:

11  
12 (a) In the absence or disability of the President, possess all of the powers and  
13 perform all of the duties in his/her stead.

14  
15 (b) At all times assist the President in the performance of his/her duties.

16  
17 (c) Assume the office of President if a vacancy occurs.

18  
19 (d) Coordinate the activities of the standing committees.

20  
21 (e) Perform such other duties as may be assigned by the President/Executive  
22 Board or ordered by this constitution.

23  
24 **Section 5. 2<sup>nd</sup> Vice Presidents:** The 2<sup>nd</sup> Vice Presidents shall:

25  
26 (a) At all times assist the President in the performance of his/her duties.

27  
28 (b) Conduct worksite "brown bag" member meetings as needed or directed by  
29 the President.

30  
31 (c) Coordinate and direct the activities of the Site Representatives at their  
32 worksite.

33  
34 (d) Coordinate with the Job Steward(s) to ensure an appropriate level of  
35 communication and coordination between these two programs.

36  
37 (e) Recommend various committee appointments to the President.

38  
39 (f) Coordinate appointed committees as requested by the President.

40  
41 (g) Perform such other duties as may be assigned by the President/Executive  
42 Board or ordered by this constitution.

43  
44 **Section 6. Secretary:** The Secretary shall:

45  
46 (a) Keep an accurate record of all proceedings of Chapter and Executive  
47 Board meetings, including an accurate roll of members and officers in attendance at

1 each.

2  
3 (b) Keep an accurate roster of the officers of the Chapter and see that such  
4 information is forwarded to the Association as required.

5  
6 (c) Notify members of all committees of their appointment/election.  
7

8 (d) Have custody of all correspondence, official documents and historical  
9 records of the Chapter, which shall be open at all times for the inspection of the  
10 President or his/her agent and members of the Executive Board.

11  
12 (e) Perform such other duties as normally pertain to the office of Secretary or  
13 as may be assigned by the President/Executive Board or ordered by this constitution.  
14

15 **Section 7. Treasurer:** The Treasurer shall:

16  
17 (a) Receive all funds of the Chapter and keep and disburse same under the  
18 direction of the President and as required by the Constitution & Bylaws of the  
19 Association and this Chapter.  
20

21 (b) Keep or cause to be kept regular books and full accounts which shall be  
22 open at all times to inspection of the President or his/her agent and the Auditing  
23 Committee.  
24

25 (c) Provide access to all records, vouchers and statements to the Auditing  
26 Committee for annual inspection at the close of each fiscal year.  
27

28 (d) Report at each meeting of the Executive Board and Chapter as to the  
29 financial condition of the treasury with a detailed statement of receipts and expenditures  
30 and accounts payable, to include per capita dues/fees paid and owed to the Association  
31 if any. The report to the Executive Board should also include copies of the bank  
32 statement(s)/reconciliation(s).  
33

34 (e) Prepare the annual PERB financial report to include the last day of the  
35 fiscal year, and immediately submit same to the President for review and forwarding to  
36 the Association, and the membership.  
37

38 (f) Promptly process and forward membership applications and dues  
39 payments to CSEA Headquarters and payroll deduction authorizations to proper district  
40 office for processing.  
41

42 (g) Maintain an accurate record of members in good standing, and prepare  
43 such monthly reports and remittances as may be required by the Association and  
44 promptly forward to CSEA Headquarters within thirty (30) days of request.  
45

46 (h) Assist in preparation of the Chapter budget.  
47

1 (i) Upon leaving office, sign such bank signature cards or other documents  
2 necessary for the transfer of all Chapter accounts to the new Treasurer.  
3

4 (j) Perform such other duties as normally pertain to the office of Treasurer or  
5 as may be assigned by the President/Executive Board or ordered by this constitution.  
6  
7  
8

9 **Section 8. Public Relations Officer:** The Public Relations Officer shall:

10  
11 (a) Edit and distribute a newsletter or similar publication as may be authorized  
12 by the Executive Board and the Chapter membership.  
13

14 (b) Write articles of interest pertaining to Chapter affairs for local newspapers  
15 and official publications of the Association.  
16

17 (c) Edit and maintain the Chapter website as may be authorized by the  
18 Executive Board and the Chapter membership.  
19

20 (d) Issue notices of all meetings of the Executive Board and Chapter, which  
21 shall include notice of matters for discussion at same.  
22

23 (e) Perform such other duties as normally pertain to the Public Relations  
24 Officer or as may be assigned by the President/Executive Board or ordered by this  
25 constitution.  
26

27 **Section 9. Job Stewards:** The Job Stewards shall:  
28

29 (a) Attend annual training sessions for Job Stewards provided by the  
30 Association and/or other appropriate training as directed by the President.  
31

32 (b) Attend periodic Site Representative/Site Council meetings as directed by  
33 the Chief Job Steward.  
34

35 (c) Have a working knowledge of the following: collective bargaining  
36 agreement, District rules and regulations as they pertain to classified employees, PERB  
37 and other administrative rulings, etc.  
38

39 (d) Educate bargaining unit employees about their rights under the contract  
40 and determine how problems arising under the contract can best be handled.  
41

42 (e) Act as the basic channel of communication between the employees and  
43 the Chapter and relay specific member concerns to the Chapter's Negotiating  
44 Committee for incorporation into the bargaining proposals.  
45

46 (f) Investigate and prepare grievances for processing and handle grievances,  
47 complaints, and other related matters for presentation to management; present

1 grievances and complaints to the employee's supervisor; be present as required during  
2 other steps of the grievance procedure; and investigate possible unfair labor practices  
3 and refer to Labor Relations Representatives as needed.  
4

5 (g) Immediately inform the Chief Job Steward of all grievances received;  
6 immediately report to the Chief Job Steward the settlement of grievances processed or  
7 the failure to settle within contractual timelines.  
8

9 (h) **Preserve the confidentiality** of personal grievances, resolve differences  
10 among the membership in grievance handling; maintain a file on all grievances handled  
11 which shall be turned over to the Chief Job Steward upon completion.  
12

13 **Section 10. Parliamentarian:** The Parliamentarian shall:  
14

15 (a) Maintain up-to-date copies of the Constitution & Bylaws and Policy of the  
16 Association and the constitution of Chapter 33 and see that copies of same are  
17 available for reference at all Executive Board and Chapter meetings, and available for  
18 inspection by the general membership upon request.  
19

20 (b) Advise the President and Executive Board on proper procedures such as:  
21

22 (1) Parliamentary  
23

24 (2) Association procedures.  
25

26 (3) Chapter procedures.  
27

28 (4) Additional procedures as appropriate.  
29

30 **Section 11. Political Action Coordinator:** The Political Action Coordinator  
31 shall:  
32

33 (a) Encourage and assist the Chapter in establishing a Political Action  
34 Committee.  
35

36 (b) Report on CSEA legislative/political activities at Executive Board and  
37 Chapter meetings, as appropriate and as requested by the President.  
38

39 (c) Work with the Regional Political Action Coordinator and the Chapter  
40 Public Relations Officer to coordinate communications of CSEA political and legislative  
41 messages to Chapter members.  
42

43 (d) Participate in lobbying legislators, school board members, and other  
44 political office holders at the federal, state, local, and Chapter levels.  
45



1 in good standing in attendance at any Chapter meeting for business to be conducted.  
2

3  
4 **ARTICLE VII**  
5 **CONTROL OF FUNDS / BUDGET**  
6

7 **Section 1.** All funds received shall be deposited in the name of San Mateo  
8 Community College Chapter No. 33, CSEA, in such bank or other financial institution as  
9 approved by the Executive Board. No funds shall be disbursed except by check, duly  
10 authorized and signed by the Treasurer and the President. In the event of absence of,  
11 inability to act by, or vacancy in the office of Treasurer, funds shall only be disbursed  
12 upon signature of the President and one (1) of the following: 1<sup>st</sup> Vice President,  
13 Secretary.  
14

15 **Section 2.** The Executive Board shall prepare an annual budget for approval  
16 of the Chapter membership no later than January of each year, which shall contain  
17 itemized estimated receipts and expenditures, and amounts to be set aside as a reserve  
18 fund, if any. The approved budget shall then regulate the expenditures of the Chapter,  
19 except that the Treasurer shall submit any single expenditure in excess of \$100 to the  
20 Executive Board for prior approval. Expenditures in excess of those approved in the  
21 budget must have prior approval of the Chapter membership.  
22

23 **Section 3.** The President shall receive a stipend of \$134 per month to cover  
24 expenses.  
25

26 **Section 4.** The Treasurer shall receive a stipend of \$67 per month to cover  
27 expenses.  
28

29 **Section 5.** Expenses for authorized Chapter delegates to the Association's  
30 Annual or Special Conferences shall be paid by the Chapter or reimbursed, if  
31 necessary, as follows:  
32

33 (a) Conference registration.  
34

35 (b) Reasonable transportation costs.  
36

37 (c) Reasonable double-occupancy housing costs. Delegates shall pay ½ the  
38 cost of single-occupant housing if they request it.  
39

40 (d) Per diem (for meals) in accordance with Association policies. If a meal is  
41 provided with registration, the delegates shall be allowed the portion of the per diem  
42 allowance for the meals not included in registration for that day.  
43

44 (e) Other reasonable costs as approved by the Executive Board.  
45



1 present at any meeting to constitute a quorum.

2  
3 **Section 5. Terms:** Unless otherwise provided herein, the term of office for all  
4 committees shall be from January 1 until the end of the Chapter and fiscal year or until  
5 their successors are appointed, provided that any committee member shall  
6 automatically forfeit the office if they cease to be an Active member in good standing.

7  
8 **Section 6. Auditing Committee:** It shall be the duty of this committee to  
9 receive and audit the books and records of the Treasurer immediately after the close of  
10 each fiscal year, and at such other times as may be directed by the President, and  
11 report its findings to the Chapter membership.

12  
13 **Section 7. Elections Committee:** It shall be the duty of this committee to  
14 supervise and assist in the preparation, distribution, and counting of the ballots in all  
15 elections (including contract ratifications) within the Chapter, and certify the results to  
16 the Chapter President. In addition, the committee shall ensure that election procedures  
17 are in accordance with applicable provisions of the Association's Constitution & Bylaws  
18 and Policy, and this constitution.

19  
20 **Section 8. Membership Committee:** It shall be the duty of this committee to  
21 strive for 100% CSEA membership within the represented bargaining unit(s), and to  
22 prepare and execute a program designed to secure new members and stimulate  
23 membership attendance at Chapter meetings on an ongoing basis.

24  
25 **Section 9. Negotiating Team:**

26  
27 (a) The Negotiating Committee shall consist of a chairperson as designated  
28 by the Chapter President, plus members as appointed by the President.

29  
30 (b) Vacancies shall be filled by appointment by the President for the  
31 remainder of the original term only.

32  
33 (c) **Duties:** It shall be the duty of the Negotiating Team to:

34  
35 (1) Research issues and prepare and submit initial bargaining  
36 proposals (including proposals on re-openers) for review and approval of members in  
37 good standing of the bargaining unit(s) prior to commencement of negotiations.

38  
39 (2) Negotiate the contract (including re-openers and modifications) for  
40 and on behalf of the Chapter with assistance from CSEA field staff.

41  
42 (3) Keep the Executive Board and the membership informed on the  
43 progress of negotiations and solicit membership input where advisable.

44  
45 (4) Ensure that all bargained agreements are submitted for ratification  
46 of the bargaining unit(s) in accordance with Article XIII of this constitution.

47

1           **Section 10. Political Action Committee:** It shall be the duty of this committee  
2 to:

3  
4           (a)     Develop and implement a Chapter alert system designed for emergency  
5 contact of the membership when immediate Chapter action is necessary on contract  
6 matters, legislative and political issues, and other items of importance to the Association  
7 and Chapter.

8  
9           (b)     Keep the members informed about the legislative program of the  
10 Association, and may recommend to the Chapter membership legislative proposals it  
11 deems desirable for submission to the Association's Legislative Committee for  
12 consideration and inclusion in the Association's legislative program.

13  
14           (c)     Work cooperatively with the Political Action Coordinator (PAC),  
15 appropriate staff and PACE and Legislative Committee area representatives in  
16 furtherance of the Association's legislative and political goals, rendering regular reports  
17 at Chapter meetings regarding the same and recommending any Chapter support or  
18 activity it considers appropriate.

19  
20           (d)     Encourage all members to financially support PACE of CSEA and the  
21 Victory Club, and educate the membership regarding the necessity for active  
22 participation in the political process in accordance with Association and Chapter goals.

23  
24           (e)     Make recommendations to the Chapter membership regarding  
25 endorsement of candidates for school board, in accordance with the following  
26 procedures:

27  
28           (1)     The committee shall conduct a pre-screening of candidates to be  
29 recommended for endorsement, through direct interviews or questionnaires sent to the  
30 candidates. Following the pre-screening process, the committee shall present its  
31 recommendations for endorsement at a designated Chapter meeting for action by the  
32 Chapter membership. A majority vote shall be required for endorsement.

33  
34           (2)     Whenever possible, the committee shall arrange for a candidates'  
35 forum to provide Chapter members an opportunity to hear and question the candidates  
36 on relevant issues prior to hearing the committee's recommendation and the  
37 endorsement vote being taken.

38  
39           (f)     The committee shall determine the amount of financial support, if any, to  
40 be requested from PACE of CSEA, and shall submit said request to PACE of CSEA on  
41 such forms as may be required.

42  
43           (g)     The committee shall solicit volunteer activity by the Chapter membership  
44 on behalf of endorsed candidates, and shall be responsible for coordinating and  
45 directing such member activities.

46



1  
2 (8) Keep the assigned Labor Relations Representative informed on all  
3 grievance activity and other related matters.

4  
5 (9) Ensure that the Job Stewards are trained and maintain their skills.  
6

7 **Section 2. Chapter Pre-Retirement Resource Person**  
8

9 (a) **Appointment:** A Chapter Pre-Retirement Resource Person shall be  
10 appointed by the President and ratified by the Executive Board.

11 (b) **Duties:** The Chapter Pre-Retirement Resource Person shall:  
12

13 (1) Direct and assist Chapter members who may need CalPERS or  
14 other retirement information.  
15

16 (2) Distribute information about upcoming seminars to Chapter  
17 members.  
18

19 (3) Encourage retiring Chapter members to join CSEA's Retiree Unit.  
20

21 (4) Inform the Executive Board of Chapter members planning to  
22 retirement.  
23

24 (5) Encourage and assist the Chapter in promoting the pre-retirement  
25 benefits.  
26

27 (6) Report on CSEA and SMCCCD pre-retirement activities at the  
28 Executive Board and Chapter meetings, as appropriate and as requested by the  
29 Chapter President.  
30

31 (7) Work with the CSEA Member Benefits Coordinator and the Chapter  
32 Public Relations Officer to coordinate communications of CSEA and CalPERS pre-  
33 retirement benefits to CSEA Chapter members.  
34

35 (8) Attend appropriate Association training sessions as directed.  
36  
37

38 **Section 3. Site Representatives**  
39

40 (a) **Appointment:** Site Representatives to serve each worksite shall be  
41 appointed by the President, with input from the 2<sup>nd</sup> Vice Presidents, and ratified by the  
42 Executive Board.  
43

44 (b) **Duties:** The Site Representatives shall:  
45

46 (1) Assist the 2<sup>nd</sup> Vice Presidents as needed.  
47



1 appropriate, and the secret ballot vote shall be conducted. Attendance at said meeting  
2 shall be restricted to members of the Executive Board and members of the Chapter in  
3 good standing who are eligible to vote on the particular recall action, authorized  
4 representatives of the Association, and such witnesses as may be pertinent to the  
5 action. Notice specifying time, date, and place and the specific nature/purpose of the  
6 meeting shall be issued to those eligible for attendance at least ten (10) days in  
7 advance.  
8

## 9 **Section 2. Removal of Appointed Offices**

10  
11 (a) Any appointee of the President/Executive Board may be removed from  
12 office by a two-thirds (2/3) vote of the Executive Board, a quorum being present,  
13 provided such person shall be provided at least five (5) days advance notice of the  
14 reasons for removal and the time, date and place where the Board will meet to vote on  
15 the matter. At said meeting the member shall be afforded an opportunity to provide  
16 rebuttal argument prior to the vote being taken.  
17

18 (b) Any appointed committee chairperson or member failing to attend three  
19 (3) consecutive committee meetings, unless excused for cause, shall be automatically  
20 removed from the committee.  
21

## 22 **Section 3. Resignation from Office**

23 (a) A resignation by an elected officer is not effective until accepted by the  
24 Active members in good standing present at a Chapter meeting.  
25

26 (b) A resignation by any appointee of the President/Executive Board is not  
27 effective until accepted by the President/Executive Board.  
28  
29

# 30 **ARTICLE XI**

## 31 **DELEGATES TO CONFERENCE**

32  
33 **Section 1. Delegates:** Voting delegates to an annual conference of the  
34 Association (and their alternates) shall be designated from among the Active members  
35 in good standing as follows:  
36

37 (a) The Chapter President.  
38

39 (b) Additional delegates in such number as may be authorized by the Chapter  
40 for attendance, but not to exceed the total number authorized by the Bylaws of the  
41 Association, shall be elected as provided in Section 2 below.  
42

43 (1) **Eligibility:** Nominees must have attended at least four (4)  
44 Chapter, Site, or Executive Board meetings within the 12-month period prior to the  
45 nomination.  
46

## 47 **Section 2. Election:**

1  
2 (a) Nominations for the authorized delegate positions, other than the  
3 President, shall be taken at the regular Chapter meeting in March.  
4

5 (b) When there is more than one (1) nominee for an office, a secret ballot  
6 election shall be conducted on the day scheduled for the April Chapter meeting.  
7 Balloting shall be conducted at such times and at campus site locations as determined  
8 by the Chapter President in coordination with the 2<sup>nd</sup> Vice Presidents and the Elections  
9 Committee. Hours for balloting shall be set so that polls will close prior to the start of  
10 the Chapter meeting.  
11

12 (c) Every member shall be notified, at least five (5) working days in advance  
13 of the date set for balloting, of the exact location of their balloting site, the specific date  
14 and time (hours) during which balloting will take place, and the candidates and offices  
15 which will appear on the ballot. At least two (2) election tellers will be present at each  
16 balloting site to verify voter eligibility and secure the balloting process.  
17

18 (d) Immediately following the appointed hour for close of polls, the election  
19 tellers shall deliver the ballot boxes, sign-in sheets, and related materials to a pre-  
20 determined location where the tally will then take place.  
21

22 (e) All procedural matters relating to the site balloting process and tally shall  
23 be conducted in accordance with Association Policy 618 and *Robert's Rules of Order*.  
24 All candidates shall be permitted to appoint an observer at each site to observe the  
25 balloting procedures, and each candidate or his/her representative shall be permitted to  
26 observe the ballot tally.  
27

28 (f) It shall require a plurality vote to elect an officer. If a tie exists, the election  
29 shall be determined by lot (draw) between the tied candidates. Write-in votes shall not  
30 be accepted. The official ballot tally shall be provided in writing to all candidates within  
31 five (5) working days, and shall be announced at the April Chapter meeting, where the  
32 presiding officer shall officially declare the winning candidates or announce such other  
33 action as may be necessary.  
34

35 (g) All ballots, including used, unused, invalid and challenged ballots, sign-in  
36 sheets, tally sheets, and related election documents, including notices of nomination  
37 and election, shall be retained by the Chapter Secretary for one (1) year, or until any  
38 and all challenges to the election or charges of misconduct in running the election have  
39 been resolved, whichever is the longer period.  
40

41 (h) Notification of nominations and election and all other procedural matters  
42 relating to delegate and alternate election shall conform to Association Policy 618 and  
43 shall be conducted under the supervision of the Elections Committee.  
44

45 (i) Alternates in sufficient numbers for each of the authorized delegates, to  
46 include an alternate for the President, shall also be elected. In the event a delegate  
47 cannot attend, the alternate with the highest vote count in descending order will replace

1 the authorized delegate.  
2

3 **Section 3. Responsibilities:** Delegates shall attend all conference business  
4 and other sessions of importance to the Chapter. In addition, the delegates shall:  
5

6 (a) Attend at least one (1) orientation meeting at the regional or area level of  
7 the Association concerning the resolutions to the upcoming conference, as directed by  
8 the President/Executive Board.  
9

10 (b) Provide written and oral reports on conference activities to the Chapter  
11 membership at the first Chapter meeting following the conference.  
12

13 (c) Submit a detailed report of expenditures not provided by the Chapter to  
14 the Chapter Treasurer within three (3) weeks following the conference, and if an  
15 expense advance has been provided by the Chapter, reimburses the Chapter treasury  
16 for advance funds not utilized for authorized purposes.  
17

18 **Section 4.** Expenses shall be as described in Article VII.  
19  
20  
21

## 22 **ARTICLE XII** 23 **CONTRACT RATIFICATION** 24

25 **Section 1.** Contract ratification procedures will comply with the provisions of  
26 Association Policy 610.  
27

28 **Section 2. Initial Proposals:**  
29

30 (a) The initial bargaining proposal will be determined by a vote of the  
31 membership.  
32

33 (b) Copies of the Chapter's initial proposal and the employer's initial proposal  
34 shall be submitted to the Field Director and Labor Relations Representative for review.  
35

36 **Section 3. Negotiated Agreement:**  
37

38 (a) When the Negotiating Committee has negotiated a contract, tentative  
39 agreement, or modifications to an existing contract, it shall immediately submit one (1)  
40 copy to the CSEA Labor Relations Representative assigned to service the Chapter, for  
41 review by the Association prior to membership ratification.  
42

43 (1) All contract modifications shall be submitted to the Labor Relations  
44 Representative for review by the Association. However, membership ratification shall  
45 not be required for those items listed as exceptions to the definition of "modifications"  
46 within the provisions of Association Policy 610, unless they are included as part of  
47 contract re-opener negotiations.

1  
2           **Section 4. Ratification Procedures:**  
3

4           (a) A copy of the tentative agreement or a summary of the tentative  
5 agreement, and a statement as to whether the Negotiating Committee is recommending  
6 ratification or rejection of the agreement, shall be provided each CSEA member of the  
7 bargaining unit(s) prior to the "contract information" meetings noted below. If a  
8 summary only is provided, copies of the tentative agreement containing the exact  
9 language of the proposal shall be available for review at said meeting(s).

10  
11           (b) The Chapter President, in coordination with the 2<sup>nd</sup> Vice Presidents and  
12 the Elections Committee, shall set the date, time and place for one or more "contract  
13 information" meetings, which shall be open to attendance by all employees within the  
14 bargaining unit(s), whether or not they are CSEA members.

15  
16           (c) Notice of the "contract information" meeting(s) shall be issued to all  
17 bargaining unit employees no later than five working days in advance of the scheduled  
18 date. Distribution of said meeting notice(s) shall be at the discretion of the Chapter  
19 President, utilizing any of the following methods, which it determines to be most  
20 efficient:

- 21                   (1) To individual bargaining unit employees utilizing the U.S. mail or  
22                   the employer's mail system;  
23                   (2) Distribution by Site Representatives or others;  
24                   (3) Posting in prominent locations at each worksite.

25  
26           **Exception to the above:** The Association's Executive Director, or designee,  
27 may approve a notice period of less than five working days upon request of the Chapter  
28 President, if it is deemed an expedited ratification is advisable.

29  
30           **(d) Conduct of Informational Meeting(s):**

31  
32                   (1) The Negotiating Committee shall review the provisions of the  
33 tentative agreement and indicate its recommendations for ratification or rejection and  
34 reasons therefore.

35  
36                   (2) If the Association recommends rejection of the tentative agreement,  
37 an Association representative shall be in attendance at the meeting and shall be  
38 provided ample opportunity to outline the recommendation for rejection and the reasons  
39 therefore.

40  
41                   (3) Adequate opportunity for discussion, debate, and answering of  
42 questions shall be provided. Non-CSEA members of the bargaining unit(s) in  
43 attendance shall be granted the right to participate in the discussion and debate. **They**  
44 **shall not, however, have the right to make motions or vote.**

45  
46           **(e) Ratification Vote:**  
47



1 Association Constitution & Bylaws and/or Policy shall prevail.  
2

3 **Section 2.** Any member in good standing of the Chapter (or the Executive  
4 Board) may submit a written proposal to amend this constitution (containing the exact  
5 text of the proposed change) at any Chapter meeting, which shall constitute a first  
6 reading. The Chapter President shall then cause the proposed amendment(s) to be  
7 placed on the agenda of the next regular or a special Chapter meeting where the matter  
8 will be read a second time and acted upon, and shall cause written notification of the  
9 proposed amendment(s) and the date, time, and place of the designated Chapter  
10 meeting to be issued to all members in good standing at least ten (10) days in advance  
11 of said meeting. Said notification shall include at least a written summary of the  
12 proposed changes. The exact text of the proposed changes shall be made available for  
13 review by members upon request prior to the second reading if not provided with said  
14 notification, and shall be distributed to all members in attendance at the second reading.  
15

16 **Section 3.** Approval by two-thirds (2/3) of the Active members in good  
17 standing present and voting at the second reading shall be required to adopt the  
18 amendment(s). If the amendment relates to a revision of Chapter dues, the vote shall  
19 be conducted by secret ballot.  
20

21 **Section 4.** All amendments shall be submitted to the Association's Executive  
22 Director immediately following their adoption by the Chapter. **No amendment shall**  
23 **become operative until approved by the Executive Director, or designee, or action**  
24 **of the Association's Board of Directors in accordance with Article III, Section 8 of**  
25 **the Association's Constitution.**  
26  
27

## 28 **ARTICLE XV** 29 **DISBANDMENT OF CHAPTER** 30

31 **Section 1.** Should the Chapter disband for any reason, all financial accounts  
32 shall be transferred to the control of the Association, and a final audit of the financial  
33 books and records of the Chapter shall be made in conjunction with the Association's  
34 Analyst/Auditor. Upon conclusion and certification of such audit, final distribution of  
35 funds shall be as follows:  
36

37 (a) All outstanding obligations of the Chapter shall be promptly paid.  
38

39 (b) All funds due and owing the Association shall be promptly remitted to the  
40 Association's general fund.  
41

42 (c) Funds then remaining shall then be distributed for purposes as  
43 appropriate and authorized in accordance with provisions contained in Association  
44 Policy 612.  
45  
46

## 47 **ARTICLE XVI**

