



Proposed Changes in
SEANC Bylaws

*To be considered by the
2011 Annual Convention*

SEANC Bylaws Committee Report

July 23, 2011

The Bylaws Committee met on July 20, 2011. Twelve amendments were presented for discussion, and the committee approved seven. These amendments will be presented to delegates at the 28th Annual SEANC Convention for approval.

Cliff Brown
Bylaws Committee Chairperson

2011 SEANC Bylaws Proposed Amendments

According to Article XIII of the SEANC Bylaws, “amendments will require a majority vote of delegates present and eligible to adopt, except that amendments to Articles I, II, IV, V, XI and XIII will require a 2/3 vote of delegates present.” The SEANC Bylaws Committee approved the following proposed amendments to the SEANC Bylaws:

Article V. Officers

Section 6. SEIU Convention

Article VII. Elections and Vacancies

Section 1. State Officers

Section 6. SEIU Convention Delegates

Article X. Advisory and Special Committees

Section 6. Policy Platform Advisory Committee

Section 7. Personnel Benefits Committee

Article XI. Meetings

Section 1. Annual Convention

Section 1.4. Annual Convention

Proposed Amendment (1)

ARTICLE V. OFFICERS

SECTION 6. SEIU Convention

PRESENT WORDING: NEW SECTION

SECTION AS AMENDED:

The five SEANC officers shall serve as ex officio delegates to any SEIU convention held during their terms unless they are elected as voting delegates in accordance with Article VII, Section 6.

RATIONALE:

Since SEANC statewide officers are elected by SEANC convention delegates and not all SEANC members, they cannot serve as SEIU voting delegates unless they are also elected as statewide delegates to the SEIU convention in an election that meets federal requirements. This amendment assures that all five SEANC state officers will attend SEIU conventions held during their terms, at least as ex officio, non-voting delegates. If they run for and get elected as voting delegates, then they can go in that capacity instead.

Effective Date: October 1, 2011

Proposed Amendment (2)

ARTICLE VII. ELECTIONS AND VACANCIES

SECTION 1. State Officers

PRESENT WORDING:

Officers shall include the President, First Vice-President, Second Vice-President, Treasurer and Immediate Past-President. All officers except the Immediate Past-President shall be elected from nominees submitted by the Board of Governors to the annual convention or from nominations from the floor at the annual convention. The names of all candidates shall appear on the official ballot.

SECTION AS AMENDED:

Officers shall include the President, First Vice-President, Second Vice-President, Treasurer and Immediate Past-President. All officers except the Immediate Past-President shall be elected from nominees submitted by the Board of Governors to the convention or from nominations from the floor at the annual convention. Beginning in 2014 and every even year thereafter, these officers shall be elected for two year terms. The names of all candidates shall appear on the official ballot.

RATIONALE:

SEANC state officers would be more effective serving a two-year term instead of a one-year term. We have already seen this change taking place with the past four presidents of SEANC. The first term is a learning year in most cases and this offers our statewide officers more time to be more efficient at their duties as officers. This will also keep in step with the change from an annual to a biennial convention, allowing officers to be elected at convention by delegates.

Effective Date: October 1, 2011

Proposed Amendment (3)

Article VII. ELECTIONS AND VACANCIES

Section 6. SEIU Convention Delegates

PRESENT WORDING: NEW SECTION

SECTION AS AMENDED:

Elections of SEANC delegates to SEIU conventions shall be conducted in compliance with Title IV of the Labor-Management Reporting and Disclosure Act of 1959, as amended, and in accordance with the SEIU Constitution and Bylaws and provisions of this Section.

- 6.1 One delegate shall be elected from each SEANC district by the members of the district, and five delegates shall be elected by all SEANC members by statewide election. A sufficient number of additional delegates shall be elected by state-wide election to fill out the total number of delegates allotted to SEANC by the SEIU Constitution. Should the number of delegates allotted to SEANC fall below the number of SEANC districts plus five, the delegates filling the allotment shall be the five delegates elected by statewide election, with the remainder being selected at random from among all the delegates elected by the districts.
- 6.1.1 Should a statewide delegate be unable to attend the convention, the alternate delegate shall be the losing statewide candidate who received the next highest number of votes and who has not yet been selected as an alternate delegate. If no statewide candidate is available to be the alternate, then the alternate shall be the next available candidate receiving the highest number of votes in the delegate election of the largest remaining district which does not yet have an elected or alternate delegate or, if all districts have an elected or alternate delegate, the alternate shall be the next available candidate who received the highest number of votes in the largest district that does not already have two delegates.
- 6.1.2 Should an elected delegate from a district be unable to attend the convention, the alternate delegate shall be the candidate in that district who received the next highest number of votes, and succeeding replacements, if needed, shall be the candidate receiving the next highest number of votes until either an available alternate is selected or the list of candidates in that district has been exhausted. If no candidate from a district is available to attend the convention, then the alternate for that district's delegate shall be the statewide candidate with the highest number of votes who was not elected and has not

yet been selected as an alternate. If no statewide candidate is available to serve as a delegate, then the procedures in 6.1.1, above, shall be followed to select the alternate.

- 6.2 Promptly after SEIU notifies SEANC of the likely number of delegates allotted for the upcoming convention, notification of nominations and elections of delegates shall be mailed to all SEANC members. Any SEANC member who has been a member in continuous good standing for the two years immediately preceding the nomination is eligible for nomination as a delegate. Any member in good standing as of eligibility date of the election, regardless of length of membership, is eligible to vote in the election of delegates.
- 6.3 Election of all delegates shall be by secret ballot after a reasonable period for campaigning by the nominees. The single candidate in each district delegate election and the candidates in the statewide delegate elections, in the number needed to fill the delegate slots to be so elected, who receive the highest number of votes cast will be declared elected. Any tie votes will be decided by a coin toss.
- 6.4 Rules for conducting these elections shall be adopted by the Executive Committee and shall be made part of the SEANC Operations Manual.

RATIONALE:

This amendment is drafted to meet the requirements of both federal law and the SEIU Constitution for SEANC's delegates to an SEIU convention to be eligible to vote in the election of SEIU officers. In general, federal law requires that all delegates to SEIU's convention be elected in a secret ballot election in which all SEANC members in good standing are eligible and given the reasonable opportunity to vote. Since SEANC statewide officers are elected by SEANC convention delegates and not by all SEANC members, they cannot serve as SEIU voting delegates unless they are also elected as statewide delegates to the SEIU convention in an election that meets the federal requirements. Hence, this amendment is written to set up two types of elections for SEIU convention delegates: a statewide election of at least five delegates to allow for the possibility that SEANC's state officers can serve as SEIU convention delegates, and district elections to allow each district also to have such a delegate. In addition, this amendment anticipates the possibilities that SEANC may be allotted either more or fewer delegates than the number of districts plus the five. It also sets the procedure for selecting alternate delegates for both statewide and district delegates. Other key federal requirements, such as notice of nominations and elections to all members and eligibility requirements for running for delegate or voting in the delegate elections, are also addressed, while the rest of the federal requirements are left to be included in election rules to be adopted by the Executive Committee for placement in the SEANC Operations Manual.

Effective Date: October 1, 2011

Proposed Amendment (4)

ARTICLE X. ADVISORY AND SPECIAL COMMITTEES

SECTION 6. Policy Platform Advisory Committee

PRESENT WORDING:

New Section, renumbering current section 6 “Special Committees” to section 7.

SECTION AS AMENDED:

Section 6: Policy Platform Advisory Committee

The Policy Platform Advisory Committee shall be comprised of two representatives from each of the regions appointed by the President. The Chairperson shall be the same person appointed to chair the Policy Platform Committee. Representatives will serve two-year, staggered terms with no person serving consecutive terms. Should a vacancy occur, the President shall appoint a person from the appropriate region to fill the unexpired term.

- 6.1 The duties of the Policy Platform Advisory Committee are to review the policy platform and recommend changes and issues for further study, assist districts in preparation of objectives, research and publicize objectives, prepare background papers as needed, educate members on objectives, receive proposed policy objectives, combine similar objectives, revise the wording of objectives and make recommendations on passage to the Policy Platform Committee. The Policy Platform Advisory Committee shall also track objectives scheduled for deletion, revise the policy platform as directed by the Policy Platform Committee and prepare and proof policy objective documents for Convention.
- 6.2 The Policy Platform Advisory Committee shall report to the SEANC President and Board of Governors.

RATIONALE:

The Policy Platform Advisory Committee is not presently included in the bylaws. The importance of the committee’s work and the desire to provide continuity through staggered terms suggests that it should be included.

Effective Date: October 1, 2011

Proposed Amendment (5)

ARTICLE X. ADVISORY AND SPECIAL COMMITTEES

SECTION 7. Personnel Benefits Committee

PRESENT WORDING:

New Section, renumbering current section 7 “Special Committees” to section 8.

SECTION AS AMENDED:

Section 7. Personnel Benefits Committee

The Personnel Benefits Committee shall be comprised of two representatives from each of the regions appointed by the President. Members will serve two-year, staggered terms with no person serving consecutive terms. One committee member shall be appointed by the President to serve as Chairperson for one year. Should a vacancy occur, the President shall appoint a person from the appropriate region to fill the unexpired term.

- 7.1 The Personnel Benefits Committee shall research and make recommendations on issues related to the State Health Plan, the Retirement System, other work benefits, mediation, grievance procedures, collective bargaining, meet and confer, executive orders, relations with like-minded organizations and membership in and relations with SEIU International. The committee shall be responsible for educating members as appropriate on matters within its purview.
- 7.2 The Personnel Benefits Committee shall report to the SEANC President and Board of Governors.

RATIONALE:

SEANC has periodically had a Personnel Benefits Committee. It has also had a Collective Bargaining Committee. This amendment is intended to combine the duties and responsibilities of these committees, while at the same time formalizing their existence through the bylaws.

Effective Date: October 1, 2011

Proposed Amendment (6)

ARTICLE XI. MEETINGS

SECTION 1. Annual Convention

PRESENT WORDING:

SECTION 1. Annual Convention

SEANC will hold an annual convention which shall meet at a time and place approved by the Board of Governors.

SECTION AS AMENDED:

SECTION 1. ANNUAL/BIENNIAL CONVENTION

SEANC will hold an annual convention which shall meet at a time and place approved by the Board of Governors. Beginning in 2014 and every two years thereafter, the convention shall be held biennially rather than annually.

RATIONALE:

Our legislators hold two-year sessions and SEANC would operate more efficiently if we held our conventions every two years instead of one. This convention is to be held before the year of the legislative long session, thereby addressing major issues with our delegates. The first biennial is to be held in 2014 to allow all districts time to make appropriate changes.

Effective Date: October 1, 2011

Proposed Amendment (7)

ARTICLE XI. MEETINGS

SECTION 1.4 Annual Convention

PRESENT WORDING:

- 1.4 The President of SEANC shall be responsible for procuring a court reporter to record the annual convention.

SECTION AS AMENDED:

- 1.4 The President of SEANC shall be responsible for making arrangements to record the annual convention.

RATIONALE:

SEANC can generate significant savings by switching to up-to-date technology to record the annual convention. In 2010, it cost SEANC \$1,600 to engage a court reporter to record the annual convention. Simultaneously, the vendor who projected the proceedings on the annual convention on the large screens recorded the convention DVD for no additional cost. The proposed amendment is broadly worded to allow for the use of current and future developments in recording technology while still allowing a return to use of a court reporter should circumstances ever arise dictating use of that technology again.

Effective Date: October 1, 2011