

# EMPAC Bylaws

## Preamble

It is the right of all employees of the State of North Carolina as individuals to belong to a political party, work for candidates of their choice, and be free from political pressure in the work place. It is the right of all employees of the State of North Carolina to collectively participate in political action to improve work conditions, salaries, and benefits of all state employees.



Recognizing these rights, the State Employees Association of North Carolina, Inc. (SEANC) authorizes the establishment of this Employees Political Action Committee.

## ARTICLE I. Name

The name of this subsidiary body shall be Employees Political Action Committee (hereinafter called EMPAC).

## ARTICLE II. Purpose

The purpose of EMPAC shall be as follows:

- a. To influence and support the nomination and election of candidates for public office, regardless of political affiliation, who demonstrate a commitment to responsible government and to the welfare of state employees and their families.
- b. To educate the SEANC membership, all active and retired state employees, and the candidates for elective office regarding issues affecting state employees.

## ARTICLE III. Authority and Restrictions

EMPAC is authorized by the State Employees Association of North Carolina, Inc. EMPAC shall not be affiliated with any political party and is governed by the Campaign Reporting Act (Chapter 163) of the North Carolina General Statutes, by rules and regulations promulgated by the Internal Revenue Service, by the SEANC Bylaws, by EMPAC Bylaws, and by the current state EMPAC operations manual.

## ARTICLE IV. Funding

Funds to administer EMPAC and to support the political activities of EMPAC shall be obtained through voluntary contributions and administrative support outlined in the North Carolina General Statutes, Chapter 163. The State EMPAC shall plan and direct an annual solicitation of contributions from SEANC members and may conduct additional fund raising events and activities as are appropriate and consistent with the laws governing elections. The State EMPAC also shall adopt funding policies as needed for the daily operations of EMPAC and shall include those policies in the EMPAC Operations Manual.

## ARTICLE V. Officers

There shall be a Chairperson who shall be elected for a two-year term by the delegates at the SEANC Annual Convention. There shall be a Vice Chair of EMPAC, who shall be elected for a two-year term by the members of the State EMPAC to coincide with the EMPAC Chair's term. The Vice Chair shall be elected from the membership of the State EMPAC. The Chairperson shall appoint a Secretary and a Treasurer. The term of the officers shall begin January 1, following the election of the state EMPAC Chair.

### **Section 1.**

The Chairperson shall preside at all meetings of the State EMPAC. The Chairperson shall represent, direct and carry out the programs of EMPAC, and co-sign checks drawn from EMPAC accounts. The Chairperson shall have the right to vote only when that vote is used to break a tie.

### **Section 2.**

The Vice Chair shall fulfill the duties of the Chairperson in the event that the Chairperson is absent or unable to fulfill those duties. If the Chairperson is unable to fulfill their term, the Vice Chair will assume the Chair position and the state EMPAC Committee will elect a new Vice Chair. The Vice Chair shall be a voting member of EMPAC.

### **Section 3.**

The Secretary shall be appointed to record the minutes of all EMPAC meetings and to maintain the records of EMPAC in an orderly fashion. The Secretary shall not be a voting member of EMPAC.

### **Section 4.**

The Treasurer shall keep accurate financial records of all EMPAC funds, file all reports required by federal, state and local laws or regulations, co-sign all checks drawn from EMPAC accounts, and submit the books and records of EMPAC for periodic audit as requested by the State EMPAC, the Internal Revenue Service, SEANC, and the North Carolina State Board of Elections. In concert with the EMPAC Chair and SEANC Executive Director or designee, the Treasurer shall prepare a balanced annual budget for the approval of the State EMPAC by August 15th. The Treasurer shall be bonded and be a voting member of EMPAC.

### **Section 5.**

The immediate Past Chairperson shall be a voting member of the State EMPAC, shall serve as an advisor to the Chairperson, and shall assume such other duties as may be assigned by the Chairperson.

## **ARTICLE VI. Organization**

EMPAC shall consist of a State Employees Political Action Committee (State EMPAC) and Area Employees Political Action Committees (Area EMPACs).

### **Section 1.**

The State EMPAC shall consist of the Chair, Vice Chair, Treasurer, Immediate Past Chair, and Area EMPAC Chairs (to have fair representation based on districts, the Area 10 shall have three representatives, the chair and two at-large members, elected by the Area EMPAC). The EMPAC Secretary, SEANC President and SEANC Executive Director or designee serve as non-voting members. Members of the State EMPAC, with the exception of the SEANC President, shall serve a two-year term to run concurrent with the state EMPAC Chairperson.

### **Section 2.**

The Area shall consist of a Chair, Vice Chair, Immediate Past Chair, EMPAC District Chairs, and two at-large members from each district. Alternate members shall vote only when attending in the absence of a voting member from their district. Each Area EMPAC elects a Chair, Vice Chair and Campaign Support Coordinator from within the Committee membership. The Chair will appoint a Secretary who will not have a vote unless they are a committee member.

### **Section 3.**

The Interview Team shall consist of a maximum of seven members, including the moderator, selected by the Area EMPAC with participation from that Area's Districts.

### **Section 4.**

Members of the State EMPAC, Area EMPAC and Interview Teams are required to sign a pledge, as developed by the State EMPAC, stating that their decisions will be non-partisan and that all comments and actions will be kept confidential. If an individual refuses to sign the Pledge, he or she will not be allowed to participate in the endorsement process. All members of the state EMPAC, Area EMPAC or interview team should support an EMPAC-endorsed candidate. But if an individual feels that he or she cannot support the endorsed candidate and chooses to openly support the opposition candidate, he or she must resign from the state EMPAC, Area EMPAC and/or interview team.

### **Section 5.**

Any decision to endorse or not endorse a candidate by the Area EMPAC, achieved in compliance with policies and procedures described in the EMPAC Operations Manual, shall not be overturned, set aside, nor altered in any manner by the State EMPAC. Taking no action does not constitute a decision. When an Area EMPAC chooses to take no action on endorsements of candidates in their Area, the State EMPAC may consider endorsements in those races if 2/3 of the State EMPAC members present vote to do so.

## **ARTICLE VII. Removal From Office**

The State EMPAC shall have the authority to remove from office, for just cause, any member of the State EMPAC. Removal may only occur after charges and specifications are made in writing and the person charged has been given an opportunity to explain or defend the action questioned. Removal will require a two-thirds (2/3) vote of the State EMPAC members present. In the event of removal of a Committee member, the affected Area EMPAC will replace the committee member.

## **ARTICLE VIII. Endorsements**

EMPAC may endorse and support with contributions of time and monies any candidate who has been approved at an announced scheduled meeting by the Area EMPAC as reached by a majority vote. The State EMPAC will develop the policies and procedures for all endorsement activities and state those in the EMPAC Operations Manual. These policies and procedures shall include roles and responsibilities, candidate assignment, interview guidelines, selection criteria, candidate notification and other topics necessary to implement EMPAC's endorsement process in a timely and efficient manner.

### **Section 1.**

Following each General Election, the Operations Manual shall be reviewed for necessary changes, especially those sections that address interview and endorsement procedures. However, no changes to those sections shall be permitted during the 90 days immediately preceding a Primary or General Election.

### **Section 2.**

In as much as safeguards are included in the EMPAC Operations Manual to prevent malfeasance in the interview and endorsement process, there also exists the rare possibility that non-conforming endorsements may be made. Any SEANC member, with verifiable evidence of such impropriety, may request a special hearing by the State EMPAC to reconsider said endorsement. To do so, the Member must obtain the sponsorship of at least one Area EMPAC Chair. A contested endorsement may only be set aside by a two-thirds vote of the State EMPAC members present and voting to do so

#### **ARTICLE IX. Amendments**

These Bylaws may be amended at the SEANC Annual Convention by a majority vote of the delegates present.