

# **CONFIDENTIAL EMPLOYEES ASSOCIATION**

## **BYLAWS**

### **ARTICLE 1 - NAME**

Sec. 1 This organization shall be known as the Confidential Employees Association, APEA/AFT Local 6133 hereinafter referred to as the Association.

### **ARTICLE II - PURPOSE**

Sec. 1 The purpose of the Association is to provide its members and other persons whom it represents an effective means to determine their conditions of work, to provide a rational method of dealing with disputes, to strengthen the merit principles and to maintain a favorable environment through harmonious and cooperative relations between government and its employees.

### **ARTICLE III - MEMBERSHIP**

Sec. 1 Members of this Association are those employees in the State of Alaska, designated by the State of Alaska Labor Relations Agency to be in the Confidential Bargaining Unit of public employees, and who have paid the membership dues, and as set forth in Article VIII of these bylaws. For the purpose of these bylaws, members in good standing are those who are current in their dues.

Sec. 2 Agency fee payers of this Association are those employees in the State of Alaska, designated by the State of Alaska Labor Relations Agency to be in the Confidential Bargaining Unit of public employees, and who have paid the fees and assessments, and as set forth in Article VIII of these bylaws. Agency fee payers are not members of the Association and therefore may not vote in Association matters or hold an elected or appointed office within the Association.

### **ARTICLE IV – EXECUTIVE BOARD**

Sec. 1 The Executive Board shall consist of seven members of the Association, a President, Vice President, Juneau Seat, Out of Juneau Seat, and three At-large Seats.

Sec. 2 The Executive Board shall be selected in accordance with the provisions of Article V of these bylaws.

Sec. 3 The Executive Board shall select from its membership the following officers of the Association: Secretary and Treasurer.

Sec. 4 The officers of the Association and their duties shall be:

- A. President: To preside at all meetings of the Executive Board and at all meetings of the membership, to call meetings of the Executive Board, to oversee the affairs of the Association, and to execute contracts and documents upon its behalf after being authorized to do so by the Executive Board.
- B. Vice-President: To perform the duties of the President in his or her absence or such other duties as assigned by the President or Executive Board.
- C. Secretary: To record minutes of the meetings of the Executive Board and the Association and perform all assigned and customary duties of a secretary or such other duties as assigned by the President or Executive Board.
- D. Treasurer: To pay bills and to have custody of all funds controlled by the Association, to keep accurate records of income and expenditures and to perform all assigned and customary duties of a treasurer or such other duties as assigned by the President or Executive Board.

Sec. 5 Term of office for each Executive board member shall be two years. The President and designated seats will be elected in even numbered years. The Vice President and at large seats will be elected in odd numbered years.

Sec. 6 If a vacancy exists for the office of Secretary or Treasurer, the Executive Board shall select the replacement from its own membership to fulfill the unexpired term of the office. If the office of President becomes vacant, the Vice President shall fulfill the unexpired term and the Executive Board shall select from its own membership a new Vice President.

Sec. 7 If the Juneau, Out of Juneau, or At-Large Seat(s) becomes vacant, the President shall appoint, with the approval of the Board, a member in good standing to fulfill the unexpired term of office. For purposes of this Section, "vacancy" shall mean voluntary withdrawal, separation from State service, layoff from a position in the bargaining unit, or appointment to a unit other than that from which elected as provided in Section 1.

Sec. 8 If the seat designated as Out of Juneau is unable to be filled by a member from that represented area, the Executive Board shall select the replacement from amongst the membership from any area, as it normally would under Sec. 7.

#### **ARTICLE V – ELECTION OF THE EXECUTIVE BOARD**

Sec. 1 Members may nominate members in good standing for positions on the Executive Board. Nominations must be submitted in writing to the Association President and must bear the names of four (4) nominating members in good standing. Upon verification of the nominating signatures, the Association shall place the names of the nominees upon the ballot, except in instances where a nominee declines such nomination in writing. No member shall sign a nominating petition for more than one individual for each vacancy, nor may members nominate themselves.

Sec. 2 All nominations must be submitted no later than six weeks prior to the annual meeting.

Sec. 3 The Executive Board shall be elected at the annual meeting by secret ballot. Each ballot will have the nominees for each vacancy listed on it in accordance with Article IV. Write-in nominees are not allowed except for the offices of President and Vice President.

Sec. 4 The Executive Board shall assume office after the results of the elections have been certified. Ballots shall be counted by two (2) members of the Association appointed by the President in writing, at least one of whom is on the Executive Board. Results will be certified by the President to the full membership promptly after the annual meeting.

Sec. 5 Any member who is unable to be present at the annual meeting may vote by mail ballot. His or her ballot must be received prior to the convening of the annual meeting to be counted.

Sec. 6 Additional rules pertaining to elections not in conflict with these bylaws may be made by the Executive Board or by a special committee appointed by the President with the concurrence of the Executive Board.

#### **ARTICLE VI – POWERS OF THE EXECUTIVE BOARD**

Sec. 1 The Executive Board shall act in the name of the Association in all matters, including but not limited to the following: expenditures of funds; contracting for

services; affiliation with other organizations; serving as and appointing a bargaining team and/or committee; incurring indebtedness; reviewing disputes of concern to the Association; removal of employee representatives; and such other duties necessary to the operation of this Association.

Sec. 2 Members shall be informed of all non-routine union matters at a meeting or by newsletter prior to a final decision. A member may request an advisory vote at any meeting which shall be acted upon with a majority vote of the members present.

#### **ARTICLE VII – EMPLOYEE REPRESENTATIVE**

Sec. 1 Providing the contract in effect allows for employee representatives and the Executive Board deems them to be necessary, they will be elected by the membership. Procedures governing the election and duties of the employee representatives will be established by the Board.

#### **ARTICLE VIII – FISCAL MATTERS**

Sec. 1 The fiscal year of the Association shall be from April 1 through March 31.

Sec. 2 The Executive Board shall review the financial records of the Association each fiscal year. The review shall be completed prior to the annual meeting and the financial statement made available to the members. In the event an audit is requested, it shall be performed by a committee composed of three (3) Board members and three (3) Association members who will be appointed by the President.

Sec. 3 Membership dues or agency fees shall be established by the Executive Board and shall be directly proportional to the base salary of each member. All employees and covered non-permanents shall, as a condition of continued employment, either become a member of the Association and pay Association dues or pay an agency fee to the Association. Payment of dues or agency fees shall commence within thirty (30) days after the date of hire. Any increase in dues exceeding 100% shall be ratified by the membership at the next annual meeting.

#### **ARTICLE IX - MEETINGS**

Sec. 1 The annual meeting of the Association shall be held in Juneau during the month of April at a day, time and place to be announced by the President at least four

weeks before the meeting. The President shall submit an agenda of the annual meeting to the members at least two weeks before the meeting. Members outside Juneau will be provided the opportunity to participate via teleconference, videoconference, or other means approved by the Executive Board.

- Sec. 2 Special meetings of the Association may be called by a majority of the Executive Board at any time with special effort made to notify the members of the time and place of the meeting.
- Sec. 3 Meetings of the Executive Board may be called by the President or a majority of the Executive Board at any time. The Executive Board may establish a set time for meetings.
- Sec. 4 A quorum of the Executive Board is required to conduct business at any Executive Board meeting. A quorum consists of at least four members of the Executive Board. If a meeting is held without a quorum, the meeting will be declared invalid and all business transactions shall be considered null and void.
- Sec. 5 A quorum of the membership is required to conduct business at the annual meeting or at any special meeting. A quorum for the annual meeting consists of 10% of the membership. All members whose ballots have been received by the Association prior to the annual meeting shall be considered as present at the annual meeting. A quorum for a special meeting consists of 15% of the membership.

## **ARTICLE X – REMOVAL OF EXECUTIVE BOARD MEMBERS**

- Sec. 1 A petition of non-confidence in a member of the Executive Board and calling for an immediate election on the question may be presented to the Executive Board at any time by twenty-five percent of the membership.
- Sec. 2 Such petition shall state, *We, the undersigned being members in good standing of the Confidential Employees Association, have lost confidence in (the name of the board member)'s ability to continue to represent the membership of this Association as a member of the Executive Board. We further seek an immediate vote of confidence by the entire membership.* The petition must contain printed names in addition to signature in order to guarantee authenticity.
- Sec. 3 Within two working days of receipt of said petition, the President (or Vice President if the petition is against the President) shall appoint a special five-member committee to investigate the validity of the petition. The committee shall be composed of two petitioners, two members of the Association who are not members of the Executive Board or signers of the petition and one member of the

Executive Board who was not named in the petition. The committee shall select its own chairman.

Sec. 4 Within seven (7) working days of its formation, the committee shall:

1. Verify the names and the signatures.
2. Determine that the verified signatures and names constitute not less than 25% of the Association's membership. The committee shall notify the member in question in writing by certified mail as soon as possible.
3. The member in question may submit a written response which will be mailed to the membership at the expense of the Association. If the member in question wishes to request a meeting of the general membership, they may do so within five days of notification by the committee that a petition of no confidence has been verified.
4. If the petition is found certified valid, the committee shall conduct a special secret ballot election of the total membership. The total ballot shall read:

*"Should (name of the Board Member) be retained on the Executive Board of this Association?"*

Yes \_\_\_\_\_ No

*Please return this ballot no later than (date)."*

Sec. 5 The balloting shall start not later than fifteen (15) days from the committee's appointment. Not less than nor more than fifteen (15) days shall be allowed for balloting.

Sec. 6 Within two days of the conclusion of balloting, the committee chairman shall report to the membership as appropriate:

Sixty percent or more of the cast ballots express loss of confidence in the retention of (name of the Board Member) as an Executive Board member. The office is therefore declared vacant.

or

Less than sixty percent of the cast ballots support the petition of no confidence. (Name of Board Member) is thereby retained in office.

## **ARTICLE XI – COLLECTIVE BARGAINING**

Sec. 1 The Executive Board shall select a bargaining team to meet with the employer for the purpose of collective bargaining.

Sec. 2 The Executive Board may solicit a bargaining committee who shall consist of members in good standing chosen by the Executive Board and any additional member who presents a petition containing the signatures of fifteen percent (15%) of the membership.

Sec. 3 If a bargaining committee is utilized it shall solicit ideas and input from the membership preceding the negotiations and shall assist the bargaining team during the time of negotiations as the team deems necessary.

Sec. 4 The Executive Board and the bargaining committee shall be kept fully informed of the progress of the negotiations. Informational updates shall be made available to the membership.

Sec. 5 If a bargaining committee is not separately established by the Executive Board, the selected bargaining team shall act in that capacity.

## **ARTICLE XII – CONTRACT/AGREEMENT RATIFICATION**

Sec. 1 Any contracts and/or agreements negotiated by the bargaining team shall require ratification by a majority of those voting in a special secret ballot election before such agreement or contract shall be binding upon the Association. Only those members of the Association in good standing who will be affected by the proposal shall be eligible to vote.

**ARTICLE XIII – ORDER OF BUSINESS**

Sec. 1 The revised *Roberts' Rules of Order* shall be the authority for all proceedings of this Association not otherwise provided for in these bylaws.

**ARTICLE XIV - AMENDMENTS**

Sec. 1 The bylaws of the Association may be revised or amended by a three-fourths (3/4) vote of the members present at a special meeting called for that purpose or by three-fourths (3/4) vote of the members present at the annual meeting.