

Alameda County Engineers Association

BYLAWS

I. NAME.

The name of this organization shall be the ALAMEDA COUNTY ENGINEERS ASSOCIATION, a chapter of Local 21 of the International Federation of Professional and Technical Engineers (IFPTE), AFL-CIO.

II. JURISDICTION.

The jurisdiction of this Chapter shall include non-management engineers of the Alameda County Public Works Agency.

III. OBJECTIVES.

The objectives of this Chapter shall be to unite into one labor organization all workers eligible for membership, regardless of race, color, creed, religion, gender, sexual orientation, national origin, physical challenge, age, political affiliation or opinion; to secure improved working conditions, wages, hours, and other advantages for its members; and to deal with a broad spectrum of economic issues, as the Chapter members may determine from time to time. Nothing herein is intended to conflict with the constitution and bylaws of IFPTE, Local 21, AFL-CIO and should any such conflict occur, said constitution and bylaws shall take precedence.

IV. MEMBERSHIP.

A. Eligibility: Any person employed by the County of Alameda in an engineering job classification included in Representation Unit 77.

B. Duties: It shall be the duty of every member to uphold the objectives of this Chapter and abide by its rules and decisions. The discussions and decisions of the Chapter regarding Contract or Memorandum of Understanding negotiations with the County of Alameda shall be considered confidential unless specifically determined otherwise by the Chapter. Any other discussions or decisions of the Chapter shall be considered confidential if so determined by the Chapter.

Confidential information as described herein shall not be divulged to any person except another Chapter member or members of a Chapter member's immediate family unless specifically authorized by the Chapter. No member shall intentionally interfere with the performance of Chapter related and authorized duties of any Chapter member or IFPTE representative assigned to and accepted by the Chapter.

C. Voting: Every Chapter member shall have the right to vote at any Chapter membership meeting at which he or she is in attendance. If absent, he or she may cast an absentee ballot for any election, provided the conditions for casting such ballots described herein are met, and may vote on any other item of business at a Chapter membership meeting by proxy. In the event that five (5) or more members protest a vote on an issue that was not placed on the Agenda prior to a meeting, then that vote shall be considered nullified. The issue in question shall be placed on the agenda and voted on again at the next General Membership or Special Meeting.

1. Absentee Ballot. The procedure for casting an absentee ballot shall be as follows (except for officer elections, which are described in Section XII):

a. The member indicates his or her anonymous vote in writing, then places the vote inside an envelope, seals the envelope, and writes their name on the outside of the envelope.

- b. The sealed envelope is given to the designated officer/steward/member at the work site.
- c. The designated officer/steward/member brings the absentee ballots to the designated vote counting session.
- d. The absentee ballots are checked against the attendance list if the counting session is held during a membership meeting.
- e. The absentee ballots are opened but not read, and the envelopes are discarded.
- f. The absentee ballots are put aside with the rest of the ballots.
- g. The votes are counted and recorded.

- 2. Proxy. A Chapter member may designate any Chapter member of their choosing to cast a vote by proxy. The proxy designation shall be in effect for no more than three (3) consecutive months and may be revoked by the designating Chapter member at any time. Each Chapter member may carry no more than one (1) proxy at a time, in addition to their own vote. Proxies will not be counted when determining the presence of a Quorum of the membership.

- D. Loss of Membership: A member may be expelled or suspended from membership only in accordance with appropriate IFPTE procedures except that expulsion is automatic after nonpayment of dues for a period of three (3) consecutive months unless the member was laid-off or was on leave of absence during which time dues are not required.

V. DUES.

The dues of IFPTE, Local 21 shall be the dues of this Chapter.

VI. CHAPTER EXPENSES.

All necessary operating expenses will shall be met using funds allocated by IFPTE, Local 21.

VII. MEETINGS.

- A. General Membership Meetings: General membership meetings shall be held once a month at dates and times scheduled by the Chapter's Board of Directors. Changes to meeting dates and times may be made by a majority vote of the Directors.
- B. Special Membership Meetings: Special membership meetings may be called by the Board of Directors or at the request of eight (8) or more Chapter members.
- C. Board of Directors Meetings: Board of Directors meetings shall be scheduled one week prior to regular Membership meetings. Additional meetings shall be called by the Board Chair at the request of a majority of the Directors. Any Chapter member may attend any Board of Directors meeting.
- D. Notice of Meetings: A draft agenda for each General Membership meeting will be distributed at least five (5) days prior to the meeting. At least 24 hours notice of Special membership meetings shall be given. Notice may be either written or verbal. If verbal, it is the responsibility of the Board of Directors to see that as many members as possible are notified. Every member of the

Board of Directors must be notified before a Board of Directors meeting may be convened.

- E. Quorum: A quorum for a General or Special membership meeting shall consist of ten (10) Chapter members or 25% of the total Chapter membership, whichever is greater. The Quorum comprises only those members present at a meeting. Two members of the Board of Directors must be present to form a quorum for a Board of Directors meeting
- F. Rules of Order. Robert's Rules of Order shall be the guidelines by which meetings are conducted. The Rules of Order may be modified by majority vote of the membership.

VIII. BOARD OF DIRECTORS.

To ensure representation of members' interests associated with the various engineering sections and workplace locations of the Public Works Agency, the chapter shall be organized into three divisions. Each division shall be served by a Director and an Assistant Director who are elected by the majority of voting members assigned to that particular division. The chapter divisions shall be:

DIVISION 1: Transportation Engineering – includes those engineers assigned to the Transportation Planning Section, the Traffic Engineering Section, and the Road Design Section.

DIVISION 2: Flood Control Engineering – includes those engineers assigned to the Flood Control Planning and Design Section and the Water Resources Section.

DIVISION 3: Development and Maintenance Engineering – includes those engineers in the Development Services Department, the Maintenance and Operations Department, and the Construction Inspection Section.

A. Duties and Authority of Directors:

1. To meet as often as may be required to perform their duties.
2. To perform such duties as are authorized and assigned by the membership and these bylaws.
3. To conduct such Chapter business as may arise which cannot, due to lack of time, or should not, due to its minor nature, be delayed until a General or Special Membership Meeting.
4. Evaluate Chapter problems and recommend solutions and/or policies to the membership.
5. To serve as Shop Stewards.
6. To render assistance to the membership in interpreting the MOU or employer policy.
7. To act as a communication link between members, the L21 Representative, and management.
8. To assist in resolving conflicts.
9. To advocate for member rights in the workplace.

10. To educate the membership regarding union issues.
11. To assist in resolving grievances.
12. To appoint representatives to Meet and Confers, task forces, and other negotiations with management, excluding MOU negotiations. The Board of Directors is empowered to act on behalf of the Chapter at any duly convened Board of Directors meeting and whenever a quorum of the membership is not present at a General or Special membership meeting as provided in section VII.E. except that it may not elect Chapter officers, approve a Contract or Memorandum of Understanding with the County of Alameda nor amend these bylaws. Any action of the Board of Directors may be overruled by the Chapter membership at a General or Special membership meeting.
13. Review Civil Service Commission meeting agendas and take action as appropriate.

B. Duties and Authority of Assistant Directors:

To perform any and all duties of Director in the absence of his or her Division's Director, as will not wait until the Division Director's return.

C. Chairperson:

1. Duties and Authority

- a. To preside at all General and Special Membership Meetings.
- b. The Chairperson shall be the Spokesperson of the Board of Directors
- c. To sign documents and correspondence on behalf of the membership and the Board of Directors as approved by those bodies.
- d. To represent the Chapter at meetings of the IFPTE Local 21 Executive Council and other meetings as deemed appropriate to perform duties specified in these bylaws
- e. Communicate with Management on behalf of the Board of Directors.

2. Selection

The Chairperson shall be a Director chosen by the Directors.

IX. MOU NEGOTIATING COMMITTEE

A. The Spokesperson for the MOU Negotiating Committee shall be the L21 Representative.

B. Duties and Authority: The MOU Negotiating Committee is empowered to negotiate with the County of Alameda concerning the Memorandum of Understanding between the Chapter and the County except that it may not execute such Memorandum of Understanding without the consent of the Chapter membership given at a General or Special membership meeting. The MOU Negotiating Committee shall faithfully attempt to obtain the objectives of the Chapter expressed by the membership in such negotiations. In the event that there are concerns regarding the L21 Representative's ability to negotiate contracts, MOU's, etc. for this Chapter, then the Negotiating Committee shall refer the matter to the Executive Committee.

- C. Composition: The MOU Negotiating Committee shall be comprised of two members.
- D. Selection Process: The two members shall be elected by secret ballot. The two individuals with the highest number of votes shall be regular members of the MOU Negotiating Committee. The next two individuals with the highest number of votes shall serve as alternate members. Any unfilled vacancies on the MOU Negotiating Committee will be filled by the Chapter officers if necessary.
- E. Chairperson: The Committee shall elect a Chairperson who shall be the communication link between the Local 21 Representative (Spokesperson) and the Chapter Membership (including the rest of the Negotiating Committee members). The Chairperson shall report on the progress of the negotiations to the Executive Committee on a regular basis, or when requested to do so by the Executive Committee.

X. AD HOC COMMITTEES

A. Definitions:

1. Internal ad hoc: formed for the purpose of conducting Chapter business.
2. Special ad hoc: formed for the purpose of negotiating with Management.

B. Formation

1. Internal: as desired by Chapter Membership
2. Special: as needed to meet and negotiate with Management

C. Eligibility

1. Internal: Any member may volunteer to serve on any and all committees, except that Chapter Officers may volunteer to serve on no more than one committee at a time (excluding the Executive Committee)
2. Special: Any member (including officers) appointed by the Board of Directors.

D. Duties and Authority

Any commitment or action taken by Ad Hoc Committees shall not be valid until ratified by the Chapter Membership:

1. Products

- a. Ad Hoc Committees shall report to the Chapter Membership at each regularly scheduled General Membership Meeting.
- b. Ad Hoc Committees shall clearly define their goals in the form of a Mission Statement which shall be presented at its first Monthly Progress Report to the Chapter Membership.
- c. Ad Hoc Committees shall present products, works in progress, and works of completion to the Chapter Membership at points of significant milestones

2 Guidelines and Procedures

- a. Each Committee shall develop its own guidelines and procedures (except for those outlined in these bylaws) based on Committee majority.
- b. Each Committee shall select a Spokesperson. Only the Spokesperson or his/her designee is authorized to represent the Committee. The Spokesperson shall make a sincere effort to bring a witness to any meeting he/she attends.
- c. In the event of a conflict, the Committee may request the Board of Directors to intercede.
- d. No preference will be given to any one Committee Member due to Chapter Officer status.
- e. Committees are required to take minutes unless this requirement is waived by the Board of Directors.
- f. Hard copies of Committee products shall only be distributed to the Chapter Membership upon request, and shall not contain any personal information regarding Chapter members.
- g. Committee may be dissolved upon 2/3 vote of the Chapter Membership or upon completion of its task. Any such vote must be announced prior to the Chapter Membership meeting.

XI. CHAPTER OFFICERS.

The Officers of this Chapter shall be Secretary, and Treasurer. Duties and Authority of the officers shall be as follows:

A. Duties and Authority of all officers shall be:

- 1. To attend all Board of Directors meetings.
- 2. To enforce such Rules of Order as may be established by the Membership for its meetings; subject to appeal.
- 3. To enforce these Bylaws.
- 4. To perform such duties as may be assigned and authorized by the Membership, the Board of Directors, and these Bylaws.
- 5. To serve on the MOU Negotiating Committee as necessary.
- 6. Following meetings with Management: prepare a written report, in a timely manner, documenting outcomes. An exception to the reporting requirement will be made in the case of personnel issues.

D. Duties and Authority specific to the office of the Secretary:

- 1. To keep minutes of membership meetings. Upon approval of the Chapter membership, these minutes shall be filed with the Secretary of IFPTE Local 2 1.
- 2. To maintain files of Chapter meeting and Executive Committee meeting minutes, correspondence, and all other pertinent Chapter records. Meeting minutes shall be made available to membership and to the Executive Council of Local 2 1.
- 3. To assist the Board of Directors' Chairperson as required.

E. Duties and Authority specific to the office of Treasurer:

1. To hold, receive, disburse, keep account of, and otherwise manage the funds of the Chapter when and as directed by the Chapter membership and the Board of Directors.
2. To provide the lunches for membership meetings.
3. To assist the Board of Directors' Chairperson as required.

XII. CHAPTER ELECTIONS:

A. Announcement: The Board of Directors' Chairperson will announce election procedures during a meeting preceding the election.

B. Eligibility: Every member, in good standing, of the Chapter shall be eligible to nominate Directors and officers or be elected to any office.

E. Election: Election of Directors and officers shall be by secret ballot. The Secretary shall be responsible for the preparation and distribution of ballots to each Chapter member. Ballots for election of Director and/or officers shall be distributed to all Chapter members. The nominee receiving the largest number of votes by those eligible to vote for that nominee shall be elected. In case of a tie, the nominees tied for the largest number of votes, and only those nominees, shall be voted on again. The nominee receiving the largest number of votes at this second election shall be elected. If the nominees remain tied, the incumbent shall remain in the position pending a third vote to be held in the same manner as the second.

Absentee ballots shall be made available at least one week before any election. Any Chapter member may request an absentee ballot from the Secretary. To be considered valid, an absentee ballot must be received by the Secretary by 11 am on the last day of the election. Ballots will be double-sealed. Ballots cast incorrectly will not be opened or counted.

F. Installation: Newly elected Director and officers shall be installed as the last item of business at the next membership meeting except that if a third vote is held as provided above, the member(s) elected to the positions in question shall be installed immediately upon election.

G. Records: The results of the election shall record the names of all nominees, the names of those nominees not included on the ballot and the reason, the number of votes received by each nominee on the ballot, and the names and positions of each elected nominee. The Chapter Secretary shall keep these records on file.

H. Protests: An election may be protested by any member on the basis of noncompliance with these bylaws. A protest must be filed in writing to the Board of Directors' Chairperson within two working days after the protested election and the reason must be stated. The Chairperson shall report the protest to the Board of Directors who shall call a Board of Directors meeting within three working days after notification of a protest. The Board of Directors shall determine whether a Special Meeting is warranted. If warranted, a Special membership meeting shall be called within five (5) working days of the Board of Directors. The membership shall then decide how to proceed.

I. Vacancies: In the event the position of a Director, Assistant Director, or officer becomes vacant prior to the end of his or her term, nominations for that office shall be opened at the next General membership meeting and remain open until the end of that month. An election shall be held for that office at the next following General membership meeting using the procedures described in section XII, above, as applicable.

- J. Term of Office: The term of office for all chapter positions shall be one-year. There is no limit to the number of consecutive terms that may be served upon reelection.

XIV. COMPLIANCE

The following procedures shall be followed to address Director, Officer, or Committee Member misconduct.

- A. Complaint is made to the Board of Directors.
- B. The Board of Directors attempts to resolve the complaint.
- C. If the Board of Directors cannot resolve the complaint, then the matter shall go to the Membership.
- D. The Membership may remove the offender from their post by 2/3 vote.

XV. AMENDMENTS TO THE BYLAWS

- A. Proposal: An amendment to these bylaws may be proposed by any Chapter member.
- B. Notice: All members shall be notified that an amendment is proposed and of the date that the amendment will be voted on at least fifteen (15) days prior to the vote.
- C. Approval: Amendments to these bylaws shall be approved by a majority of those Chapter members voting and shall be voted on by secret ballot. The procedure for voting on amendments to these bylaws shall be followed as set forth in Section IV. Membership C. Voting; Absentee Ballot.
- D. Effective Date: An amendment duly approved by the Chapter membership shall become effective immediately upon such approval.
- E. Availability: The Secretary shall revise the bylaws as soon as practicable after any amendment. The Secretary shall make a copy of the current bylaws available to any member upon request.
- F. Certification: The Chapter Secretary shall certify by signature that the text of the bylaws is correct. The signature certifying the bylaws shall be affixed to said bylaws subsequent to their initial adoption and subsequent to every amendment.

I certify that foregoing bylaws are correct as adopted by the membership of this Chapter.


Secretary

6/1/06
Date