

BY-LAWS OF THE
CITY OF CUPERTINO EMPLOYEES' ASSOCIATION
A CHAPTER OF IFPTE Local 21, AFL-CIO

REVISED – October 5, 2017

PREAMBLE

In order to promote and to protect the common well being of city employees through co-operation and organization; we, the City of Cupertino Employees' Association formed by such employees, do adopt these by-laws. These by-laws constitute the rule and operating procedures for this organization excepting that in instances of conflict, the bylaws of IFPTE Local 21 shall prevail.

ARTICLE I – NAME AND LOCATION

This organization shall be known as the City of Cupertino Employees' Association, also known as CEA, and its principal place of business located in the City of Cupertino, County of Santa Clara, State of California, and such other places as designated by the Board. CEA is a Chapter of the International Federation of Professional and Technical Engineers (IFPTE) Local 21, AFL-CIO.

ARTICLE II – MEMBERSHIP ELIGIBILITY

The jurisdiction of this organization shall include all employees in classifications represented by the CEA with the City of Cupertino. All such employees of the City shall be eligible for membership in the CEA, IFPTE Local 21. Employees are eligible for membership regardless of race, religion, creed, color, national origin, age, gender, disability or sexual orientation. All members shall be required to pay the established IFPTE Local 21 dues.

ARTICLE III – DUES

Members shall pay the established dues rate of IFPTE Local 21. Special assessments may be made by majority vote of votes cast by affected members after 30 days written notice.

ARTICLE IV – CEA EXECUTIVE BOARD MEMBERS

Section 1. The CEA Executive Board shall be vested with the responsibility of establishing policy and administering the affairs of the Association in accordance with these by-laws.

Section 2. Membership of the Board shall be President, Vice President, Secretary, Treasurer and Sergeant-at-Arms.

- a) Officers will be elected by the CEA membership. In order to serve and run for office, candidates must be members in good standing.
- b) If the immediate past president is not elected to the current Board, he or she may choose to serve on the Board in an advisory capacity, but shall not have the power to vote on Board decisions.

Section 3. Meetings of the Board shall convene monthly or as needed. A special meeting may be called by any member of the Board within a minimum of seventy-two (72) hours written notice of the meeting time, place and agenda items under consideration to all other members of the Board. A majority of the total membership of the Board shall constitute a quorum. Meeting procedures shall be governed by Robert's Rules of Order.

Section 4. A simple majority vote of those members of the Board present at any Board meeting at which a quorum is present shall constitute passage or rejection of any proposed measure.

Section 5. The term of office of all Board members shall begin immediately following the general election referenced in Article V below, and shall continue until the following election.

Section 6. The Board shall have the authority to form and appoint members to special committees. The Board shall determine the mission and duties of those committees.

ARTICLE V – OFFICERS, DUTIES, AND ELECTIONS

Section 1. The Board shall appoint the Bargaining Team subject to ratification at a membership meeting. The Bargaining Team will remain in place until a new or amended collective bargaining agreement is in place. The duties of the officers are as follows:

- a) President - The President shall conduct all meetings of the Board and general membership in accordance with Robert's Rules of Order, and shall be responsible for supervising the general operation of the Association commensurate with the provisions of these by-laws. The President shall serve as a Delegate to the IFPTE Local 21 Delegate Assembly.
- b) Vice-President – The Vice-President shall assume the responsibilities of the President in their absence and serve as a Delegate to the IFPTE Local 21 Delegate Assembly.
- c) Secretary – The Secretary shall record and maintain accurate minutes of all meetings of the Board and general membership, prepare all correspondence of the CEA, prepare and circulate all necessary announcements concerning CEA activities, and serve as an Alternate Delegate to the IFPTE Local 21 Delegate Assembly, as needed. All records of the Secretary shall be available for inspection to any member upon request. Copies of minutes once approved shall be filed with Local 21.

- d) Treasurer-The Treasurer shall be responsible for any money collected for special fund needs and will serve as an Alternate Delegate to the IFPTE Local 21 Delegate Assembly, as needed.
- e) Sergeant-at-arms – The Sergeant-at-Arms shall preserve order at all Chapter membership meetings, ascertain the presence of a quorum, confirm the voting eligibility of all members, serve as Parliamentarian to the President, as needed, and serve as an Alternate Delegate to the IFPTE Local 21 Delegate Assembly, as needed.

Section 2. Nominations and Election of Officers.

- a) At least 45 days prior to the election, nominations for Officer positions shall be made to the current Secretary in written form, signed by the nominator and nominee, or by nomination at a Membership meeting called for that purpose. Nominees for Officer positions where uncontested will be declared elected without need for a vote.
- b) Officers will be elected by secret ballot from those nominated at a Membership Meeting called for that purpose.
- c) Terms of office shall be two (2) years. President and Treasurer will be elected in odd-numbered years; Vice President, Secretary and Sergeant-at-Arms shall be elected in even-numbered years.

Section 3. After serving as an officer for two (2) consecutive terms, that individual is encouraged not to seek any officer position for the following term. This is to encourage other members to serve as officers of CEA.

ARTICLE VI – CEA MEMBERSHIP

Section 1. The CEA members shall meet monthly, or as needed. Written notice of the date, time, and place of Membership Meetings shall be given at least two (2) days prior. The Board shall make every reasonable effort to provide at least a one (1) week notice. Meeting procedures shall be governed by Robert’s Rules of Order.

Section 2. Voting. All members in good standing are eligible to vote for contract agreement by ballot. Ballots shall be distributed at least one (1) week prior to the due date, when possible. A simple majority of the ballots submitted by CEA members prior to the due date shall constitute passage or denial of any recall or contract proposal.

ARTICLE VII – VACANCIES

Section 1. In the event of a vacancy in the office of the President, the Vice-President shall become President. Any vacancy in the offices of Vice-President, Secretary, Treasurer, or Sergeant-at-Arms shall be filled by the Board for the remainder of the term vacated.

Section 2. In the event that any Board member is absent from three (3) consecutive Board meetings or three (3) consecutive general membership meetings, the Board may declare his or her position vacant.

Section 3. The office of any Board position shall be declared vacant when that Board member resigns, is separated from City employment or accepts a position of employment outside of the representation jurisdiction of the City of Cupertino Employees' Association.

ARTICLE VIII – RECALL

Section 1. Any Board member of the CEA is subject to recall proceedings by petition. Such petition must state the specific charge made against such officer and must be signed by not less than twenty-five percent (25%) of the general membership of the Association.

Section 2. The Board shall cause an election to be held no more than fifteen (15) calendar days following validation of the recall petition to the Board. Such election shall be in a manner prescribed in Article VI Section 3 of these by-laws with the exception of the date described therein.

Section 3. The ballot to be used for the recall election shall read as follows:

_____ serving in the office of
_____ of the CEA has been
challenged to recall proceedings by petition duly signed by
twenty-five percent (25%) of the general membership.
Shall _____ be retained as
a Board member of the CEA?
YES _____ NO _____

ARTICLE IX – BY-LAW AMENDMENTS

Section 1. These By-laws can only be amended by a secret ballot provided to all regular members who in good standing. Such members shall be notified and provided with the full text of the proposed amendment at least thirty (30) days prior to the vote. All amendments shall require approval of at least two-thirds (2/3) of all votes cast.

Section 2. Amendments may be originated by an initiative petition signed by at least thirty (30) percent of members in good standing or by a majority vote of the Board.