

BY-LAWS
September 2, 2010

**EAST BAY MUNICIPAL UTILITY DISTRICT CHAPTER
INTERNATIONAL FEDERATION OF PROFESSIONAL
AND TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO**

Section I. Statement of Purpose

The purpose of the East Bay Municipal Utility District Chapter of the International Federation of Professional and Technical Engineers (IFPTE) Local 21, AFL-CIO, is to represent designated East Bay Municipal Utility District employees, including the Administrative, Professional, and Supervisory Employees, in collective bargaining and to otherwise improve their economic status, conditions of employment, and to encourage the highest standards of professional proficiency amongst the membership.

Section II. Membership

Employees are eligible for membership regardless of religion, race, creed, color, national origin, age, gender, disability, or sexual orientation.

It shall be the duty of every member to uphold the ideals and principles of the Union.

All members shall be required to pay the established Local Union dues.

Members in good standing, as defined by the By-laws, shall entitle the member to vote, hold office, and all other benefits afforded to active union members.

Fee Payers are entitled to representation and to attend meetings. However, they are not eligible to vote or hold office.

Section III. Name of Organization

The name of this Chapter shall be the East Bay Municipal Utility District Chapter, International Federation of Professional and Technical Engineers (IFPTE), Local 21, AFL-CIO.

Section IV. Jurisdiction

The jurisdiction of this Chapter shall include all represented classifications, including the Administrative, Professional, and Supervisory Unit, employed by the East Bay Municipal Utility District.

Section V. Officers

- A.** The Executive Board shall be the Chapter officers. The Executive Board shall be comprised of the President, Executive Vice President, Administrative Vice President, Chief Steward, immediate past President and the Work Group Representative from each work group within the Chapter.
- B.** The immediate past president attends all meetings as a nonvoting member.
- C.** In the instance when members from another Unit may be added to representation, that group will have a seat on the Executive Board. Should there be a group with no union members, that seat on the Executive Board shall not be filled.
- D.** No office shall be combined with another office and held by one member.

Section VI. Duties of the Officers

A. President

The duties of the President shall be as follows:

1. Preside at all Chapter meetings, which shall be held monthly.
2. Preside at and call all Executive Board meetings which shall be held monthly.
3. Present the minutes of the Executive Board and previous Chapter meeting to the membership at each Membership meeting.
4. Appoint committees and their chairs, following recommendations from the Executive Board.
5. Call special meetings of the Chapter.
6. Review or sign all official documents or correspondence.
7. Make official representation, either written or oral, of the Chapter. Consult with the Executive Board on all policy matters affecting the chapter.
8. Serve as delegate to the Delegate Assembly of Local 21.
9. Perform such duties as commonly pertain to the office of president.
10. On urgent matters demanding immediate attention, the President will act on Behalf of the chapter in consultation with a quorum the Executive Board. The matter will be decided based on a majority vote of the quorum.
11. Serve on the Negotiation Committee.
12. Serve as a member of the Labor/Management Committee.
13. Conduct all meetings according to Robert's Rules.

B. Executive Vice President

The duties of the Executive Vice President shall be as follows:

1. Assume all the duties of the President during the absence of the President.

2. Attend all Executive Board meetings.
3. Assist the President at Chapter meetings.
4. To serve as delegate to the Delegate Assembly of Local 21.
5. Coordinate all financial matters as necessary.
6. Serve as a member of the Labor/Management Committee.
7. Serve on the Negotiations Committee

C. Administrative Vice President

The duties of the Administrative Vice President shall be as follows:

1. Call monthly Chapter meetings.
2. Keep a summary of the Chapter and Executive Board meetings.
3. Upon approval of the Chapter membership, these minutes shall be filed with the Secretary of Local 21.
4. Maintain chapter files including records of meeting summaries, minutes, negotiations, pertinent correspondence, and other matters deemed important by the Executive Board.
5. Assure that a roster is taken of all members in attendance.
6. Serve as President in the absence of both the Executive Vice President and the President.
7. Attend all Executive Board meetings.
8. Serve as delegate to the Delegate Assembly of Local 21.
9. Serve on the Negotiation Committee

D. Chief Steward

The duties of the Chief Steward shall be as follows:

1. Act as the Chief Steward on labor matters.
2. Track all grievances and report results to the Executive Board monthly.
3. Recommends to the Executive Board candidates for Steward positions.
4. Train and coordinate activities of all Stewards.
5. Attend all Executive Board meetings.
6. Serve as delegate to the Delegate Assembly of Local 21.
7. Serve as a member of the Labor/Management Committee.
8. Serve on the Negotiation Committee

E. Immediate Past President

1. Attend all Executive Board meetings as a non-voting member.

F. Executive Board

The duties of the Executive Board shall be as follows:

1. Meet prior to the monthly meeting, unless it is necessary to meet more often, such as during negotiations. A quorum shall be four (4) members of the Board.
2. Establish the goals and objectives of the Chapter.
3. Make recommendations to the membership on matters such as wages, hours, and working conditions. The Executive Board develops solutions, formulates policies, and makes recommendations to the membership on those issues.

4. Conduct all meetings according to Robert's Rules.
5. Fill all vacancies among the officers until the next regular election. This does not supersede the order of ascendancy as described in Section IV.
6. Nominates the Negotiating Committee. The nomination shall be ratified by the membership at the next Chapter meeting.
7. Nominate any additional Stewards as deemed necessary by the Executive Board. The nominations will be presented to the General Membership for election.

G. Work Group Representative

There shall be one Work Group Representative from each represented classification (Administrative, Professional, and Supervisory). The Work Group Representative shall be as follows:

1. Attend all Executive Board meetings.
2. Represent the work group's needs and interests to the Executive Board
3. Bring to the represented membership issues decided by the Executive Board that impact the respective group.
4. Make recommendations to the Chief Steward
5. Coordinate activities within the represented area.
6. Act as alternates to the Delegates to the Delegate Assembly of Local 21.

H. Up Country Liaison

The President may appoint an Up Country Liaison to facilitate communication between the E-Board and the upcountry represented staff.

1. The Upcountry Liaison is not a member of the Executive Board.

Section VII. Election of Officers

- A.** During the general meeting in September, of even numbered years, the officers of the Executive Board shall be nominated. Election of Officers will be accomplished by mail ballots sent to each member, by the local union, during the month of November. The term of office shall be two (2) years. The new officers serve from December 1 through November 30 of the second year.
- B.** Each election year, the President shall appoint a nominating committee (see Section IX) to select nominees for offices of this Chapter. The nominating committee shall post and circulate its slate as part of the notice procedures of the election nomination meeting. Additional nominations may be made from the floor at the election nomination meeting in even numbered years in September. All union members of the Chapter shall be eligible to seek the nomination and/or vote for the office of President, Executive Vice President, Administrative Vice President, and Chief Steward. Group Representatives will be elected by the members of the group.

- C. The biennial election of all officers shall be by secret mail-in ballot and only union members are entitled to vote. The candidate for office who receives the most votes will be declared the winner.

Section VIII. Expulsion of Officers

- A. Officers may be recommended for removal from office by a resolution recommending removal by a majority vote of the Chapter membership present at a regular general meeting. Removal from office requires a majority vote from the General membership. The following shall constitute reasons for removal:
 - 1. Absence without cause and/or excuse from three (3) consecutive chapter meetings;
 - 2. Misappropriation of Chapter funds;
 - 3. Failure to perform his/her duties of elected office;
 - 4. Using the name of the Chapter to actively work against an official endorsement made by the Chapter;
 - 5. Intentional violation of any of the provisions of these by-laws.
 - 6. All persons subject to removal procedures shall be afforded an opportunity to present their case to the membership prior to any vote for removal.

Section IX. Standing Committees

- A. The President with the recommendation of the Executive Board may appoint committees as appropriate; however, the President shall appoint the following committees:
 - 1. The Nominations Committee (3-5 Members) prior to elections in the month of August
 - 2. By-Law Review Committee (as required)
 - 3. Contracting out Committee (as required)

- B. Representatives

The President with the recommendation of the Executive Board may appoint representatives as appropriate, however the President shall appoint the following:

- 1. Deferred Compensation Representative
- 2. Retirement Representative

The committees and representatives will meet as necessary, attend other meetings concerning their committees and make reports, either verbal or written to the Executive Board. Membership level of each committee will be set by the Executive Board.

- C. The Executive Board may create additional committees, or change or delete existing committees, including those in paragraph A above, as necessary.

All changes to committees require a majority vote of the Executive Board. Representatives will be handled in a similar manner.

Section X. Revision of By-Laws

- A. The by-laws may be amended, superseded or replaced by voting as described below.
- B. In order to be considered, a proposed amendment, supersession, or replacement must be presented in writing by at least twenty (20) members at a regular meeting.
- C. A copy of the pertinent section of the by-laws in force, together with a copy of same as it will appear with proposed amendments incorporated therein, shall be posted and circulated as part of the meeting notice and agenda at two regular meetings prior to the vote. Following the second discussion period, the decision shall be made by secret ballot mailed to the membership. After the voting period results will be announced and the new By-Laws, if approved, will be adopted. The new By-laws will be considered approved by a majority of members voting.
- D. The Administrative Vice President shall revise the by-laws in time for the next month's membership meeting. The Administrative Vice President shall make the by-laws available to any member upon request.

Section XI Meeting Schedule

- A. Regular general meetings of the Chapter shall be held once a month, on a day and at a time determined by the Executive Board. Members shall receive advance notice with an agenda for these scheduled meetings.
- B. Special general meetings may be called by the Executive Board or on the written request of twenty (20) active members. Members shall receive a five (5) day notice with an agenda of these special meetings.
- C. The presence of twenty-five percent (25%) of all members shall constitute a quorum to vote on issues at any meeting. In the event an issue is carried over to a second meeting for decisions due to lack of a quorum, the quorum for the issue will be twenty-five percent (25%) of the membership at the second or subsequent meetings.
- D. Non-binding advisory votes will be taken at the request of Chapter meeting attendees or by the Presiding Officer.
- E. Votes shall be by secret ballot. The Executive Board can designate a particular issue for secret ballot vote.

- F. Ratification of each negotiated contract shall be by secret ballot. Ratification requires fifty percent plus one (a majority vote) of members voting.

Section XII. Executive Board Meetings

- A. Executive Board meetings shall be held once a month on a day determined by the Executive Board.
- B. Special Executive Board meetings may be called by the President or by the request of two-thirds of the Executive Board members. Twenty-four (24) hours notice shall be given to all Executive Board members in writing or by telephone of said meetings and all such members shall be provided with an agenda of items for special board meetings.
- C. The quorum for all Executive Board meetings shall be four (4) members of the Executive Board.
- D. On urgent matters, a majority of the Executive Board may take action for the chapter; this action will be reported to the membership at the next regularly scheduled meeting.
- E. All members shall be entitled to attend any meeting as prescribed in these By-laws except for closed meetings regarding sensitive, confidential personnel actions and meetings of the Negotiation Committee.

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

Adopted: September 2, 2010

Date: September 2, 2010

President: C. Adell