

CHAPTER CONSTITUTION  
OF  
SANTA MONICA COMMUNITY COLLEGE DISTRICT  
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION  
CHAPTER 36, REGION 69, AREA I  
ADOPTED OCTOBER 13, 1983  
REVISED: NOVEMBER 14, 1984  
REVISED: FEBRUARY 21, 1991

This Constitution is the local operating document for this chapter as formulated under Article III, Section 8 of the State Association Constitution.

Where used throughout this document, "State Association" means the California School Employees Association, the statewide governing body for this organization: "organization" and "chapter" are interchangeable, and mean Santa Monica Community College District Chapter Number 36, California School Employees Association.

ARTICLE I  
NAME AND OBJECTS

- Section 1. Name: The name of this organization shall be the Santa Monica College Chapter 36, of the California School Employees Association.
- Section 2. Objects: The objects of this organization shall be to promote the good and welfare of the members of this organization under the available labor relations system: initiate and promote such legislation as may be for the best interests of the members and public education; afford opportunity for the investigation and interchange of ideas upon subjects pertaining to the progressive development of the public schools; promote the efficiency and raise the standards of service of all public school employees: and the establish effective relations with state and local administrative officials based on mutual respect.

ARTICLE II  
MEMBERSHIP

- Section 1. Membership in this chapter shall be as follows:
- (a) Active: "Active" membership, which carries with it the privilege of full participation in chapter activities, including the right to vote and to hold elected or appointed offices, shall be extended to any person employed in the bargaining units represented by this chapter, without regard to race, creed, color, national origin, gender, age, sexual orientation or political belief.
- (1) "Active" members who are laid off and placed on a reemployment list may continue in "Active" status until reemployed, whichever occurs first, upon continued payment of the established dues in effect at the time of layoff.
- (2) "Active" members of this chapter must also be "Active" members of the State Association as defined in the State Association's Constitution.
- (b) Inactive: Any "Active" member of this chapter who (1) is granted an unpaid leave of absence by the employer, or (2) is placed on a reemployment list and is not otherwise in a paid status with the employer and elects NOT to continue as "Active" member under provisions of subsection (a) above, may continue membership in an "Inactive" status until expiration of the approved leave or reemployment list or until reemployed, whichever occurs first, upon continued payment of dues at ½ the rate required of them as an "Active" member at the time the leave or layoff occurred. Such dues shall be paid annually in advance, or for the number of months of the approved leave if less than one year. Such members shall be eligible for representation in any matter appropriate to ensure their employment status. They shall not otherwise be accorded voice or vote in chapter affairs.

- (c) Lifetime Retired: Any person who was a member at the time of retirement may become a lifetime retired member of this chapter upon payment of a one-time fee of \$25.00. Such members shall be permitted to attend chapter meetings and social functions and to receive the chapter newsletter. They shall not, however, be accorded voting privileges in chapter affairs.
- (d) Active Retired: Any person who was a member at the time of retirement and who also maintains a Retired Membership in good standing with the State Association may become an "Active Retired" member of this chapter upon payment of \$10.00 annually in advance. Such members shall be entitled to full participation in chapter affairs, including the right to hold elective and appointive offices and the right to vote, with the exception of the right to vote in contract ratification and concerted activities matters. Note: the retiree must also be an "Active Retired" member of the State Association.

Section 2. Membership shall be effective upon the completion, dating, and signing of an application form as approved and provided by the State Association and execution of a valid authorization for payroll deduction of dues or payment. This application shall be promptly countersigned by the Chapter Treasurer who shall immediately forward the approved application, together with advance dues received, if any, to the State Association, and submit payroll deduction authorizations to the payroll department.

Section 3. MEMBERSHIP "IN GOOD STANDING"

- (a) Membership "in good standing" for purposes of establishing voting rights and eligibility to hold an elected or appointed office shall be effective upon receipt of the required dues for the current month. Members whose dues are paid via payroll deduction shall be deemed to be "in good standing" effective with the first of the month following the month in which the first dues are deducted, unless s/he pays dues in cash for the interim period.
- (b) Membership "in good standing" shall terminate effective with:
  - (1) The date the member becomes eligible for "inactive" status under Section 1(b) above;
  - (2) Execution of a document terminating payroll deduction of dues, unless arrangement have been made in advance with Chapter Treasurer for cash payment;
  - (3) Termination of employment, or removal from the bargaining unit;
  - (4) Removal under Section 4 or 5 below.

Section 4      Resignation: Any member whose dues are paid other than via payroll deduction allowing his/her arrearages for dues to run over 90 days shall be conclusively presumed to have resigned his/her membership effective on said date, unless the Treasurer is notified 30 days prior thereto that s/he has not resigned, and arrangement for payment of arrearages are made. A member removed from the membership rolls in accordance with this subsection may only be reinstated to membership "in good standing" upon payment of at least all dues arrearages, three months in advance and the sum of \$3.00, \$1.00 of which shall be retained by the chapter and \$2.00 of which shall be paid to the State Association, unless payment of any of said amounts is waived by action of the State Association Board of Directors.

Section 5.      EXPULSION AND REINSTATEMENT:

- (a)      No member may be forceably removed from the membership rolls, other than for nonpayment of dues or termination of employment, except in the manner prescribed under the State Association Constitution and bylaws, to assure due process.
- (b)      All matters for proposed disciplinary action against members shall be referred to the State Association for action, except that members may be recalled from office in accordance with Article IX of this constitution.

ARTICLE III  
DUES AND ASSESSMENTS

Section 1. ANNUAL DUES:

- (a) The annual dues for “Active” members of this chapter shall be Ten dollars (\$10.00) plus the applicable annual per capita dues of the State Association as specified in subsection (b) below. Dues are payable on a tenthsly basis, in advance, to the Chapter Treasurer, or by payroll deduction.

The annual dues of the chapter plus the annual per capita dues of the State Association equals the member’s total annual dues. The member’s total annual dues divided by 10, or divided by the actual number of months worked in a school year if less than 10, is the member’s monthly dues requirement.

- (b) The annual per capita dues of the State Association shall be assessed based on annual salary and in accordance with the rate schedule as specified in the Association’s Bylaws. Annual salary shall be computed based on placement on the salary schedule, and including longevity, professional growth, and annual anniversary increments. Annual salaries shall be recomputed and dues rate adjustments made accordingly effective as of July 1 of each year, except as follows.
- (1) If a general dues increase has been approved by action of delegates to the State Association’s annual conference to take effect other July 1, the new dues rates shall be effective on the date specified and adjustment made accordingly.
- (2) Members who realize a reduction in salary due to an involuntary reduction in work hours or classification or a voluntary reduction in lieu of layoff may have their dues rate recomputed effective with the first of the month following such reduction.

- Section 2. ASSESSMENTS: No assessments shall be levied in this chapter other than those approved by three-fourths (3/4) of the chapter membership, provided that any assessment or obligation levied by the State Associations in accordance with its Constitution and Bylaws shall be added to the dues established in this Article and shall be forwarded monthly to the State Association.

ARTICLE IV  
OFFICERS / EXECUTIVE BOARD, AND THEIR ELECTION

- Section 1. Officers: The following Officers shall be elected by the chapter membership: President, Vice-President, Corresponding Secretary, Recording Secretary, Treasurer, Reporter, Chief Job Steward.
- Section 2. Executive Board: The Executive Board of this Chapter shall consist of the elected officers designated in Section 1, plus the Immediate Past President as an ex officio member.
- Section 3. Eligibility to hold Office: Officer shall be elected from among chapter members “in good standing.”
- Section 4. Election Procedures:
- (a) A certification committee, shall be appointed no later than September of each year, to duly certify that all who submit letters of intent to run or who are nominated from the floor for the offices of President, Vice-President, Corresponding Secretary, Recording Secretary, Treasurer, Reporter, Chief Job Steward are “Member in Good Standing”. This certification shall be submitted at the November chapter meeting.
    - (1) Letters of intent to run for the above offices shall be in letter form to the certification committee c/o Recording Secretary indicating a candidate’s intent and ability to serve. Such letters must be received no later than the last day in the month of October.
    - (2) Nominations for the above offices shall also be accepted from the floor at the October chapter meeting, and also at the November chapter meeting.
  - (b) The certification committee will then review the of official treasurer’s record to determine eligibility as defined in “Member in good Standing”.

Candidates so certified shall be submitted formally to the chapter no later than the close of the November chapter meeting.
  - (c) All Candidates certified eligible shall be offered equal space and opportunity to state their individual qualifications for the office in the Chapter’s official publication “The Classified Focus”.
  - (d) An election will be held by secret ballot vote in December at the chapter meeting or on another date determined by the Executive Board as to allow site balloting as per State Policy guidelines. The voting date and times shall be posted 15 working days before said election. The tellers shall preside over the ballot box to ensure the integrity of the election. The time and location of the vote counting shall be posted in advance so that all candidates may appoint one person to view the official counting and announcement of winners. The final vote count shall be posted in the next edition of “The Focus”. It shall require a plurality vote to elect an officer.

Section 5. Term of Office:

- (a) Elected officers shall take office and assume their duties on the January 1 following their election and shall continue to serve for one year or until their successors are elected or appointed, provided that any officer shall automatically forfeit such office if they cease to be an eligible member in good standing.

Section 6. Installation: Installation of officers shall be held no later than January 31.

Section 7. Vacancies: A vacancy in any office, except that of president, shall be filled by special election to fill the vacancy for the remainder of the term. A vacancy in the office of President shall be filled by the Vice-President.

ARTICLE V  
DUTIES OF OFFICERS / EXECUTIVE BOARD

Section 1. Executive Board: The Executive Board of this chapter shall have general supervision of the affairs of the chapter in the intervals between chapter meetings. It shall transact necessary business of the chapter and approve the plans of the various committees, except that none of its actions conflict with orders or actions taken by the membership. A report on all actions taken by the Executive Board shall be made to the membership at the next regular or special chapter meeting. Minutes of Executive Board meetings shall be available for inspection of the membership and shall be kept on file for at least five (5) years.

The Board shall meet at the call of the President or at such times and place designated by the board; the President shall call a special meeting upon the written request of a majority of the Board. A majority of the members of the Executive Board shall constitute a quorum.

Section 2. President: The President shall:

- (a) Preside at all meetings of the chapter and Executive Board at which he/she is in attendance;
- (b) Appoint the various committees, standing or special, required by this constitution or established by the Executive Board or order by vote of the membership, except as herein otherwise provided;
- (c) Be chairperson of the Executive Board;
- (d) Attend all Regional Presidents' Meetings or send designee, and such other meetings as required by the State Association or direction of the chapter, and report back to the membership at the next chapter meeting;
- (e) Perform such other duties as normally pertain to the office of President or ordered by this constitution;
- (f) Serve as an ex officio member of the Negotiating Committee;
- (g) Serve as a Chapter Delegate to the State Association's Annual Conference.

Section 3. Vice-President: The Vice-President shall:

- (a) In the absence or disability of the President, possess all of the powers and perform all of the duties in his/her stead;
- (b) At all times assist the President in the performance of his/her duties;
- (c) Assume the office of President if a vacancy occurs;
- (d) Compile a report of activities and achievements of the chapter and forward a copy of same to each member in December;
- (e) Monitors the activities of all committees including the compilation of their annual reports;
- (f) Be Chairperson of the Membership Committee and provide monthly to the Corresponding Secretary a list of the newly hired classified employees;
- (g) Perform such other duties as may be assigned by the Executive Board or ordered by this constitution.

Section 4. Corresponding Secretary: The Corresponding Secretary shall:

- (a) Obtain reserved room assignments for all chapter and special meetings, and issue notices of all meetings of the chapter, which shall include notice of matters for discussion at same.
- (b) Send a letter of congratulations to each and every new classified employee hired by the District, providing invitation to and specifics of the next general chapter meeting.
- (c) Send a letter of welcome to each new chapter member, in a packet containing a chapter constitution, member benefits guide and information on the State Association.
- (d) Perform other duties as normally pertain to the office of Corresponding Secretary or as may be directed by the President or required by this constitution.
- (e) Issue notices of all meeting of the chapter which shall include notice of matters for discussion at same;

Section 5. Recording Secretary: the Recording Secretary shall:

- (a) Keep an accurate record of all proceedings of chapter and Executive Board meetings, including an accurate roll of members and officers in attendance at each;
- (b) Keep an accurate roster of the officers of the chapter and see that such information is forwarded to the State Association as required;
- (c) Notify member of all committees of their appointment;
- (d) Have custody of all books and records, except those of the treasurer, which shall be open at all times for inspection of the President or his/her agent and members of the Executive Board;
- (e) Shall, in the absence or disability of both the President and Vice-President, possess all of the powers and perform all of the duties of President;
- (f) Perform such other duties as normally pertain to the office of Recording Secretary or as may be directed by the President or required by this constitution;

Section 6. Treasurer: The Treasurer shall:

- (a) Receive all funds of the chapter and keep and disburse same under the direction of the President and as required by the Constitution and By-laws of the State Association and direction of the chapter;
- (b) Keep or cause to be kept regular books and full accounts which shall be open at all times to the inspection of the President or his/her agent and the Auditing Committee;
- (c) Report at each meeting of the chapter as to the financial condition of the treasury with a detailed statement of receipts and expenditures and accounts payable, to include per capita dues/fees paid and owed to the State Association, if any;
- (d) Promptly forward membership payroll deduction authorizations to payroll department for processing;
- (e) Prepare an annual report to include the last day of the fiscal year, and provide access to all records, vouchers, and statements to the auditing committee for annual inspection;
- (f) Prepare annual PERB Financial Reports and submit them to the President for review and forwarding to the appropriate authority;
- (g) Forward a copy of the annual report and PERB Financial Statement to the Executive Director of the State Association as soon as they are prepared;
- (h) Turn over all records, vouchers, and statements to the newly elected Treasurer upon leaving office;
- (i) Be chairperson of the Fundraising Committee;

- (j) Perform such other duties as may be directed by the President or required by the State Constitution and Bylaws;
- (k) Arrange for bond coverage under the State Association's blanket bond in such amount as determined by the Executive Board. Premium for said bond shall be at the expense of the chapter and through the State Association.

Section 7. Reporter: It shall be the duty of the Reporter to edit and distribute a newsletter or similar publication as may be authorized by the chapter membership or the Executive Board; will serve as chairperson of the publicity committee; to write articles of interest pertaining to chapter affairs for local newspaper and the California School Employee; and perform such other public relations activities as directed by the President.

Section 8. Past President: The immediate Past President shall be an advisor to the Executive Board and perform such duties as may be assigned by the President and/or Executive Board.

Section 9. Chief Job Steward: The Chief Job Steward shall ensure that the Job Steward Program of the chapter functions according to the requirements set forth in this constitution, and shall maintain the necessary records on matters of contract enforcement to permit the chapter to effectively represent bargaining unit employees. Shall serve as Chairperson of the Grievance Committee.

Section 10. Parliamentarian: The Parliamentarian shall:

- (a) Effectively assist the President and the membership by being thoroughly familiar with the chapter's constitution and parliamentary procedures, and by providing advice and rulings, when requested to do so, on all actions involving the constitution and/or parliamentary procedures.
- (b) Ensure that all rulings must be founded in fact and incontrovertible so that the matter at issue can be thoroughly debated and expeditiously resolved.

## ARTICLE VI

### CONTROL OF FUNDS/BUDGET

- Section 1. All funds received shall be deposited in the name of Santa Monica Community College District Chapter 36, CSEA, in such bank or other financial institution as approved by the executive Board. No funds shall be disbursed except by check, duly authorized and signed by the Treasurer and at least one of the following officers: President, Vice-President or Secretary. In the event of absence of, inability to act by, or vacancy in the office of Treasurer, funds shall only be disbursed upon signature of at least two of the above-named officers.
- Section 2. The executive Board shall prepare an annual budget for approval of the chapter membership no later than December of each year, which shall contain itemized estimated receipts and expenditures, and amounts to be set aside as a reserve fund, if any. The approved budget shall regulate the expenditures of the chapter, except that the treasurer shall submit any single expenditure in excess of \$100 to the Executive board for prior approval. Any expenditures in excess of those approved in the budget must be approved by the chapter.

ARTICLE VII  
COMMITTEES  
THEIR APPOINTMENT/ELECTION, AND DUTIES

Section 1. The President shall appoint the following standing committees, which appointment shall be subject to the ratification of the Executive board:

| COMMITTEE                | MINIMUM<br>MEMBERSHIP |
|--------------------------|-----------------------|
| Grievance                | 5                     |
| Auditing                 | 2                     |
| Membership               | 3                     |
| Certification            | 3                     |
| Political Action         | 3                     |
| Election Tellers         | 4                     |
| Fundraising              | 3                     |
| Scholarship              | 3                     |
| Hospitality              | 3                     |
| Publicity                | 3                     |
| Merit/Board Rules Review | 3                     |
| Constitution/By-laws     | 3                     |
| Parking                  | 3                     |
| Safety                   | defined in contract   |
| Benefits                 | defined in contract   |

The Chief Job Steward shall be chair of the Grievance Committee; the Vice-President of the Membership Committee; and committees whose members are elected by the members shall elect their own chairperson.

The President shall appoint one person on each committee to be the chair. The chair shall submit reports to the membership monthly in writing. Chairs who wish to submit an oral report must notify the executive board at the agenda planning meeting.

Section 2. Such other committees as in the judgment of the Executive Board are necessary for the welfare of the chapter may be appointed. The Executive Board shall determine the composition of such committees and the duration of appointment, which shall not extend beyond the close of the fiscal year.

Section 3. The Vice-President shall act as coordinator of all appointed committees, and be chair of the Membership Committee.

Section 4. The President shall be a member ex-officio of all committees.

Section 5. Quorum: A majority of the members of any committee must be present at any meeting to constitute a quorum.

Section 6. Terms: All committees shall continue to function from appointment to the end of the calendar year, except the negotiating which shall continue to function from appointment to the end of the chapter and fiscal year unless otherwise herein provided.

Section 7. Grievance Committee:

- (a) It shall be the duty of the Grievance Committee to supervise and assist the operation of the Job Steward Program within the chapter. The committee shall insure that all grievances are handled properly in their investigation, filing, and resolution.
- (b) The committee shall be empowered to review proposed settlements of grievances undertaken by individuals to insure that are resolved consistent with chapter policy.
- (c) The committee shall review all grievances going beyond the second level to determine whether CSEA staff assistance should be obtained. If staff assistance is required, the Executive Board shall be notified.
- (d) The committee shall review all grievances being considered for arbitration and report to the Executive Board on whether each particular case should be arbitrated.
- (e) The Chief Job Steward shall be chair of the Grievance Committee.

Section 8. Auditing Committee: It shall be the duty of this committee to receive and audit the books and records of the Treasury immediately after the close of each fiscal year, and at such other times as may be directed by the President, and report its findings to the chapter membership.

Section 9. Membership Committee: It shall be the duty of this committee to strive for 100% membership and to prepare and execute a program designed to secure new members and stimulate attendance at the regular chapter meetings on an ongoing basis. The committee shall be chaired by the Vice-President.

Section 10. Certification Committee: It shall be the duty of this committee to receive all letters of intent to run for office or elected committees. This committee shall officially notify the chapter of the eligible candidates at the November Chapter meeting.

Section 11. Political Action Committee:

- (a) Keep the members informed about the legislative program of the State Association.
- (b) May recommend to the chapter membership legislative proposals it deems desirable for submission to the State Association's annual conference or to the State Association's Board of Directors for consideration and inclusion in the Association's legislative program.
- (c) Develop and implement a chapter Alert System (telephone tree) to be used for emergency contact of the membership when immediate action is necessary on legislative issues, contract matters, or other items of importance to the Association and chapter.
- (d) Keep abreast of political activities affecting the chapter and the State Association as relates to school board elections, appropriate state assembly and senate districts, support of candidates for statewide offices, support or opposition of initiatives and propositions.
- (e) Render regular reports at chapter meetings, and recommend any political action or activity it considers appropriate; submit such recommendations as may be approved to PACE of CSEA.
- (f) Work cooperatively with the Regional Political Action Coordinator and appropriate State Committees in furtherance of the Association's legislative and political goals.
- (g) Encourage all members of PACE of CSEA, and educate the membership regarding the necessity for active participation in the political process, at least as relates to the school board an local assembly and senate district elections.

Section 12. Election Tellers: It shall be the duty of the Committee of Election Tellers to oversee the preparation, distribution, and counting of the ballots in chapter elections, and certify the election results to the membership. In addition, the committee shall ensure the election procedures are in accordance with provisions of the State Association Constitution and Bylaws and policy, and this constitution.

Section 13. Negotiating Committee:

- (a) The Negotiating Committee shall consist of five elected representatives from among "Active and In Good Standing" chapter members and the Chapter President as an ex officio member.
- (b) Members of the Negotiating Committee shall be elected by and from "Active" and "In Good Standing" employed in the bargaining unit. Said election shall be held in such manner and at such time as may be designated by the Executive Board, but shall be held not later than June of the designated election year.
- (c) Term of office for members of the Negotiating Committee shall commence on the July 1 following the election and continue for one year or until their successors are elected annually.
- (d) Vacancies shall be filled by a special election for the remainder of the original term only.
- (e) It shall be the duty of the Negotiating Committee to negotiate the contract for and on behalf of the chapter, with assistance from State Association Field Staff and research facilities.
- (f) The Negotiating Committee shall elect one member as chair of the Negotiating Committee.

## ARTICLE VIII JOB STEWARDS

- Section 1. Job stewards in sufficient numbers to serve the needs of the membership shall be appointed by the President to serve each job classification and work site. The Executive Board shall determine the number of stewards to be appointed and area of representation of each, and shall ratify all appointments. The Chief Job Steward shall be elected by the membership.
- Section 2. Job Steward duties shall be to:
- (a) Educate bargaining unit employees about their rights under the contract and determine how problems arising under the contract can best be handled;
  - (b) Investigate and prepare grievances for presentation to management present grievances to the employee's supervisor and be present, as required, during other steps of the grievance procedure;
  - (c) Preserve the confidentiality of personal grievances; resolve differences among the membership in grievance handling; and maintain a file of all grievances handles;
  - (d) Act as the basic channel for communication between the employees and the chapter and relay specific concerns of members to the chapter's negotiating committee for incorporation in to the bargaining proposals;
  - (e) Recruit employees into CSEA membership.
  - (f) Attend annually at least one job steward training workshop conducted by the State Association.
- Section 3. The authority of the Job Steward to settle grievance shall be determined by rule of the Executive Board or chapter, consistent with applicable provisions of the collective bargaining agreement.
- Section 4. Terms of office for Job Stewards shall be from appointment to the end of the chapter and fiscal year, unless otherwise removed as provided herein.

ARTICLE IX  
RECALL OR REMOVAL

Section 1. Recall of Executive Board Members/Negotiation Committee Members:

- (a) Elected offices may be recalled from office upon a three-fourths (3/) secret ballot vote of members in good standing of the chapter present and voting at a meeting called for the purpose of a recall action.
- (b) Recall may be initiated by a petition of two-thirds (2/3) of the Executive Board or thirty percent (30%) of the members in good standing eligible to vote. The petition shall state the specific reasons in support of the recall, and the petition shall be presented to the Executive Board and to the individual.
- (c) Upon receipt of the petition, the Executive Board shall arrange for a special meeting to be held not less than fifteen (15) days nor more than thirty (30) days following its receipt, at which the charged person shall be afforded opportunity to rebut the charges, and secret ballot vote shall be conducted. Attendance at said meeting shall be restricted to member Executive Board and members of the chapter in good standing, Authorized representatives of the State Association, and such witnesses as may be pertinent to the action.

Section 2. Removal of Appointed Committees/Job stewards:

- (a) An appointed chairperson or member of any committee properly constituted under Sections 1 or 2 of Article VII, and Job Stewards, may be removed from office by a two-thirds (2/3) vote of the Executive Board, a quorum being present, provided such person shall be notified in advance of the Executive Board's intention to vote on the matter and shall be afforded an opportunity to rebut all charges being made against him/her.
- (b) Any committee chairperson, committee member, or Job Steward shall automatically forfeit office if at any time during the prescribed term of office he/she ceases to be an eligible member in good standing of the chapter.
- (c) Any committee chairperson or member failing to attend three consecutive meetings, unless excused for cause, shall be automatically dropped from such committee.

ARTICLE X  
THEIR ELECTION AND RESPONSIBILITIES

- Section 1. Delegates: Voting delegates to any annual or special conference of the State Association shall be selected from among eligible members in good standing in such number as authorized by the Bylaws of the State Association, to include the following:
- (a) The Chapter President;
  - (b) Such additional delegates as necessary to equal the total number authorized shall be elected as provided in Section 2, below.
- Section 2. Election: Additional delegates as may be authorized by the chapter, other than the President, shall be nominated at the regular meeting in March and elected by secret ballot at a regular meeting in April. Alternates for each authorized delegate shall be elected in the same manner as for delegates, including an alternate for the President. In the event an elected delegate cannot attend, the Executive Board shall determine which alternate shall replace the authorized delegate.
- (a) All procedural matters relating to delegate election shall conform to Association Policy 618 and shall be conducted under the guidance of the Election Committee.
  - (b) A discussion of and a vote on the allocation of delegates' expenses shall occur no later than the May chapter meeting.
- Section 3. Responsibilities: Delegates shall attend all business and other sessions of importance to the chapter. In addition, the delegates shall:
- (a) Attend at least one orientation meeting at the regional or area level concerning the resolutions to the upcoming conference
  - (b) Submit a written report of expenses with receipts to the Executive Board within (3) weeks after conclusion of a conference.
  - (c) Render an oral report of activities to the chapter membership at the first chapter meeting after the conference, which shall also be set forth in written form and distributed to all members.

ARTICLE XI  
COLLECTIVE BARGAINING

- Section 1. Petitions for recognition: Any petition submitted by this chapter seeking exclusive recognition for bargaining (including a petition seeking decertification of another organization) under the laws of this state and of the Public Employment Relations Board (PERB) shall seek recognition for "The California School Employees Association and its Santa Monica Community College District Chapter 36".
- Section 2. Contract Proposals: Initial proposals on all contracts (including initial proposals on reopeners) shall be determined by vote of chapter members.
- Section 3. Negotiated Agreement:
- (a) When the Negotiating Committee has negotiated a contract or modification to an existing contract, it shall immediately submit one copy to the CSEA Field Representative assigned to service the chapter, for review and recommendation by the State Association prior to membership ratification.
    - (1) All contract modification shall be submitted to the CSEA Field Representative for review and recommendation by the State Association. However, membership ratification shall not be required for those items listed as exceptions to the definition of "modifications" within the provisions of Association policy 610, unless they are included as part of contract re-opener negotiations.
  - (b) A copy of the tentative agreement or a summary of the tentative agreement, and a statement as to whether the Negotiation Committee is recommending ratification or rejection of the agreement, shall be provided each CSEA member of the bargaining unit prior to the ratification meeting, If summary only is provided, copies of the tentative agreement shall be available for review at the ratification meeting.
- Section 4. Ratification Procedures:
- (a) The Chapter President shall call a ratification meeting which shall be open to attendance by all members of the bargaining unit whether or not they are CSEA members.
  - (b) The meeting notice, together with a summary and a copy of the tentative agreement, shall be posted in prominent locations at each work site at least five (5) working days in advance of the scheduled meeting date.

Exception to the above: The Association's Executive Director may approve a notice period of less than five-working days upon request of the Chapter's Executive Board, if it is determined that an immediate ratification vote would be advisable.

- (c) Ratification Meeting:
  - (1) The Negotiating Committee shall review the provisions of the tentative agreement and indicate its recommendations for ratification or rejection and the reason therefor.
  - (2) If the State Association is recommending rejection of the tentative agreement, a State Association representative shall be in attendance at the ratification meeting and shall be provided ample opportunity to outline the recommendation for rejection and the reasons therefor.
  - (3) Adequate opportunity for full discussion, debate, and answering of questions shall be provided prior to a vote being taken. Non-CSEA members of the bargaining unit who are in attendance shall be granted the right to participate in the discussions and debate. They shall not, however, have the right to make motions or vote.
  
- (d) Ratification Vote:
  - (1) The ratification vote shall be by secret ballot. Only "Active" CSEA members of the bargaining unit who are "in good standing" and present at the ratification meeting shall be entitled to vote.
  - (2) The balloting shall be conducted in accordance with procedures required by Association Policy 610. It shall require a majority of the votes cast for ratification.

Section 5. Executed Agreement: Every collective bargaining agreement shall be executed by both the State Association and appropriate representatives of this chapter. No contract shall be valid which has not been ratified by the chapter membership.

## ARTICLE XII CONCERTED ACTIVITIES

- Section 1. No concerted withholding of service shall be instituted by this chapter unless such concerted action has been approved at a regular or special chapter meeting, by secret ballot vote of not less than sixty-five (65%) of the eligible members in good standing present, and approval for such concerted activity has been granted by the State Association's Board of Directors.
- Section 2. If the dispute relates to contract negotiations, no concerted withholding of service shall be instituted unless the last offer of the employer has been submitted to the chapter membership at a meeting called and conducted in accordance with Article XI of this constitution and has been rejected, and the requirements of Section 1, above, shall have been met.

## ARTICLE XIII AMENDMENTS TO CONSTITUTION

- Section 1. This constitution shall at all times conform to all provisions of the State Association Constitution and Bylaws and Policy, and where any conflict should occur, the State Constitution and Bylaws and/or policy shall prevail.
- Section 2. A motion to amend, adopt, or repeal any section(s) of this constitution may be made by any member in good standing at any regular or special chapter meeting, which shall constitute a first reading of the motion. If such motion is approved, each member of the chapter and the date, time and place of the regular or special chapter meeting where the matter will be read a second time and acted upon. Such meeting shall be held not less than twenty-one (21) days from the date of the first reading, and the notification shall be issued to the members at least ten (10) days in advance of the scheduled meeting.
- Section 3. Approval by two-thirds (2/3) of the eligible members in good standing present and voting at the second reading shall be required to adopt the amendment(s). If the amendment relates to a revision of chapter dues, the vote shall be conducted by secret ballot.
- Section 4. If the amendment(s) fails passage at the second reading, it may be continued upon majority vote for reconsideration at the next regular or a designated future meeting. If the amendment fails to achieve the necessary two-thirds (2/3) approval at its third reading, it shall be deemed withdrawn.