

**Constitution
and
Bylaws**

SEIU Healthcare Minnesota Union

and its divisions

**Professional Employee
Pharmacists of Minnesota**

and

Professional and Technical Employees Division



***SEIU*Healthcare[®]**
United for Quality Care

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Preamble

As almost every improvement in the condition of working people has been accomplished by the efforts of organized labor and as the wages, benefits, and working conditions of workers can best be protected and advanced by their united action in a Union, we have organized the SEIU Healthcare Minnesota* and have adopted the following Constitution and Bylaws.

SEIU Healthcare Minnesota Mission Statement & Vision

SEIU Healthcare Minnesota has four core purposes that serve as our mission:

1. Win at work;
2. Unite workers for strength and a real voice;
3. Build a pro-worker political majority; and
4. Maximize worker action and leadership around these core purposes.

Our Vision:

SEIU Healthcare Minnesota will be...

The Path to the American Dream

We will build a bolder, stronger, united movement to repave the path to a paycheck that supports a family, universal healthcare, a secure retirement, and the freedom to form a union to give workers a voice on the job.

Relentlessly focused on member power and leadership

We are dedicated to building member activism and leadership development that will maximize the ability of members to lead, participate, and decide. We commit to creating the goals, roles, systems, supports, measures, and accountability to build powerful member leaders who can win for workers.

The Strongest Political Voice for Health

We will build a movement of healthcare workers to respond to the crisis by becoming the most powerful voice for health in the state.

The Leading Voice for Improving Quality Care and Workforce Development

We're on the frontlines of healthcare. We know what works and what our patients need. We will build our collective power to bring our ideas to life.

The Catalyst for Community Action

If our workplaces are healthy but our communities are falling behind, we have not succeeded. We stand for Justice for All.

*Also known as SEIU Local 113

Article 1

NAME OF ORGANIZATION

Section 1. This organization shall be known as Service Employees International Union (SEIU) Healthcare Minnesota, Change to Win, Canadian Labour Congress (CtW, CLC) and its divisions, the Professional Employee Pharmacists of Minnesota (PEPOM) Division and the Professional and Technical Employees Division.

Article 2

JURISDICTION, NO DISCRIMINATION

Section 1. The jurisdiction of this Union shall be in accordance with the Constitution of the Service Employees International Union.

Section 2. There shall be no discrimination against any member, or any applicant for membership, by reason of race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age, or disability.

Article 3

COLLECTIVE BARGAINING

Section 1. The authority to bargain collectively for each SEIU Healthcare Minnesota Union employee bargaining unit shall be vested in a Negotiating Committee which shall consist of one officer, or designee of the President, and not less than three elected members, subject to the mandate of the membership. Should the bargaining unit have less than 25 members, the Negotiating Committee may consist of one officer or designee of the President and one or two elected members if so determined by the President and his/her designee and the membership of that unit. Any negotiations and ratification carried on by a Negotiating Committee shall be done with the knowledge, consent, and/or assistance of the President, and his/her designee and shall be consistent with SEIU Healthcare Minnesota's Constitution and Bylaws.

Section 2. The results of any collective bargaining negotiations shall be subject to ratification by the members affected who are in good standing in accordance with Article 12.

Section 3. The International Union shall be notified in writing when any collective bargaining negotiations or memorandum of understanding has been concluded, including the number of employees covered and the expiration date of the contract. A true copy of all collective bargaining agreements and contracts entered into by this SEIU Healthcare Minnesota Union shall immediately upon execution, be filed with the International Department of Research.

Article 4

EXECUTIVE BOARD OF THE SEIU LOCAL UNION AND DELEGATES TO AFFILIATED COUNCILS

Section 1. The SEIU Healthcare Minnesota Union Executive Board shall consist of Officers and Board Members. The Officers on the Executive Board shall be a President, four Executive Vice Presidents, Vice President, Guard, Assistant Guard, and up to five Trustees. The Executive Board shall consist of not more than 40 members (of these 40 members two shall be retired members).

Section 2. Effective upon the certification of the Home Care Bargaining Unit by the Minnesota Bureau of Mediation Services, the Executive Board may appoint up to ten Associate Members from the Home Care Bargaining Unit to serve as *ex officio* members of the Executive Board. These members shall have the right to attend meetings, participate in discussions and serve on committees, but do not have the right to vote.

Section 3. Effective upon the ratification of a negotiated agreement on behalf of the Home Care Bargaining Unit, the SEIU Healthcare Minnesota Union Executive Board shall consist of Officers and Board Members, not to exceed a total of 60 members. The Officers on the Executive Board shall be a President, five Executive Vice Presidents, seven Vice Presidents, one each from the Long Term Care, the Twin City Hospitals, Allina, Clinics, and the SouthEast Region Sectors and two from the Home Care Sector; Guard, Assistant Guard, and up to five Trustees. Board Members shall include at least one member each from the Long Term Care, the Twin City Hospitals, Allina, Clinics, and the SouthEast Region sectors; at least eight members from Home Care, with at least one member from each of the Minnesota Congressional Districts; two members who shall be retired members; and up to 25 members elected at-large. Any Home Care member elected as a Vice President shall also satisfy the requirement for board member from each of the Congressional Districts.

In order to implement the changes to the Executive Board as specified above, the following changes shall be made in Article 6:

Section 2.C. To serve, by virtue of their office, as the second, third, fourth, fifth, and sixth delegates to SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 3. Vice Presidents

It shall be the duty of one of the Vice Presidents, as designated by the President, along with the designated Executive Vice President to keep a correct and impartial account of the proceedings of each meeting of the local union and Executive Board, and shall keep a record of all Executive Board members present at both.

The Vice Presidents shall act in an advisory capacity with the President between meetings of the Executive Board.

The Vice Presidents shall serve, by virtue of their office, as the seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth delegates to SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 4. The Trustees shall serve, by virtue of their office, as the sixteenth, seventeenth, eighteenth, nineteenth and twentieth delegates to SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 5. The Guard, by virtue of the office, shall serve as the fourteenth delegate to all SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 6. The Assistant Guard, by virtue of the office, shall serve as the fifteenth delegate to all SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 8. All Elected Executive Board members shall be considered eligible delegates to the SEIU International Union Convention by virtue of their election to the Executive Board. If there are fewer than 21 delegate slots, such slots shall be filled by elected officers as indicated above. If there are 21 or more delegate slots to which the Union is entitled, then Executive Board members shall be randomly chosen from volunteers until all delegate slots are filled.

In order to implement the changes to the Executive Board as specified above, the following changes shall be made in Article 7:

Section 8. For the offices of President, Guard, Assistant Guard and single Trustee, the candidate receiving the highest number of votes shall be declared elected. For the offices of Executive Vice President, the five candidates receiving the highest number of votes shall be declared elected. For the Offices of Vice President, the candidate in each designated constituency slot (one each from current five sectors and two from Home Care Sector as specified in Article 4, Section 1) with the highest number of votes shall be declared elected. For Executive Board members from constituencies, retiree category, and at-large designated positions, the candidates in each respective designated slot with the highest numbers of votes shall be declared elected.

Section 4. The SEIU Healthcare Minnesota Union Executive Board shall be responsible for and is expected to:

- Shape, champion, and execute the mission and vision of SEIU Healthcare Minnesota.
- Take a powerful, public role in promoting our union's mission and vision for social and economic justice with co-workers, not-yet union members, elected leaders, and community leaders.
- Understand, promote, and execute the democratically made decisions of SEIU Healthcare Minnesota and the International Union.
- Actively seek opportunities to develop personal leadership skills and to, in turn, develop the leadership skills of union sisters and brothers.
- Exemplify leadership behavior for all SEIU Healthcare Minnesota members.
- Respect and honor commitment to SEIU Healthcare Minnesota members, staff, and fellow elected leaders.

Section 5. The above named Officers and Board Members shall be compensated and reimbursed expenses for attending Board meetings and when reasonably necessary for Union business according to policies set by the Executive Board.

Section 6. The Executive Board of the SEIU Healthcare Minnesota Union shall have full authority to act for the best interests of the Union between the annual Conventions. The Executive Board shall have each of the following duties, powers, rights, privileges, and limitations thereupon:

- A. To receive and act upon reports of the officers.
- B. To vote to confirm or reject the President's appointments to fill vacancies among the officers.
- C. To establish standing committees, ad-hoc committees, chapters, caucuses, divisions, sectors and other subdivisions of this union.
- D. To serve as the trial body specified under Article 13 of the Constitution and Bylaws and under Article XVII of the SEIU International Union Constitution and Bylaws (or any successor article).
- E. To adopt an annual budget and to establish such funds and accounts as may be necessary for the administration and operation of such budgets, subject to the reasonable discretionary administration and adjustments that the President may make in order to carry out the intent of the Executive Board in adopting and establishing such budgets, accounts and funds.
- F. To invest and reinvest the funds of the Union in such property, real or personal, tangible or intangible, as it shall consider prudent, necessary, and desirable in the interest of the Union and its members; to lease, purchase, or otherwise acquire in lawful manner any real estate, or the rights and privileges thereto; to sell, lease, rent, or dispose of real or personal property, rights or privileges belonging to the Union; to enter into or issue deeds, mortgages, trust agreements, contracts and negotiable instruments secured by mortgage or other instrument. These provisions shall not be interpreted so as to limit the rights and privileges of the President or of his or her designees to purchase, lease, mortgage, sell or rent or to otherwise acquire or dispose of miscellaneous property or items necessary, in the President's sole and exclusive judgment, to carry out the day-to-day activities of the Union, such as office equipment and machinery, supplies, computers, phone equipment, and other miscellaneous property necessary for the day-to-day functioning of the Union.
- G. To determine the employment, remuneration, and working conditions of all officers and employees of this Union.
- H. To pass on all bills presented to it and also to authorize all necessary expenditures.

- I. To see that the funds of this Union are deposited in one or more reliable banks; to recommend such measures as will simplify the duties of the assigned Executive Vice President; and to take other actions consistent with this Constitution and Bylaws, the International Union Constitution and Bylaws, or the law as are necessary to safeguard the funds, property and assets of this Union.
- J. To take all other action consistent with this Constitution and Bylaws that it deems reasonable, necessary, appropriate, or convenient in order to achieve the goals and objectives of this union, including the establishment or revocation of rules, regulations, policies or procedures, and to approve, modify or reject rules, regulations policies or procedures enacted by the President.
- K. To delegate any of its above powers and duties to the President or his/her designee if and when it deems such delegation reasonable, necessary, appropriate, or convenient in order to achieve the goals and objectives of this union.

Section 7. All matters submitted for consideration by the Executive Board shall be in writing and properly signed.

Section 8. A quorum of the Executive Board shall be a majority of the Executive Board members.

Section 9. The Executive Board shall meet at least once per quarter, at a time, date, and place as it may decide at a previous meeting or at the call of the President. A meeting of the Executive Board may be held by telephone or video conference at the discretion of the President.

Section 10. This SEIU Healthcare Minnesota Union shall be affiliated with Service Employees International Union and State Councils as determined by the International Union. Delegates shall be reimbursed for the expenses of attending meetings up to a reasonable and prudent amount to be set by the Executive Board.

Article 5

GENERAL DUTIES OF OFFICERS, EXECUTIVE BOARD MEMBERS AND DELEGATES TO AFFILIATED COUNCILS

Section 1. All members of the Executive Board shall notify the SEIU Healthcare Minnesota Union President of any intended absence from any meeting of the Executive Board, Membership or committee

of which they are members. Any member of the Executive Board or elected Delegate who is absent from two consecutive meetings without an excuse may be subject to charges and removal from office.

Section 2. All records kept by any Officer shall be typed, handwritten in ink or electronically maintained. All Officers shall keep any records they have in their possession in readiness for inspection by the Trustees.

Section 3. All Executive Board members, elected and appointed Delegates to an affiliated council, Committee Chairs, and Stewards shall at the expiration of their term or removal from office, deliver to their successor all property they may have in their possession belonging to the Union. No Officer shall be relieved from the responsibility of their trust until they have complied with the requirements of this Section and their successors are duly elected and installed.

Section 4. Any Officer or member of the Executive Board may be removed from office upon proper proof of any irregularities and in accordance with Article 13.

Article 6

DUTIES OF OFFICERS

Section 1. President

- A. It shall be the duty of the President to preside at meetings of the SEIU Healthcare Minnesota Union Executive Board and to conduct them in accordance to Robert's Rules of Order and in conformity with this Constitution and Bylaws.
- B. The day-to-day operation of the SEIU Healthcare Minnesota Union office, including the direction of all staff, shall be vested in the President. The President shall act to the best of the President's knowledge and ability on any matter which affects this SEIU Healthcare Minnesota Union which requires immediate attention. The President shall be under the immediate direction of the Executive Board. The President shall have the authority to call an Executive Board or annual Convention into session.
- C. The President shall appoint all committees and boards and be a member *ex officio* of all committees and boards.
- D. The President shall act to the best of the President's ability in furthering the mission and vision of the organization and the interest of its members.

- E. The President shall have general supervision and direction over the affairs of the Union. The President shall be authorized to determine required attendance for meetings, seminars, and conferences, as the President deems necessary and shall direct all departments, functions and programs of the Union.
- F. The President or designee shall be empowered to employ necessary staff and retain counsel, accountants, and other consultants as may be required to assist in the duties of the Union.
- G. Unless provided elsewhere in these Bylaws the President shall have the power to assign duties to all Officers and Staff.
- H. The President shall make a full report at each Executive Board Meeting and annual Convention.
- I. The President shall, together with one of the designated Executive Vice Presidents, sign and pay or authorize the signing of and pay all expenditures of the Union which will be reported and accounted for in the regular financial statement of the President and designated Executive Vice President.
- J. The President, together with one of the Executive Vice Presidents, shall commission an audit and examination of the books and financial records of the Union by an independent Certified Public Accountant at least annually, which shall take inventory of and verify the securities, investments, bank accounts, real and intangible property, and cash funds then on hand. This report will be furnished to the Executive Board and a report shall be made to the annual convention.
- K. The President shall serve as a delegate to the SEIU Minnesota State Council.
- L. The President, by virtue of the office, shall serve as the first delegate to all conventions and meetings to which the Union is entitled to delegate representation.
- M. The President shall determine affiliation with other labor bodies external to SEIU and appoint and remove delegates to which such affiliation may entitle the Union. The President shall determine the Union's participation in insurance and other benefit plans, and appoint and remove all trustees to any training, welfare or pension plan negotiated by the Union.

Section 2. Executive Vice Presidents

- A. The Executive Vice Presidents shall work under the supervision of the President.
 - 1. The Executive Vice Presidents shall have advisory powers with the President between meetings of the Executive Board.
 - 2. The Executive Vice Presidents shall enforce observance by Members of the Constitution and Bylaws, and shall see that all Officers perform their duties faithfully, and shall review the reports of the Committees.
- B. The Executive Vice Presidents shall perform such duties as are assigned to them by the President. One of the Executive Vice Presidents shall perform the following as assigned by the President:
 - 1. One Executive Vice President shall
 - a. Receive and collect all monies due to the Union, which shall be deposited in sound and secure financial institutions.
 - b. Draw and sign or authorize the signing of all checks covering expenditures of the Union, upon the co-signature or approval of the President.
 - c. Be custodian of all monies received by the SEIU Healthcare Minnesota Union; keep a correct account of all monies paid out and received; be custodian of all property of the Union pertaining to the office; be responsible for the filing of all bills and receipts; be responsible for the collection of dues; keep an accurate account of all financial business of the Union; make a report of all financial transactions in writing to the Executive Board, quarterly; together with the President, shall furnish a CPA report annually on the financial status of the Union, first to the Executive Board and then to the Membership; and keep all records pertaining to income, disbursements, and financial transactions of any kind for a period of at least six years or as required by law.
 - d. Promptly forward to the International Treasurer, copies of all annual audit reports and copies of all financial reports setting forth a statement of liabilities and a statement of receipts and disbursements.
 - e. Send an accurate record of all dues payments and other revenue to the International Union; send monthly to the International Secretary-Treasurer and any state council with which this Local is affiliated, the correct names and

addresses (with zip code and e-mail address and phone number, if available) of all new and readmitted members, along with any changes in names and/or addresses of members and changes in membership status, and names and addresses of any other persons or entities from whom revenue is derived.

2. It shall be the duty of one Executive Vice President, in conjunction with a Vice President:
 - a. To keep a correct and impartial account of the proceedings of each meeting of the local union and Executive Board, and shall keep a record of all Executive Board members present at both.
 - b. Be responsible for providing notification to the International Union of the names and addresses of all Executive Board members of the Local.
 3. Two Executive Vice Presidents shall serve as delegates to the SEIU Minnesota State Council; the delegates to the State Council shall be determined by mutual agreement of all Executive Vice Presidents and if agreement cannot be reached, by appointment of the President.
- C. To serve, by virtue of their office, as the second, third, fourth, and fifth delegates to SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 3. Vice President

It shall be the duty of the Vice President, as designated by the President, along with the designated Executive Vice President to keep a correct and impartial account of the proceedings of each meeting of the local union and Executive Board and shall keep a record of all Executive Board members present at both.

Be responsible for providing notification to the International Union of the names and addresses of all of the Executive Board members of the Local.

The Vice President shall act in an advisory capacity with the President between meetings of the Executive Board.

The Vice President shall serve, by virtue of the office, as the sixth delegate to SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 4. Trustees

The Trustees shall attend to all business coming before them, shall take charge of all property of the Union, and examine the books of the SEIU Healthcare Minnesota Union along with all vouchers, receipts, and bank statements at the end of each quarter. The Trustees shall make a report of their findings to the Executive Board and to the Membership upon completion of each examination of the finances of the Union.

The Trustees shall be reimbursed for lost time spent preparing the quarterly audits, as well as for travel expenses reasonable and necessary (and or) to conduct union business; mileage shall be reimbursed at the current IRS rate.

The Trustees shall serve, by virtue of their office, as the ninth, tenth, eleventh, twelfth and thirteenth delegates to SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 5. Guard

The Guard shall be responsible for checking membership in good standing for admission to meetings and for keeping order in meetings.

The Guard, by virtue of the office, shall serve as the seventh delegate to all SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 6. Assistant Guard

The Assistant Guard shall assist in the duties of the Guard.

The Assistant Guard, by virtue of the office, shall serve as the eighth delegate to all SEIU International Union conventions and meetings to which the Union is entitled to delegate representation.

Section 7. Polling the Board

When the Executive Board is not in meeting and the President deems it necessary for the Executive Board to act promptly, the President or the President's designee shall poll the Executive Board and such action and vote may be taken by letter, facsimile, telephone, email, texting or any other appropriate means of communication. Such action so taken on vote of the majority of the Executive Board shall constitute the official action of the Executive Board and shall be reported at the next Executive Board meeting.

Section 8. Delegates to SEIU International Union Conventions and Meetings

All Elected Executive Board members shall be considered eligible delegates to the SEIU International Union Convention by virtue of their election to the Executive Board. If there are fewer than 14 delegate slots, such slots shall be filled by elected officers as indicated above. If there are 14 or more delegate slots to which the Union is entitled, then Executive Board members shall be randomly chosen from volunteers until all delegate slots are filled.

Article 7

NOMINATION AND ELECTION OF EXECUTIVE BOARD AND DELEGATES TO AFFILIATED COUNCILS

Section 1. Elections for Officers and Executive Board shall be conducted in 2016 and every three years thereafter, with ballots counted and results announced at the regular November meeting of the Executive Board in the election year.

Section 2. In the case of Trustees, terms shall be for three years, but these terms shall be staggered so at least one Trustee shall be elected each year.

Section 3. Elections Committee. No later than August 1 of any regular election year, the President shall, exercising his or her sole and complete discretion not subject to ratification or confirmation by the

Executive Board, appoint an Elections Committee, which shall consist of members in good standing who are not, nor shall be eligible to be, following their appointment by the President, candidates for elected office. The Elections Committee shall take charge of all matters concerning the conduct of the election, and shall enjoy reasonable discretionary authority therein including processing of nominations, determination of eligibility, and all other matters addressed in this Constitution and Bylaws, subject to the requirements of the International Union's Constitution and Bylaws and applicable laws. The Election Committee shall meet as necessary to conduct its business and shall have final say and determination over all matters concerning the conduct of nominations and the election, subject to such appeals as are outlined in this Constitution and Bylaws.

Section 4. Notice of nominations process. The Elections Committee shall send to all members in good standing a notice of upcoming elections and the nominations process no later than 90 days before the Election, including the number of signatures for nomination outlined below.

Section 5. Petitions. The Elections Committee shall publish a standard petition for use by all candidates for office and shall make it available to candidates no later than 75 days before the Election. Each petition shall contain space for nominating candidates to each of the offices in the Union. A list of candidates or prospective candidates who have requested nominating petitions shall be made available to members in good standing by the Election Committee upon request.

Section 6. Nominations. Nominations shall be by a standard written nominating petition published by the Elections Committee that designates the name of the nominee and the office and carries the signature of the nominee indicating his or her willingness to be nominated. Nominating petitions must be submitted to the Elections Committee no later than 45 days before the Election. Only the signatures of members who are in good standing at the time the Elections Committee verifies signatures shall be considered valid. Signatures need not be secured personally by the nominee. Members may be nominated for only one office and any member who seeks nomination to more than one office shall be deemed ineligible to appear on the ballot for any office. The number of valid signatures required to nominate a candidate for office shall be 25. The Elections Committee shall establish procedures for verifying signatures and shall complete the verification of signatures no later than 43 days before the Election. The Elections Committee shall inform each candidate in writing regarding whether or not he or she has qualified to appear on the ballot. Write-in candidacies are not permitted.

Section 7. Eligibility. Only regular members in good standing are eligible to be nominated for, elected to, or hold office in this union. No person who has been convicted of an offense enumerated in Section 504 of the Landrum-Griffin Act shall be eligible to hold office in this Union unless and until that person can lawfully hold office consistent with Section 504. No member may be a candidate for more than one office at a time. No person shall be eligible to be nominated for or hold office who has not been a member in good standing continuously for one year.

If at any time during the term of office, an Officer or Board Member ceases to be a regular member in good standing, the office they hold shall be declared vacant.

Staff who are members of the Union are not eligible to be nominated or to seek elected office in the Union, other than for officer positions employed as full-time staff, unless they resign their positions prior to becoming a candidate.

Section 8. Conduct of the Election. Ballots shall be mailed out to all members in good standing no later than three weeks before the election. In the event only one candidate is nominated for any office, only that candidate's name shall appear on the ballot for that office. Ballots must be received at the Post Office box designated by the Elections Committee by the close of the Post Office on Election Day. The Elections Committee, with the assistance of outside counsel as necessary, shall review and determine what language(s) election materials need to be published in.

For the offices of President, Vice President, Guard, Assistant Guard and single Trustee, the candidate receiving the highest number of votes shall be declared elected. For the offices of Executive Vice President, the four candidates receiving the highest number of votes shall be declared elected. For Executive Board Members from the retiree category and at-large designated positions, the candidates in each respective designated slot with the highest numbers of votes shall be declared elected.

The Elections Committee shall set forth a set of detailed balloting procedures no later than 30 days before the Election consistent with applicable law. All elections shall be by secret ballot.

Section 9. Any member in good standing wishing to challenge that the election was not conducted in accordance with this Constitution and Bylaws must file a written signed challenge with the Elections

Committee describing the alleged irregularity within 15 calendar days after the election. The Elections Committee shall consider such protest and issue a written decision within seven days of receiving the protest. The decision shall be mailed, certified, return receipt requested, to the member having filed the protest on the same day that it is issued. Appeals from the Elections Committee ruling, and further appeals when applicable, may be made under the provisions of Article 13, below.

Section 10. All newly elected Officers and Executive Board Members of SEIU Healthcare Minnesota Union shall be installed at the first Executive Board meeting of their term.

Section 11. To run for office, a member shall have been a member of SEIU Healthcare Minnesota in “continuous good standing” in accordance with these Bylaws and the International Union Bylaws for one year or longer, as required by Article 12, except in such cases where the member wishing to run for office belongs to a bargaining unit that has not been affiliated with the SEIU Healthcare Minnesota Union for one year. In such cases, the member may present a petition, signed by ten percent of the members of such bargaining unit or 100 members, whichever is less, to the Elections Committee in order to run for office.

Associate members, life members, or those retired members paying less than full dues required for working members shall not be eligible for nomination as an Officer, member of the Executive Board, delegate or any other office of the SEIU Healthcare Minnesota Union, except as provided under Article 4.

Section 12. The Executive Board of the SEIU Healthcare Minnesota Union shall determine the number of delegates and alternates which shall represent it at the International Convention.

If at the time of the receipt of the convention call it shall appear that such number of elected Officers and Executive Board members is less than the number of delegates which the SEIU Healthcare Minnesota Union has determined shall represent it at an International Convention, then arrangements shall be made for nomination and secret ballot election, if required, of an additional number of eligible members as convention delegates. Nominees for such position, if unopposed, shall be deemed elected without necessity for further procedures.

Section 13. Vacancies on the Executive Board or in delegate positions created by a change in the Bylaws, resignation, removal, or death shall be filled by having the Executive Board elect replacements for the remainder of the unexpired terms.

Section 14. No person who has been convicted of a crime as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in Canada) shall in accordance with the provisions of applicable law be eligible to hold office in or employment with SEIU Healthcare Minnesota Union unless and until such person is eligible for such office or employment in accordance with Section 504.

Section 15. Non-discrimination, fairness, ethics, and campaign finances. The Union shall not discriminate against any candidate. Any information made available to one candidate will be made available to other candidates upon request. No later than 45 days before the Election, the Elections Committee shall adopt a code of ethics and conduct for candidates and the conduct of the Election that shall be consistent with this Constitution and Bylaws, the International Union's Constitution and Bylaws, and applicable laws.

No candidate (including a prospective candidate) for any office in SEIU Healthcare Minnesota Union or affiliated body or a supporter of a candidate, may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of the International Union.

Candidates for office in this Union must report any and all contributions, financial support, and in-kind donations they receive to the Elections Committee within seven days of having received such contribution, other financial support, or donations. Candidates who engage in campaign activity and solicit contributions and support prior to the appointment of the Elections Committee shall report such contributions within seven days of the appointment of the Elections Committee. This includes the expenditure of aggregate personal funds by the candidate for his or her own campaign in excess of \$100.00. Candidates must report the amount received (or the fair market value of an in-kind donation); the name, complete address and SEIU Union membership affiliation of each donor; and the date the contribution, other financial support or donation was received. These campaign finance reports shall be retained by the Elections Committee for one year following the election, and shall be available for inspection by any member upon reasonable request.

Article 8

ANNUAL CONVENTION AND MEMBERSHIP MEETINGS

Section 1. The Union shall hold a Convention at least annually on a time and date and at a place determined by the Executive Board. All members of SEIU Healthcare Minnesota in good standing shall be entitled to attend and vote at the Convention. Notice of the Convention shall be mailed to members in good standing at their last known address no later than 45 days prior to the Convention. The proceedings of the Convention shall be conducted in accordance with modified Robert's Rules of Order.

Section 2. There shall be Membership meetings by division, sector, worksite or geography of the Union at least once every two months, provided, however, that the President can cancel meetings with reasonable notice. Membership meetings may be held at the direction of the Executive Board by Division, Sector or Facility.

Section 3. Fifty or more members in good standing within the Membership shall constitute a quorum in any Convention.

Section 4. Resolutions to be acted upon by the Convention must be submitted to the President in writing at least 30 days prior to the opening day of the Convention and unless so submitted may not be considered by the Convention except on unanimous consent of the members present. Resolutions may be presented to the Convention by the Executive Board at any time during the Convention without requiring unanimous consent.

Section 5. The rules and order of business governing the convention shall be established as the first order of business and shall be included in the convention notice.

Article 9

UNION STEWARDS

Section 1. Union Stewards shall be elected or designated by the members at the particular place of employment and shall meet the responsibilities of the Union Steward's Pledge as outlined by the Executive Board. Only a member in good standing may serve as Union Steward.

Section 2. Union Stewards shall be removed for not fulfilling the Union Steward's Pledge and/or for not acting in the best interests of the Union in accordance with Article 13.

Section 3. Union Stewards shall be compensated for expenses up to a reasonable and prudent amount to be determined according to policies reviewed and approved by the Executive Board and approved by the Membership.

Article 10

COMMITTEES

Section 1. The Executive Board of SEIU Healthcare Minnesota Union shall appoint such committees as it deems necessary to carry out the organizing, political action, social and economic justice, and retiree programs and policies of this Union and the International Union.

Section 2. This SEIU Local Union shall not establish its own registered federal political committee or any political candidates' fund for contributions in connection with federal elections, provided however, that the International President may waive this provision or establish such conditions for the maintaining of such committee or fund as the International President may deem appropriate.

Section 3. All committees shall make reports in writing or verbally at the Executive Board Meeting and shall confine their activities to the business for which that committee was formed. The President shall be an *ex officio* member of all committees.

Article 11

GENERAL RULES

Section 1. The President, Officers, Executive Board members and employees of the SEIU Healthcare Minnesota Union, handling monies of the SEIU Healthcare Minnesota Union, shall be bonded in the amounts and form required by applicable statutes. Bonds shall be taken out immediately upon assumption of office or employment, with the premiums paid by SEIU Healthcare Minnesota Union. The Secretary-Treasurer of the International Union may direct the increase or decrease in the amount of

the bond, within statutory limits. All officers under bond shall not be released from bond until their books have been audited and their successor duly installed.

Section 2. The meetings of this SEIU Healthcare Minnesota Union shall be governed by the current edition of Robert's Rules of Order. Every member shall follow and be subject to such rules governing debate at all meetings of this SEIU Healthcare Minnesota Union.

Section 3. This SEIU Healthcare Minnesota Union shall not strike without a vote of approval by a majority of the affected members voting. This SEIU Healthcare Minnesota Union shall not strike without previous notification to the President of the International Union or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, so long as it has complied with all applicable notice requirements and has exhausted all possible means of achieving a negotiated settlement. If the SEIU Healthcare Minnesota Union has not complied with these requirements, the International President can veto the strike and if the International President has vetoed any such strike, the SEIU Healthcare Minnesota Union may not proceed with the strike thus vetoed.

Section 4. No member of the Union shall join or continue membership in a dual organization designed to infringe upon the jurisdiction of this Union or to conspire to defeat its purpose and functions, as is consistent with the International Union's Constitution and Bylaws.

Article 12

MEMBERSHIP AND FINANCES

Section 1. The revenues of this Union are derived from initiation fees, dues, service or fair share fees, and other sources as approved by the Executive Board.

Initiation fees, dues, termination for non-payment, and dues collection policies shall be determined by the Executive Board and are subject to the approval of the Membership and any mandates of the International Union. Notwithstanding the above, all Union members are under positive duty and obligation to ensure that their initiation fees, dues, or any other payments they may owe the Union are remitted on or before the last day of the month in which they are due.

Section 2. In order to exercise the rights and privileges of Union membership and benefits, members

shall maintain their membership in “Good Standing”. Membership in Good Standing as used in this Constitution and Bylaws is defined as a member who has paid their initiation fee and/or dues on or before the date in which they are due and payable. Members in Good Standing and only members in Good Standing will be eligible to participate in the Union, including the right to vote on contracts or strikes, serve on contract committees, attend Union meetings, and vote on internal Union matters. Any member with fees or dues in arrears is not considered to be in Good Standing for any purpose.

Members who are on authorized leave or layoff status for up to 90 days in total may retain their membership in good standing by remittance payment of at least the minimum dues set by the Union by the last business day of each month.

A member who has signed an authorization allowing the employer to deduct dues and/or initiation fees will be considered to be in good standing, unless there is an outstanding dues obligation or if dues payments are in arrears. All fees, dues and other financial obligations not paid on or before the date in which they are due and payable shall be deemed delinquent.

If a member has delinquent initiation fees or dues and is not in Good Standing, he or she may be allowed to make payment arrangements for fees or dues in arrears, and so long as the member is current in such arrangements may be deemed to be in “Good Standing” but may not be nominated for or be elected to office.

A member who is considered to be in “Continuous Good Standing” as used in this Constitution and Bylaws is defined as a member who has paid his or her fees and or dues on or before the date on which they are due and payable, for a period of not less than 12 consecutive months and subject to the provisions of “Good Standing” as specified herein.

No member will be eligible for nomination or election as an officer, member of the Executive Board, delegate, or any other office of this Union, unless the member has been a member in Continuous Good Standing for at least 12 months immediately preceding the nomination.

Employed staff are eligible to become members of the Union with rights to: vote on dues increases and other governance issues, including economic and social policy positions, but not issues specific to bargaining with employed staff; may serve as representatives, with full voting rights, to any labor board,

conference, convention, affiliated organization or other function if so designated by the President; nominate candidates and vote in statewide elections.

Section 3. All records of this SEIU Healthcare Minnesota Union pertaining to income, disbursements and financial transactions of any kind whatsoever must be kept for a period of six years or longer or as required by applicable law.

Section 4. This SEIU Healthcare Minnesota Union shall pay per capita tax to the International Union for any person from whom the SEIU Healthcare Minnesota Union receives revenue, whether called dues or otherwise. This SEIU Healthcare Minnesota Union shall likewise pay any other obligations due to the International Union, and it shall have no right to pay any bills before it pays its full obligation to the International Union for each month.

Section 5. The dues of associate members and the benefits and privileges of an associate membership shall be determined by the Executive Board and approved by the Membership and be in accordance with the International Union's Constitution and Bylaws.

Article 13

PROTECTION OF MEMBERS AND THE SEIU HEALTHCARE MINNESOTA UNION

Preamble. In order to ensure members' protection from the filing of frivolous charges, the following procedures shall apply:

Section 1. Any member or members who feel they have been discriminated against, or feel that another member or members are acting in a way adversely affecting them or the SEIU Healthcare Minnesota Union, shall put their grievance(s) and/or charges in writing and present them to the Executive Board. The charges must state which subsection(s) of Section 1 of Article XVII of the International Constitution the charging party believes has been violated. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Section. No charges may be filed more than six months after the charging party learned, or could have reasonably learned, of the act or acts which are the basis of the charges.

Section 2. A hearing shall be held by the Executive Board to rule on the grievances and/or charges, and any member(s) making a grievance or charge and any member against whom a charge is made shall have the right to appear at the hearing and make arguments. Advance written notice of the hearing shall be given to concerned parties. The Executive Board may summon witnesses. Any Executive Board member who is a witness or who is charged in any case shall not participate in deciding the case.

Section 3. A written report of the proceedings shall be made to the membership affected. Appeals may be made to the Membership thereafter to the International Union.

Section 4. The Executive Board shall have the authority that includes, but is not limited to, the right to revoke membership or membership rights, or to disbar a member from holding office. There shall be no fining of members.

Section 5. The SEIU Member Bill of Rights and Responsibilities in the Union shall be enforced exclusively through the procedures provided in this Article and any decision rendered pursuant to the procedures provided for herein, including any appeals, shall be final and binding on all parties and not subject to judicial review.

Article 14

PROPERTY RIGHTS PROTECTION

In order to protect the rights of members, the SEIU Healthcare Minnesota Union, and the International Union, the title to all property, funds, and other assets of this SEIU Healthcare Minnesota Union shall at all times be vested in the SEIU Healthcare Minnesota Union's Executive Board for the joint use of the membership of this SEIU Healthcare Minnesota Union, but no member shall have any severable proprietary right, title, or interest therein.

Article 15

DISSOLUTION PRACTICE

In order to protect the members of the SEIU Healthcare Minnesota Union and the International Union, this SEIU Healthcare Minnesota Union cannot dissolve, secede or disaffiliate while there are seven

dissenting members, and in accordance with the procedures contained in Article XXV of the International Constitution and Bylaws. In the event of secession, dissolution, or disaffiliation, all properties, funds and assets, both real and personal of this SEIU Healthcare Minnesota Union shall become the property of the International Union. Under no circumstances shall this SEIU Healthcare Minnesota Union distribute its funds, assets or properties individually among its members.

Article 16

AMENDMENTS

Section 1. Amendments to the Members' Constitution and Bylaws shall be proposed in writing and shall be read at the Convention and then presented to the Convention for final action.

It shall require a two-thirds vote of the members present at the Convention to approve an amendment. No amendment shall be valid or become effective until approved by the International Union.

Section 2. The Constitution and Bylaws of this SEIU Healthcare Minnesota Union shall at all times be subordinate to the International Constitution and Bylaws, as it may be amended. If any conflict should arise between the Constitution and Bylaws of this SEIU Healthcare Minnesota Union, or any amendments thereto, and the International Constitution and Bylaws or amendments thereto, the provisions of the International Constitution and Bylaws shall control.

**SEIU MEMBER BILL OF RIGHTS
AND RESPONSIBILITIES ON THE JOB**

The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security:

The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term planning by one's employer as well as the training necessary to take part in such planning;

The right to fair and equitable treatment on the job;

The right to share fairly in the gains of the employer;

The right to participate fully in the work of the Union on the scope, content and structure of one's job;

The responsibility to participate in the Union's efforts to establish and uphold collective principles and values for effective workplace participation;

The responsibility to recognize and respect the interest of all Union members when making decisions about Union goals;

The responsibility to be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry;

The responsibility to participate fully in the Union's efforts to expand the voice of workers on the job;
and

The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

**SEIU MEMBER BILL OF RIGHTS
AND RESPONSIBILITIES IN THE UNION**

The right to have opinions heard and respected, to be informed of Union activity, to be educated in Union values and Union skills:

The right to choose the leaders of the Union in a fair and democratic manner;

The right to a full accounting of Union dues and the proper stewardship over Union resources;

The right to participate in the Union's bargaining efforts and to approve Union contracts;

The right to have members' concerns resolved in a fair and expeditious manner;

The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers;

The responsibility to be informed about the internal governance of the Union and to participate in the conduct of the Union's affairs;

The responsibility to contribute to the support of the Union; and

The responsibility to treat all workers and members fairly.