



Constitution & Bylaws

Table of Contents

CONSTITUTION

- I Name
- II Objectives
- III Membership
- IV Dues, Service Fees and Special Assessments
- V Executive Board & Officers
- VI Administration; Executive Board
- VII Regional Boards, State Bargaining Unit
Boards and Chapters
- VIII Affiliations
- IX Meetings
- X Committees
- XI Amendments to the Constitution
- XII Bylaws
- XIII Decertification and Dissolution of Union
- XIV Transitional Governance Amendment

BYLAWS

- I Membership
- II Dues and Service Fees
- III Executive Board & Executive Vice-President
- IV Executive Board Representation
- V Meetings
- V Election of Officers & Executive Board Members
- VII Committees
- VIII Order of Business
- IX Amendments

CONSTITUTION

ARTICLE I: NAME

The name of this Union shall be the Michigan Public Employees, SEIU Local 517M, hereinafter referred to as the Union.

ARTICLE II: OBJECTIVES

Section 1: The objectives of the Union shall be as follows:

To represent and benefit those represented by the Union in collective bargaining and other employment related matters.

Section 2: This Union is not organized for profit and all its income shall be used for the necessary expenses and general welfare of its Members.

ARTICLE III: MEMBERSHIP

Section 1: Any Person employed in a classification over which Michigan Public Employees, SEIU Local 517M has been authorized jurisdiction shall be eligible for membership in the Union.

Section 2: Any eligible employee whose application for membership has been received by the Secretary/Treasurer, whose dues are paid and is not suspended from membership, shall be a Member in Good Standing, hereinafter referred to as a Member, entitled to the rights and benefits of the Union.

Section 3: No Member shall be discriminated against, nor application for membership rejected, by the Union because of race, creed, color, religion, sex, national origin, ancestry, handicap or age, nor shall the Union discriminate against any Member for exercising their right of free speech.

Section 4: A voting Member is a Member whose application has been received by the Secretary/Treasurer at least thirty (30) days prior to any election.

Section 5: The Executive Board shall have the authority to suspend a Member from membership in the Union or otherwise take action against a Member upon just cause shown. No Member shall be denied the right to a fair hearing before the Executive Board regarding the status of their membership or regarding any action of the Union taken with respect to the Member. The Member shall have the right to written notice of any charges made against the Member relative to his or her standing in the Union. The Member may request, in writing, a hearing on said charges before the Executive Board. The Executive Board, or its agents, will investigate any such charges and make findings relative to the substance of the charges and action, if any, to be taken thereon. All charges and actions shall be in writing and recorded as an action of the Executive Board.

ARTICLE IV: DUES, SERVICE FEES AND SPECIAL ASSESSMENTS

Section 1: The dues and Service Fees of the Union shall be set in accordance with the Bylaws.

Section 2: Special assessments must be approved by two-thirds (2/3) of the elected Executive Board. Special assessments may not be levied or used for normal operating expenses.

ARTICLE V: EXECUTIVE BOARD & OFFICERS

Section 1: The Executive Board shall be comprised of the Officers and other Executive Board Members as elected based on the representation formula as established in the Bylaws.

The Officers shall be the President, Secretary/Treasurer, and Divisional Vice-Presidents.

The President, and Secretary/Treasurer shall be elected by and from the full voting membership of the Union.

The Divisional Vice-Presidents shall be the chief elected officer of Regional Boards representing at least 500 members and all State Employee Bargaining Units of at least 500 members.

Section 2: The Union shall establish the following divisions for the purposes of representing its membership: State Employee Division; School and Local Government Division.

Section 3: The School and Local Government Division shall have established Regions, with each Region having an elected Regional Board for purposes of servicing its membership, and selecting its Executive Board Members.

The Regional Boards must be inclusive of all bargaining units in the Region; however, grouping of smaller bargaining units together for electing a representative on the Regional Board is acceptable.

Regional Boards shall not exceed sixteen members unless approved by the Executive Board.

It is left to the individual Regions to determine their representatives to the Union Executive Board, in accordance with the representation formula, provided the selections are members of the Regional Board.

Section 4: The State Employee Division is comprised of all bargaining units representing state employees.

Each bargaining unit is free to continue (or establish) its own local bargaining unit board. These boards have initial responsibility for grievances, contract negotiations and contract administration.

It is left to the individual bargaining units to determine their representatives to the Union Executive Board, in accordance with the representation formula, provided the selections are members of the Bargaining Unit Board.

Bargaining Unit Boards shall not exceed sixteen members unless approved by the Executive Board.

Section 5: Executive Board Members shall be elected in accordance with this Article and the Bylaws.

Section 6: The term of the Executive Board members shall be three (3) years.

Section 7: The President and Secretary/Treasurer shall not hold the same elected office for more than 2 consecutive terms, or more than four consecutive terms in any combination of those positions.

Section 8: Representation shall be reviewed prior to each election by the Election/Tally Committee and reapportioned as necessary subject to approval of the Executive Board.

Section 9: A vacancy in the Office of the President shall be filled by the Secretary/Treasurer without appointment by the Executive Board, if the Secretary/Treasurer did not serve in the Office of President in the preceding election term or if there are less than forty-five (45) days preceding the next Election. Otherwise, the Office of President shall be filled by appointment from the other existing Executive Board Members.

Vacancies occurring in the other Executive Offices shall be filled by appointment from the existing Executive Board. Executive Board vacancies shall be chosen from, and by, the State Employee Bargaining Unit Board or School and Local Government Regional Board from which the vacancy occurs. Officers or Executive Board members thus appointed shall serve the balance of the term of the person replaced, except if the vacancy occurs within forty-five (45) days preceding the election. In this event, the office shall remain open until filled during that election. If a vacancy occurs in the Offices of Secretary/Treasurer, or Divisional Vice-President during the forty-five (45) days prior to the next Election, the President shall appoint a Member from the existing Executive Board to fulfill the duties of the respective vacated office for the remainder of the term.

Section 10: Any Officer or Executive Board member may be recalled. The right of recall resides with the voting group which elected said person and shall be initiated by petition to the Executive Board by thirty (30) percent of that voting group.

ARTICLE VI: ADMINISTRATION; EXECUTIVE BOARD

Section 1: The Executive Board shall oversee the affairs of the Union. The Executive Board shall consist of the Executive Officers and Executive Board Members. A majority of the Members of the Executive Board shall constitute a quorum. All Members of the Executive Board shall have equal voting rights. Each Executive Board Member must be a Member of the Union.

Section 2: The duties of the Executive Board shall

be those associated with the respective offices or positions or as defined in the Bylaws.

Section 3: The Executive Board shall have the authority and responsibility to conduct the affairs of the Union in a manner compatible with membership rights and Union objectives. The Executive Board shall have the authority to establish policy, conduct ratification votes, conduct elections and take any other action necessary to conduct the affairs of the Union.

Section 4: The Executive Board shall have the authority to hire an Executive Vice-President who shall conduct the daily business activities of the Union, supervise other Union employees, manage the Union's office(s) and fulfill other duties assigned by the Executive Board. The Executive Vice-President shall make a full report of all significant activities to the Executive Board at each regular meeting.

Section 5: No Officer or Executive Board member shall receive a salary or compensation for services on the Executive Board except for expenses incurred on behalf of the Union or for reimbursement of lost wages/benefits in accordance with Executive Board policy.

Section 6: A collective bargaining agreement which establishes conditions of employment shall only be entered into when such agreement has been ratified by a majority of the Members of the Bargaining Unit covered by and voting on such agreement.

Section 7: Each Member shall have one vote. A majority of valid votes cast, unless otherwise specified, shall decide any question.

Section 8: The Executive Board may establish administrative districts (e.g. chapters) to aid in communications, the ratification of collective bargaining agreements, the processing of grievances, and similar functions.

ARTICLE VII: REGIONAL BOARDS, STATE BARGAINING UNIT BOARDS AND CHAPTERS

Section 1: The Executive Board may grant a charter to a Chapter authorizing a group of Members to form a Chapter and function as a subsidiary of the Union.

Section 2: The funding for Regional Boards, State Bargaining Unit Boards and Chapter activities shall be in accordance with Executive Board policy.

ARTICLE VIII: AFFILIATIONS

Section 1: The Union may participate and/or affiliate with other associations, societies, organizations or bodies, local, state, national, and international as the Executive Board believes will advance the interests and purposes of the Union and its Members.

Section 2: The Executive Board reserves the right to ratify any affiliations with other groups of Michigan Public Employees.

Section 3: Affiliation with other international labor unions shall be ratified by the general membership.

ARTICLE IX: MEETINGS

Section 1: Executive Board meetings and meetings of the membership shall be held and conducted as prescribed in the Bylaws.

Section 2: A special meeting of the membership shall be called if petitioned to the Executive Board by two-thirds (2/3) of the Executive Board or fifteen (15) percent of the Members. Members shall have thirty (30) days notice of such meetings.

Section 3: There shall be an Annual Meeting.

ARTICLE X: COMMITTEES

Appointment and duties of committees shall be in accordance with the Bylaws.

ARTICLE XI: AMENDMENTS TO THE CONSTITUTION

Section 1: Amendments to this Constitution may be proposed by a two thirds (2/3) majority of the Executive Board, or by a petition signed by not less than fifteen (15) percent of the voting Members, and submitted to the Secretary/Treasurer. If the number of signatures on the petition falls below the required fifteen (15) percent through withdrawal of names by request of the petitioners, the proposed amendment shall not be balloted upon unless approved by a two-thirds (2/3) majority of the Executive Board with or

without modification.

Section 2: A membership mail vote on any proposed amendment shall be taken. A ballot and the proposed amendment(s) to the Constitution shall be mailed by the Secretary/Treasurer to each Member at least thirty (30) days prior to the election. The returned ballots shall be delivered unopened to the Secretary/Treasurer to be counted by the Election/Tally Committee.

Section 3: Amendment(s) shall be ratified by a majority of the valid votes cast by the Members.

Section 4: The Executive Board shall certify the ratification results at its next regular meeting or at a special meeting called for that purpose. Approved amendments to the Constitution shall take effect at the time of certification by the Executive Board. The results shall be published in the next issue of the Union newsletter.

ARTICLE XII: BYLAWS

Section 1: Bylaws shall be promulgated to supplement the Constitution in administration of the affairs of the Union.

Section 2: New Bylaws or amendments to the Bylaws may be proposed by an affirmative vote of the majority of the Executive Board.

Section 3: New Bylaws or amendments to the Bylaws proposed by the Executive Board shall be distributed to all Members at least thirty (30) days prior to the vote for adoption by the Executive Board. Any Member has the right to be heard by the Executive Board prior to the vote for adoption of new Bylaws or amendments to the Bylaws.

Section 4: New Bylaws or amendments to the Bylaws may be adopted by an affirmative vote of not less than two-thirds (2/3) of the Members of the Executive Board provided same are not in conflict with the Constitution.

Section 5: Approved Bylaws and amendments to the Bylaws shall take effect at the time of adoption by the Executive Board. The results shall be published in the next issue of the Union newsletter.

**ARTICLE XIII: DECERTIFICATION &
DISSOLUTION OF UNION**

Section 1: In the event of a legal decertification of the Union, the Executive Board may vote to dissolve the Union. Upon dissolution of the Union, all assets remaining shall be used for payment of just debts and liabilities.

Under no circumstances shall this Union distribute its funds, assets or properties individually among its membership.

The Executive Board has final authority to determine distribution of any remaining funds.

**ARTICLE XIV: TRANSITIONAL
GOVERNANCE AMENDMENT**

The MPES Board of Directors, which shall become the Michigan Public Employees, SEIU Local 517M Board of Directors, is empowered with the authority to establish reasonable policies and procedures which allow for the formation of a transitional governing structure for the Michigan Public Employees, SEIU Local 517M, from the effective date of this amendment through the general election cycle of 2003.

In addition, the MPES Board of Directors has the authority to establish transitional Officer position(s) for bargaining unit(s) which have taken formal action to merge or affiliate with the Michigan Public Employees, SEIU Local 517M. Officer(s) so appointed shall also become members of the SEIU Local 517M Board.

BYLAWS

Under Article XII of the Constitution the following Bylaws are adopted:

ARTICLE I: MEMBERSHIP

Section 1: Any person meeting the requirements for membership as stated in Article III of the Constitution shall be eligible for Membership in the Union.

Section 2: Any person meeting the requirements of Article III of the Constitution and paying current dues shall be a Member in Good Standing.

ARTICLE II: DUES AND SERVICE FEES

Section 1: The Dues and Service Fees of the State Employee Division shall be as established by the Executive Board, but shall not exceed seventy (70) percent of the hourly rate of the top step of pay scale 737, or its equivalent, biweekly, for state employees except for an annual increase of \$.50 (50 cents) per biweekly pay period which shall be implemented the first full pay period in October from 2002 through 2006 for a total of \$2.50 per pay period to cover our New Strength Unity Fund commitment. The Dues and

Service Fees for School and Local Government Division employees shall be established by the Executive Board.

Section 2: Dues and Service Fees shall be collected via payroll deductions or may be prepaid annually.

**ARTICLE III: EXECUTIVE BOARD AND
EXECUTIVE VICE-PRESIDENT**

Section 1: The Executive Board of the Union shall consist of the Officers and the Executive Board Members.

Section 2: The Executive Board shall have the authority to establish policy and conduct the general business of the Union. It shall have the power to amend these Bylaws or establish new ones.

Section 3: The Duties of the Officers shall be as follows:

President: The President shall preside over the Annual Meeting, Executive Board meetings, and any special meetings of the membership; call special meetings, create special committees, appoint committee members, and have general oversight of all activities of the Union.

Secretary/Treasurer: The Secretary/Treasurer shall oversee all financial accounts of the Union, be responsible for the collection, custody and properly approved disbursements of all funds and shall make periodic reports to the Executive Board of receipts and disbursements. The Secretary/Treasurer shall be sufficiently bonded by the Union.

The Secretary/Treasurer shall oversee records of the proceedings of all meetings, oversee membership lists and all official records of the Union and shall be responsible for Union elections and ratification votes.

The Secretary/Treasurer shall assist in the discharge of the President's duties and in the absence of the President, perform those duties.

Divisional Vice-Presidents: The Divisional Vice-Presidents shall represent their respective Region or Bargaining Unit membership and may be assigned specific duties as needed by the President.

Section 4: Executive Vice-President: Daily operations of the Union shall be conducted by an Executive Vice-President hired by the Executive Board, with such additional staff as found necessary, with general oversight by the President. The duties and responsibilities of the position shall be set forth in a contract negotiated between the Executive Vice-President or prospective Executive Vice-President and the Officers. The President shall present to the Executive Board the proposed provisions of the contract for a vote which shall become effective unless rejected by a two-thirds majority of the Executive Board.

Section 5: The Executive Vice-President and all Executive Board Members shall be designated as voting delegates at all official proceedings of the Service Employees International Union.

ARTICLE IV: EXECUTIVE BOARD REPRESENTATION

Section 1: The Executive Board member representation shall be based on the following representation formula: (State Employees per Bargaining Unit; School and Local Government Employees per Region):

- 200 - 1000 Members 1 Seat
- 1001 - 2000 Members 2 Seats
- 2001 - 3000 Members 3 Seats
- Over 3000 Members 4 Seats

ARTICLE V: MEETINGS

Section 1: The Union shall annually hold at least one (1) meeting of the membership at a time and place established by the Executive Board.

Section 2: Executive Board meetings shall be held at least quarterly and shall be scheduled by the President. Special meetings of the Executive Board may be called by the President, or at the request of at least five (5) Executive Board Members.

Section 3: Notice of time, purpose and place of regular Executive Board meetings shall be prepared by the Officers and mailed by the Union office to all Executive Board Members, all Regional Board Members, and all State Bargaining Unit Board Members at least ten (10) days prior to said meetings. Notice of time, purpose and place of special Executive Board meetings shall be made to all Board Members in accordance with Executive Board policy.

Section 4: A time period shall be allotted at regular Executive Board meetings for hearings on charges or presentations by Members in accordance with Executive Board policy. Members may schedule presentations with the President at least fifteen (15) calendar days prior to the meeting in order for the presentation to appear on the agenda. Any Member may attend and observe any regular Executive Board Meeting.

Section 5: A quorum at any Executive Board meeting shall be a majority of Executive Board Members elected to serve.

Section 6: Conduct of meetings shall be by the practice of the latest edition of Roberts "Rules of

Order” except in cases where such are in conflict with the Constitution, Bylaws or Executive Board policy.

Section 7: Minutes shall be kept of all Executive Board, Regional Board, and Bargaining Unit Board meetings and shall include all significant actions taken therein. All action taken by the Executive Board shall be published in the Union’s newsletter of general circulation.

Section 8: Chapter Meetings may be held at any time the Chapter Governor requests or at the request of fifteen (15) percent of the Members. All Chapter Members shall be notified of Chapter meetings in an appropriate and timely manner.

ARTICLE VI: ELECTION OF OFFICERS & EXECUTIVE BOARD MEMBERS

Section 1: Election of Officers and Executive Board Members shall be held the first Monday in October of each election year. Officers and Executive Board Members thereby elected shall take office on November 1st thereafter.

Section 2: Members shall be given written notice of the election at least thirty (30) days prior to ballots being distributed. Notices shall state date, time, manner and place, and purpose of election.

Section 3: President, and Secretary/ Treasurer of the Union shall be elected by, and from, the general membership. Divisional Vice-Presidents shall be the chief elected officer of Regional Boards representing at least 500 members and all State Employee Bargaining Units of at least 500 members.

Section 4: State Employee Bargaining Unit Executive Board Members shall be elected by, and from, the Bargaining Unit Board which they represent.

School & Local Government Executive Board Members shall be elected by, and from, the Regional Board which they represent.

Section 5: Nominations for Officers shall be made by the Election/Tally Committee according to Executive Board Policy. This Committee shall review and report nominees to the Secretary/Treasurer of the Union. All nominees shall have been members of the Union for at least twelve (12) months preceding the election ballot count date.

Section 6: There shall be no provisions for write-in nominees.

Section 7: The Secretary/Treasurer of the Union shall be responsible for the conduct of the Election and shall arrange for printing, distributing, collecting, counting and tabulating of ballots and announcing the results thereof to the Executive Board and Members as expeditiously as possible. The Election of Officers shall be by mailed secret ballot, or an alternate method as approved by the Executive Board, to all voting Members. Ballots shall be mailed at least fifteen (15) calendar days prior to the date of counting. Any candidate for office may have an observer present at the counting of the ballots. The candidate receiving the most votes for any office shall be elected to the office.

ARTICLE VII: COMMITTEES

Section 1: Standing and Special Committees shall be appointed by the President with the approval of the Executive Board to serve with the duties indicated or as established by the Executive Board.

Section 2: Among the Standing Committees shall be the following:

Election/Tally Committee. The Election/Tally Committee shall be responsible for making and/or receiving nominations for President and Secretary/Treasurer and the preparation, certification and tallying of the ballots.

Civil and Human Rights Committee: The Civil and Human Rights Committee is charged with the responsibility of carrying out the civil and human rights programs as proposed by the Executive Board.

Finance Committee. The Officers and the Executive Vice-President shall comprise the Finance Committee subject to the approval of a majority of the Executive Board, this committee shall prepare an annual budget covering the operation of the union for the fiscal year, maintain continuous oversight of all fiscal activities of the Union and prepare a yearly statement showing the financial standing of the Union. A review of the Union’s financial records shall be performed by an independent auditor annually.

Membership/Organizing Committee. The Membership/Organizing Committee shall promote membership in the Union, "Members-Only" benefits, and initiate organizing activity for, and on behalf of, the Union.

Political/Legislative Committee. The Political/Legislative Committee shall oversee and promote the Union's political and legislative programs, as well as promote membership involvement in the Committee on Political Education (COPE).

Section 3: Standing Committee Members shall serve until discharged by the President, or until the conclusion of the President's term. Special Committee Members shall serve for the term of the committee as established upon committee assignment. Any Committee Member may resign upon written notice to the President.

ARTICLE VIII: ORDER OF BUSINESS

The order of business at the Annual Meeting, Executive Board meetings, and any special meetings of the membership shall be established by the President.

ARTICLE IX: AMENDMENTS

Section 1: Amendments to the Bylaws shall be made in accordance with Article XII of the Constitution.

Revised: July 23, 2009

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