

# Camden County Council #10



**Constitution**

**and**

**By-Laws**

**Organized: August 23, 1935**

Constitution and By-Laws revised and adopted August 30, 1938, June 27, 1941, June 28, 1960, March 23, 1965, April 27, 1971, September 27, 1977, October 28, 1980, March 27, 1990, November 27, 1990, July 9, 1993, March 24, 2009 and May 24, 2011.

**TABLE OF CONTENTS**

**CAMDEN COUNTY COUNCIL #10**  
**CONSTITUTION**

**PREAMBLE .....1**

**ARTICLE I - NAME .....1**

**ARTICLE II - OBJECTIVES .....1**

**ARTICLE III - ELIGIBILITY FOR MEMBERSHIP.....1**

**ARTICLE IV - ADMISSION TO MEMBERSHIP .....1**

**ARTICLE V - INITIATION AND DUES .....2**

**ARTICLE VI - OFFICERS AND THE BOARD OF TRUSTEES .....3**

**ARTICLE VII - ELIGIBILITY FOR OFFICE .....4**

**ARTICLE VIII - ELECTION .....5**

**ARTICLE IX - AMENDMENTS .....5**

**CAMDEN COUNTY COUNCIL #10**  
**BY-LAWS**

**ARTICLE I - MEETINGS .....7**

**ARTICLE II - DUTIES OF OFFICERS .....7**

**ARTICLE III - DUTIES OF THE BOARD OF TRUSTEES .....10**

**ARTICLE IV - ATTENDANCE AT MEETINGS .....11**

**ARTICLE V - CHARGES AGAINST A MEMBER .....12**

**ARTICLE VI - STANDING COMMITTEES .....13**

**ARTICLE VII - RATIFICATION OF COLLECTIVE  
BARGAINING AGREEMENTS .....14**

## **PREAMBLE**

Camden County Council #10 exists for the purpose of advancing the interests of its members in the workplace, particularly as those interests relate to the employees' wages, hours and other conditions of employment.

## **CONSTITUTION**

### **ARTICLE I NAME**

The name of this organization shall be Camden County Council #10, referred to herein as "Council 10."

### **ARTICLE II OBJECTIVES**

**Section 1.** The objectives and purpose of Council 10 shall be to promote the policies and principles set forth in the foregoing Preamble.

**Section 2.** Political action by Council 10 is restricted to the furtherance of its purpose as set forth in the foregoing Preamble.

**Section 3.** We will address ourselves to any and all violations of our contracts wherever they shall occur.

### **ARTICLE III ELIGIBILITY FOR MEMBERSHIP**

To be eligible for membership in Council 10, an employee must be employed by an entity with whom Council 10 has a collective bargaining relationship and the employee must be actively working in a title or position which is represented by Council 10. All existing Council 10 members will be grandfathered.

**ARTICLE IV**  
**ADMISSION TO MEMBERSHIP**

**Section 1.** Admission to membership shall be considered only after such applicant has signed an application blank in the form authorized and approved by the Board of Trustees, and which shall state the objectives of the organization as provided in the Preamble of this document. Such form shall contain the applicant's name, address, job title, Civil Service status, i.e., permanent or provisional, department and authorization for dues check-off. Members holding positions in more than one (1) unit must pay dues for each such unit. Such deduction shall continue to be made until this authorization is revoked by the member by written notice to his/her employer and this organization, as provided by law. This form shall also designate Council 10 as the Representative for the purpose of collective bargaining and negotiations concerning conditions of employment.

**Section 2.** Each application, when properly executed and signed, shall be verified for eligibility in the appropriate unit and sent to the Financial Secretary-Treasurer for presentation to the Board of Trustees at their next scheduled meeting.

**Section 3.** A newly admitted member shall be entitled to the protection or benefits of Council 10. Any member reinstated or admitted to membership shall not be entitled to the protection or benefits of Council 10 in the event such member shall be charged with any violation or infraction which has been committed at any time during the period when his/her Council 10 dues were delinquent, or during the period of time prior to his/her admission to Council 10 as a member.

**ARTICLE V**  
**INITIATION AND DUES**

**Section 1.** Effective June 1, 2011, the initiation fee shall be \$20.00 and the dues for membership in Council 10 shall be \$20/month except that those making less than \$15,000/year shall pay \$15/month. For the purposes of determining the rate of dues, annual salary shall be based on hourly rate times regularly scheduled biweekly hours times twenty-six. Any additional increase in dues or change in the initiation fee must be made by way of vote of the general membership after due notice of such a ballot.

**Section 2.** Dues must be kept current at all times and/or any arrears paid to be eligible for the benefits of membership. Any member in arrears for dues for a period of one (1) quarter (three months) suspends himself/herself from membership privileges, but any member suspended from his/her position in the public employ shall be exempt from payment of dues for that period of non-employment. Members suspended for non-payment of dues may be reinstated upon payment of such arrearages.

**Section 3.** In the event any member of Council 10 is elected to public office or appointed to a management position and is no longer working in a position or title represented by Council 10, his/her membership and obligation to pay dues is temporarily suspended during that period of time.

If that member subsequently returns to a position represented by Council 10, and his/her dues are in arrears for the time period when he/she worked in a position represented by Council 10, all arrearages must be paid in order for that person to be reinstated to membership.

**Section 4.** Persons laid off for economy reasons shall be exempted from paying dues during their period of non-employment. Upon re-employment, within five years of the effective date of layoff, they will be automatically reinstated upon re-application for membership, and exempt from payment of dues arrearages and any initiation fee.

**Section 5.** Any person who pays a representation fee to Council 10 in lieu of dues shall be entitled, upon request, to review the annual audit of the Union. Any person who pays a representation fee to Council 10 in lieu of dues may challenge the amount of said fee pursuant to N.J.S.A. 34:13A-5.5. Such a request for review shall be commenced by filing a written objection with the Union's Board of Trustees. A hearing shall be promptly scheduled on the matter before the Board of Trustees. The Financial Secretary-Treasurer of Council 10 shall present all evidence and testimony at the hearing with respect to Council 10's expenditures and the objector shall be given the opportunity to ask questions and be heard on the matter. The Board of Trustees shall then consider the matter and render a decision in writing within thirty (30) days of the hearing. If the Board of Trustees determines that any part of the representation fee paid by the objector should be refunded pursuant to law, then that portion of the dues shall be returned to the objector, with interest, at the time the written decision is issued.

## **ARTICLE VI**

### **OFFICERS AND THE BOARD OF TRUSTEES**

**Section 1.** The elected officers of Council 10 shall be: President, Vice-President, Recording Secretary, Corresponding Secretary, Financial Secretary-Treasurer, and Sergeant-at-Arms. Terms of all officers shall be for three (3) years, effective October 1990.

**Section 2.** No elected officer, as set forth above, may serve as a trustee simultaneously, nor may any trustee serve in an elected position, as set forth above, during his/her term of office.

**Section 3.** All new units coming under the auspices of Council 10 shall be permitted a representative in accordance with the trustee representation formula set forth in Section 4, who will serve as trustee until the subsequent general election as set forth in this document.

**Section 4.** All units represented by Council 10 shall be permitted trustee representation as follows: Twenty-five (25) to fifty (50) members equals one (1) trustee; fifty-one (51) to one hundred fifty (150) members equals two (2) trustees; one hundred fifty one (151) to three hundred (300) members equals three (3) trustees; three hundred one (301) to five hundred (500) members equals four (4) trustees; five hundred one (501) to seven hundred (700) members equals five (5) trustees; seven hundred one (701) to eight hundred fifty (850) members equals six (6) trustees; eight hundred fifty one (851) to nine hundred fifty (950) members equals seven (7) trustees; nine hundred fifty one

(951) to one thousand (1,000) members equals eight (8) trustees; one thousand one (1,001) to eleven hundred (1,100) members equals nine (9) trustees; eleven hundred and one (1,101) to twelve hundred and fifty (1,250) members equals ten (10) trustees; twelve hundred and fifty-one (1,251) to fourteen hundred and fifty (1,450) members equals eleven (11) trustees; fourteen hundred and fifty-one (1,451) to sixteen hundred and fifty (1,650) members equals twelve (12) trustees; for each increment of two hundred (200) members in a given unit after sixteen hundred and fifty (1,650), one (1) additional trustee position will be created. Subsidiary units whose President sits as a member of the Board of Trustees pursuant to this section, and the subsidiary unit's constitution and by-laws, shall be considered a trustee of Council 10 for the purpose of this document. Trustee representation shall be based upon the July dues report. All Trustees in a unit where representation declines shall be required to run for election in the upcoming general election. Any existing Trustee in a unit no longer eligible for representation shall remain a trustee for the existing term and the next three regularly scheduled elections for that position, or until the Trustee resigns or retires, whichever occurs sooner.

**Section 5.** The term of office for a trustee shall be two (2) years. Trustees' seats shall be voted upon at the time of the general election, as set forth herein.

**Section 6.** Candidates for Council 10 officers and trustees, shall be nominated at the general membership meeting to be held in September, with notices posted on Union bulletin boards and/or locations where Union messages are ordinarily posted, and/or the Union's website, at least one (1) week before that meeting. Within seven (7) calendar days of his/her nomination, any candidate for Council 10 officers, where there is a contested election, must present a petition to the Chair of the Election Committee, signed by at least ten (10) Council 10 members in good standing, supporting his/her candidacy, on a designated form approved by the Election Committee. Any questions regarding a candidate's eligibility for a Council 10 officer and/or trustee position, or an officer's nomination papers, shall be presented and decided at the October Board of Trustees' meeting, at which time all parties will have an opportunity to address the Board.

**Section 7.** The general election of officers and/or trustees shall be held on the fourth Tuesday of October, with notices posted on Union bulletin boards and/or locations where Union messages are ordinarily posted, at least two (2) weeks before the election.

**Section 8.** All newly-elected officers and trustees shall be sworn into office by the Council 10 President or his/her designee. The Council 10 President shall act in this capacity not later than one (1) month following such election. All officers and/or trustees shall maintain their offices until such time as their duly elected successors are so sworn.

## **ARTICLE VII**

### **ELIGIBILITY FOR OFFICE**

**Section 1.** The President shall appoint an Election Committee consisting of five (5) members in-good-standing by no later than September 1 of the year of the election. The Chairperson of this

Election Committee will also conduct the nominations for office. Only members nominated at the September meeting of the general membership, as set forth herein, shall be eligible to have their names placed on the official ballot. Nominees may withdraw their names from consideration up to two (2) weeks prior to the date of the election.

**Section 2.** Nominations for trustee from each particular unit will be accepted from the floor at the September meeting of the general membership. Any member offering nominations for trustee must first identify himself/herself and his/her unit, so that nominations from each particular unit shall be offered only by members of said units.

**Section 3.** To be nominated or elected to office, as set forth in Sections 1, 2 and 3 of Article VI, a member must be in-good-standing, as set forth in the following requirement: dues must be paid up to date, as set forth in Article V, Section 1, and as reported by the Financial Secretary-Treasurer.

## **ARTICLE VIII** **ELECTION**

**Section 1.** All officers shall be elected by secret ballot, a majority of the votes cast being necessary to elect.

**Section 2.** All trustees shall be elected by secret ballot, a majority of the votes cast being necessary to elect. Candidates for trustee may only have votes cast for them by members who are within the same unit as they are.

**Section 3.** Whenever there is no contest for a given seat, the Recording Secretary shall be directed to cast a ballot in order to elect.

**Section 4.** Election to the office of trustee or as an officer shall be held on the fourth Tuesday of October at designated polling places and designated times, as approved by the Election Committee.

**Section 5.** In election years that trustees are elected, the Election Committee may designate places and times at the location of a specific unit, where necessary for the convenience of voters.

**Section 6.** Notices of polling places and times of the election shall be posted on Union bulletin boards and/or locations where Union messages are ordinarily posted, at least two (2) weeks before the election.

**Section 7.** In election years that trustees are elected, the ballots for each unit shall contain only names of trustees from that particular unit, and may be voted upon only by members of that specific unit.

**Section 8.** To be eligible to vote, a member's dues must be paid up to date. Prior to voting, each eligible voter must sign the register provided at each polling place.

**Section 9.** The President will appoint an Election Committee consisting of five (5) members, none of whom may be candidates. The President may delegate the appointment of this committee to the Chairperson of the committee, who shall be appointed by the President. Candidates may select a representative to challenge voter eligibility, provided that such representative is a member in-good-standing and his/her name is submitted to the Chairperson of the Election Committee no later than one (1) week prior to the election. Such representatives of candidates must abide by the rules of the election, as promulgated by the Election Committee. Elections will be conducted in accordance with Article VI of the Constitution.

**Section 10.** Any disputes regarding the conduct of an election shall be determined by the Election Committee, subject to appeal to the Board of Trustees, at its meeting in November. All parties shall have a right to address the Board.

**Section 11.** No member shall at the same time be a candidate for or hold more than one of the Council 10 officer positions referenced in Article VI, or be a trustee and a Council 10 officer.

**Section 12.** Those elected shall be installed at the October general membership meeting, at which time all money, official records and documents, and all property belonging to Council 10 shall be turned over. Any officer or trustee, upon resignation, removal or retirement from a bargaining unit position represented by Council 10, shall no longer be permitted to continue as a Council 10 officer or trustee.

## **ARTICLE IX** **AMENDMENTS**

**Section 1.** All amendments to, substitution for, or alterations of any portions of this Constitution and By-Laws which have been rejected may not be presented for consideration by the membership again for a minimum of six (6) months.

**Section 2.** The Corresponding Secretary will have an announcement prominently posted of such proposed amendment(s) no less than two (2) weeks prior to the general meeting of Council 10 at which such amendment(s) will be presented for final action. A two-thirds (2/3) majority vote of members present at such meeting shall be necessary for adoption of any proposed amendment(s) to this Constitution and/or By-Laws.

**Section 3.** Each subordinate unit may adopt its own constitution for its internal operation, provided that nothing contained therein shall conflict with this document.

## **BY-LAWS**

### **ARTICLE I** **MEETINGS**

**Section 1.** The general meetings of Council 10 will be held on the fourth Tuesday of January, February, March, September, October, and November at a place so designated by the President and approved by the Board of Trustees, excepting when such day is a legal holiday, or on the eve of a legal holiday, in which case the date of the meeting will be fixed by the President, under the above conditions, on a day subsequent to the regular meeting date.

**Section 2.** A special meeting may be called at any time by the President or the Board of Trustees, or by twenty-five (25) members in-good-standing. Notice of such special meeting shall state the purpose thereof and confine itself strictly to the purpose for which it was called.

**Section 3.** Notice of meetings of the general membership will be prominently posted.

**Section 4.** A quorum will consist of ten (10) members in-good-standing, not including officers and trustees in attendance.

### **ARTICLE II** **DUTIES OF OFFICERS**

**Section 1-A.** The President shall preside at all meetings of Council 10 and shall have general supervision over all its affairs.

**Section 1-B.** The President shall appoint all committees whose duties are specified in Article VI of these By-Laws, and all others that may be required from time-to-time. He/she shall appoint committee Chairpersons, members and all representatives to any alliance, association or organization with which it may be necessary to cooperate in order to advance the cause of the membership. He/she shall retain the right to attend the meetings of all committees so appointed, and shall be a member thereof, with voice and vote.

**Section 1-C.** He/she shall ensure that this Constitution and By-Laws are strictly observed.

**Section 1-D.** All checks for the payment of bills and necessary expenses of Council 10 shall be countersigned by at least two of the following officers: President, Vice-President, or Financial Secretary/Treasurer.

**Section 1-E.** The President and other elected officials of Council 10 shall be compensated for out-of-pocket expenses and mileage incurred in performance of their official duties, upon submission of a written report provided to the Board of Trustees by way of the Financial Secretary-Treasurer.

**Section 1-F.** He/she shall be the Chairperson of the Board of Trustees and is eligible to vote in order to break a tie vote only. All other officers shall be eligible to vote on all matters voted on by the Board of Trustees. In the absence of the President, the Vice-President shall be the Chairperson of the Board of Trustees.

**Section 1-G.** The President shall have the authority to assign special functions to any trustee.

**Section 1-H.** The President shall reserve the right to appoint an assistant to each of the following offices for the purpose of assuming responsibilities as may become necessary in the event of an emergency: Financial Secretary-Treasurer and Recording Secretary.

**Section 1-I.** The President shall receive a salary as approved by the Board of Trustees and the general membership effective at the beginning of the fiscal year and shall receive such salary in equal bi-weekly installments.

**Section 2.** The Vice-President shall assist the President in the conduct of the business of Council 10; he/she shall act for, and in place of, the President during his/her absence or period of disability. In the event of a permanent vacancy occurring in the office of the President for any reason whatsoever, the Vice-President shall automatically assume the office of President until the ensuing annual election, as prescribed herein. At such time, the Vice-President will be vested with the full duties and powers delegated to the President herein. It shall be the duty of the Vice-President to oversee such committees as may be assigned to him/her, and to be responsible for the proper functioning of such committees.

**Section 2-A.** The Vice-President shall receive a stipend as approved by the Board of Trustees and the general membership at the beginning of the fiscal year and shall receive such compensation on a quarterly basis.

**Section 3.** The Recording Secretary shall have the responsibility of maintaining an accurate and complete record of minutes of the proceedings of the meetings of the general membership. He/she will also have the responsibility to maintain records of Council 10, as well as to record all necessary information of pertinence to the general membership. He/she will have custody of the official minutes and reports of Council 10. He/she will perform other such duties as may be assigned by the President or Board of Trustees.

**Section 3-A.** The Recording Secretary shall receive a stipend as approved by the Board of Trustees and the general membership effective at the beginning of the fiscal year and shall receive such compensation on a quarterly basis.

**Section 4.** The Corresponding Secretary shall be responsible for all correspondence emanating from Council 10 and to maintain up-to-date records for all members. He/she shall perform other such duties as may be assigned by the President or Board of Trustees.

**Section 4-A.** The Corresponding Secretary shall receive a stipend as approved by the Board of Trustees and the general membership effective at the beginning of the fiscal year and shall receive such compensation on a quarterly basis.

**Section 5.** The Financial Secretary-Treasurer shall be the custodian of all funds of Council 10 and he/she shall deposit said funds forthwith in the depositories selected by the President and Financial Secretary-Treasurer with the approval of the Board of Trustees. He/she shall keep a detailed account of the membership status of all members of Council 10. He/she shall pay all bills of Council 10 upon presentation of a warrant of such expenditures and subsequent approval of such payments by the Board of Trustees. Any checks for such payments shall be countersigned by at least two of the following officers: President, Vice-President, or Financial Secretary/Treasurer. He/she shall maintain a permanent record of all such bills paid and shall furnish a statement of all expenditures, receipts, and cash-on-hand at each meeting of the Board of Trustees, as well as at all meetings of the general membership.

**Section 5-A.** He/she shall at all times as the Board of Trustees may direct, or the President requires, present for examination all books and other documents that may be necessary for an audit of Council 10's accounts. He/she shall be responsible to retain a surety bond in an amount fixed by the Board of Trustees, the cost of such bond to be borne by Council 10. Certification of such surety bond shall be presented to the Board of Trustees on an annual basis.

**Section 5-B.** The Financial Secretary-Treasurer shall receive a stipend as approved by the Board of Trustees and the general membership effective at the beginning of the fiscal year and shall receive such compensation on a quarterly basis.

**Section 6.** The Sergeant-at-Arms shall ensure that none but members in-good-standing attend any meetings of Council 10 and shall maintain written record of such attendance. Members attending meetings of Council 10 may be required to present their membership cards prior to being admitted to such meeting. In the event any member is not in possession of his/her card, the Sergeant-at-Arms shall check with the Financial Secretary-Treasurer to verify such person's membership status prior to admitting him/her to the meeting. He/she shall be required to maintain proper order at meetings of Council 10, and will also be responsible to count votes on questions, where necessary. He/she shall perform other such duties as may be assigned by the President or Board of Trustees.

**Section 6-A.** The Sergeant-at-Arms shall receive a stipend as approved by the Board of Trustees and the general membership effective at the beginning of the fiscal year and shall receive such compensation on a quarterly basis.

**Section 7.** Officers of Council 10 shall not be eligible to be compensated for any other function he/she may perform for Council 10, except as set forth in this Article.

**ARTICLE III**  
**DUTIES OF THE BOARD OF TRUSTEES**

**Section 1.** The Board of Trustees shall have general supervision over the finances of Council 10 and shall have the responsibility of approving the financial depositories of such funds. All expenditures of Council 10 in excess of \$1,500 not specifically identified in the budget, shall be presented to the general membership for their approval.

**Section 2.** The Board of Trustees shall meet on a monthly basis prior to all meetings of the general membership.

**Section 3.** The Board of Trustees shall review all matters concerning the welfare of Council 10 and shall be responsible to determine all policies of Council 10.

**Section 4.** The Board of Trustees shall have the authority to retain legal counsel and shall also have the authority to appoint a secretary from within the Board or designate the Recording Secretary of Council 10 to act as secretary to the Board, whose duties shall include the recording and transcription of an accurate and complete set of minutes of all meetings of the Board of Trustees and other related functions as may become necessary from time-to-time. The Secretary of the Board of Trustees shall receive a stipend as approved by the Board of Trustees and the general membership effective at the beginning of the fiscal year and shall receive such stipend on a quarterly basis.

**Section 5.** The Board of Trustees shall be considered an unresolved appeal body which will consider and determine whether specific grievances shall proceed to arbitration. No complaint shall be considered which is not presented in written form; all such communications are to be treated with the utmost confidence. Grievances or complaints will not be considered by the Board of Trustees until all other avenues of resolution have been exhausted. The Board of Trustees shall reserve the authority to summon a complainant and his/her shop steward to appear before the Board where deemed necessary.

**Section 6.** All fees connected with litigation, or other expenditures related to grievances or complaints, must be approved by the Board of Trustees.

**Section 7.** All appeals or motions for donations of Council 10 funds for public charities or kindred purposes must be made to the Board of Trustees for its review and approval.

**Section 8.** The Board of Trustees shall be responsible to fill all vacant offices until the ensuing annual election in October.

**Section 9.** The Board of Trustees shall have the authority to summon any appointed or elected officer to appear before the Board and shall be required to submit a written report of such proceedings.

**Section 10.** A quorum shall consist of not less than fifty percent (50%) of the elected members of the Board of Trustees and no business may be conducted at any meeting of the Board of Trustees where such quorum does not exist. In addition, a majority of elected officers, as set forth herein, must also be in attendance to conduct such business of Council 10.

**Section 11.** The Board of Trustees shall perform such other duties as may be directed by the general membership from time-to-time.

**Section 12.** Members of the Board of Trustees shall receive a stipend as approved by the general membership effective at the beginning of the fiscal year and shall receive such stipend on a quarterly basis. Members of the Board of Trustees shall not be eligible to be compensated for any other function he/she may perform for Council 10, except as set forth in Section 4 herein.

**Section 13.** The Board of Trustees shall have the authority to hold, buy, sell or convey property and to enter into leases when and where necessary for the proper conduct of Council 10 business.

**Section 14.** The Board of Trustees shall have the authority to employ, retain, terminate, and establish salaries, benefits and terms and conditions of employment for such personnel as may be necessary to conduct the affairs of Council 10.

#### **ARTICLE IV** **ATTENDANCE AT MEETINGS**

**Section 1.** The Recording Secretary will call the roll of the elected officers and trustees of Council 10.

**Section 2.** The elected officers are required to attend all meetings (trustee and general membership) of Council 10. An unexcused absence from one regularly scheduled meeting (trustee or general membership) shall result in non-payment for that, and subsequent meetings not attended during that fiscal year. The following absences are excused: assigned work activities; other Union activities; scheduled vacation; funeral leave; sick leave; and/or proof of absence from work on the day of the meeting. Documentation in connection with any excused absences may be required. To be paid, all Trustees are required to submit the appropriate forms in accordance with these provisions to the Secretary of the Board of Trustees for approval.

**Section 3.** Members of the Board of Trustees are required to attend all meetings (trustee and general membership) of Council 10. An unexcused absence from one regularly scheduled meeting (trustee or general membership) shall result in non-payment for that, and subsequent meetings not attended during that fiscal year. The following absences are excused: assigned work activities; other Union activities; scheduled vacation; funeral leave; sick leave; and/or proof of absence from work on the day of the meeting. Documentation in connection with any excused absences may be required.

To be paid, all Trustees are required to submit the appropriate forms in accordance with these provisions to the Secretary of the Board of Trustees for approval.

## **ARTICLE V**

### **CHARGES AGAINST A MEMBER**

**Section 1.** Any member of Council 10 who, by virtue of his/her conduct, subjects himself/herself to charges by any other member shall be provided the opportunity to defend himself/herself against such charges. The member preferring such charges must do so in written form and present same to the Board of Trustees for consideration. If such charges are found to have merit, the President shall appoint a Trial Commission consisting of five (5) members of the Board of Trustees to hear such charges.

**Section 2.** The Trial Commission shall impartially hear both sides of the issue and render a written report of its findings and recommendations to the Board of Trustees, to be considered at its earliest meeting thereafter. Such report should be utilized to guide the Board of Trustees in its decision, which shall be final, to either uphold or modify the findings of the Trial Commission, including a penalty, if any. Such results shall be submitted in a report to Council 10 by the President at the subsequent meeting of the general membership.

**Section 3.** An elected officer or trustee may be recalled by the membership of Council 10 in accordance with the following procedure:

A petition shall be submitted to the President containing a minimum of 300 signatures of members in good standing, or in the case of trustees, no less than 15 percent of the members of that unit, seeking a special meeting of Council 10 for the purpose of considering charges against the specified officer or trustee. Such petition shall describe the nature of the charges to be considered and shall indicate, in writing, that only specific charges including a description of the conduct complained of will be considered at the special meeting and that such must be submitted to the Recording Secretary, in writing, at least one week in advance of the special meeting.

If a petition meeting the requirements of the above paragraph is submitted to the President, he/she will promptly forward the petition to the Financial Secretary-Treasurer who shall verify the membership status of the signatories. If the petition is in order, the President shall call the special meeting and cause notice to be posted of same. The special meeting notice shall indicate time, place and location and notification of the purpose of the meeting including notification that only specific charges will be considered and such, including a description of the conduct complained of, must be submitted in writing to the Recording Secretary at least one week in advance of the special meeting. The special meeting notice shall be posted a minimum of two weeks in advance of the special meeting date.

The Recording Secretary shall forward copies of all written charges to the officer or trustee charged promptly upon their receipt but not less than five days prior to the special meeting.

The special meeting shall be conducted by the President or, if he/she is the officer being charged, by the Vice-President. Only matters which are encompassed within the written charges shall be discussed at the meeting. The officer or trustee who is the subject of the charges shall be given the opportunity to refute any and all of the allegations contained within the charges. A vote shall be taken at the meeting as to whether there is sufficient basis to forward each of the charges to the Board of Trustees for their action. A majority vote on each of the charges shall be required for such action.

If charges are forwarded to the Board of Trustees for action, a meeting shall be convened for that purpose within two weeks of the meeting of the membership.

The Trustees shall consider all the evidence and permit both the accused and a representative of the membership to address them on the issue of the charges. If the Board of Trustees finds a reasonable basis for the charges and determines that the charges are such that recall may be warranted, they shall cause a recall election to be scheduled. A majority of Trustees voting shall be necessary to authorize such a recall election. Only those Trustees who were in attendance at the special general membership meeting shall be permitted to vote.

A recall election shall be conducted within thirty days in accordance with the constitution and by-laws as well as practice for the conduct of general elections of Council 10. If a Trustee is the subject of the recall election, only members of that unit shall be permitted to vote. Two-thirds of those casting valid ballots shall be required in order to recall.

If the vote for recall carries, the officer or trustee shall vacate their position immediately, which office shall then be filled by the next ranking officer or, in the case of a trustee, by the Board of Trustees.

## **ARTICLE VI**

### **STANDING COMMITTEES**

**Section 1. Negotiations** - Shall consist of not less than three (3) members of Council 10 at all negotiating sessions. Such members shall include the President, or his/her designee, one trustee or shop steward from the affected bargaining unit and one general member from the affected bargaining unit.

**Section 2. Election** - Shall be responsible for the conduct of all elections, including the preparation of ballots, arrangements of polling places and the proper tally of all ballots, as well as all other activities that may be required, as per Article VIII of the Constitution.

**Section 3. Shop Stewards** - Shall be responsible for setting rules regarding eligibility, duties and attendance of shop stewards. Shall be responsible for the conduct of all shop steward elections, including the determination of units in which elections are to be conducted. Issues concerning the capability of a shop steward to perform the duties of that position shall be referred to the Board of

Trustees for investigation and subsequent action, if any is required. Such action of the Board of Trustees shall be final and binding.

**Section 4. Audit** - Shall be responsible for reviewing the financial accounts of Council 10 on a regular and on-going basis and reporting the results of such audits to the Board of Trustees.

**Section 5. Personnel** - Shall be responsible for interviewing and making recommendations to the Board of Trustees on all matters involving employees of Council 10 including hiring, termination, salary, benefits and other terms and conditions of employment.

**Section 6. Long-Range Planning** - Shall be responsible to review Council 10 and employer policies on an ongoing basis to ascertain the long-range impact of such policies on the affairs of Council 10.

**Section 7. By-Laws** - Shall be responsible to review and make recommendations regarding changes and amendments to Constitution and By-Laws;

**Section 8. Investment** - Shall oversee Union's investments and make recommendations regarding prudent and responsible investment policies and practices.

## **ARTICLE VII**

### **RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS**

**Section 1.** All collective bargaining agreements shall be ratified by secret ballot, a majority of the votes cast necessary to ratify.

**Section 2.** To be eligible to vote, a member must be present and in good standing, having met all eligibility requirements for membership, all dues paid up-to-date, and be a member of the bargaining unit covered by the agreement.

**Section 3.** Time and location of ratification vote shall be posted on Union bulletin boards and/or locations where Union messages are ordinarily posted, and/or otherwise communicated to the bargaining unit prior to the ratification vote.