

## **Local 50 Workers United Bylaws**

### **ARTICLE I NAME AND OBJECT**

**Section 1** This organization shall be known as Workers United, Local 50, Anaheim, California, affiliated with Workers United, SEIU.

**Section 2** The purpose of this organization shall be to organize all persons within its jurisdiction; to establish and maintain equitable wage scales and working conditions; to elevate moral, social and intellectual standing of its members; to guard their financial interests; to promote their general welfare and the Local's cardinal principles of truth, justice and morality; to secure employment for its members and to uphold the dignity of labor; and to assist employers in the theme park, entertainment venues and their restaurants and related industries in all legitimate ways.

**Section 3** Wherever a masculine pronoun occurs in these bylaws, it shall be deemed to include the feminine pronoun.

### **ARTICLE II MEMBERSHIP**

**Section 1** Membership of this organization shall consist of an unlimited number of workers in the engaged in the preparation, handling or serving of food and beverages; engaged in the performance of public housekeeping services, including all persons in related employment within the hotel, food and beverage service industries, airports, in-flight catering, railroads, convention centers, sports facilities, the racing, casino, gaming industries, and theme parks; workers employed by colleges and universities; employed by firms engaged in the production and distribution of textiles, clothing, apparel and

related products; employed by commercial laundries, dry cleaners, distribution centers, call centers, retail stores and auto parts and other related industrial manufacturers; workers engaged in the provision of services to the developmentally disabled; and shall include other persons when the security of the bargaining position requires the organization of such persons who agree to abide by the bylaws of this Local and the Workers United Constitution, as presently in effect or as hereafter amended.

**Section 2 Acquiring Membership.** A person eligible for membership and working within the jurisdiction of this Local Union, making application for membership, shall become a member of this Local and of Workers United upon receipt of the membership application and the dues and fees which may be required.

**Section 3 Passive Membership.** Any person who is a manager, owner or proprietor or any person who is employed outside the jurisdiction of this Local Union and not employed in the jurisdiction of this Local Union may be accepted for or hold membership in this Local Union only as a passive member, provided such person maintains no affiliation with a proprietors' organization hostile to this Union.

(a) Passive members shall not be entitled to voice or vote or to attend meetings of the Local Union. They shall be ineligible for election to any office in this Union or for any position as delegate representing the Union.

(b) Passive membership is hereby declared a privilege, revocable at will by the Executive Board of the Local Union or by Workers

United's President; such revocation of passive membership by Workers United's President shall not be appealable.

- (c) Any member desiring to change his/her membership status from active to passive or passive to active must appear before the Executive Board of the Local and such change in status can only be granted upon the approval of the Executive Board.

### **ARTICLE III MEETINGS**

**Section 1 Regular Meetings.** The regular membership meetings of this Local shall be held every two months in Anaheim, California, on the second Wednesday of the month. The Local may hold a single meeting or two or more sessions conducted at different times and/or locations. The sessions shall be deemed one meeting for all actions and deliberations. On any propositions for which a vote is required, such vote shall be accumulative and the total vote cast for all sessions shall constitute the local's action. The Executive Board shall set the meeting times. The membership shall be notified of the meeting schedule and the agenda for all regular and special membership meetings by posting same at the Local office, on all Local bulletin boards, and on the Local's website not less than five (5) business days prior to such meetings. The Executive Board may designate all or part of the minutes as confidential and limit posting to the Local office. All Executive Board meetings and membership meetings of this Local shall be held in accordance with Roberts Rules of Order except as otherwise noted within Section 5 of this article.

**Section 2 Special Meetings.** Special membership meetings may be called by the President, by majority vote of the Executive Board, upon the written request of 150 members in good standing, or by vote of the Union. In any case, all members shall be notified of such meeting by the President in the manner specified in Section 1. No business shall be transacted other than that for which the meeting is called.

**Section 3 Quorum.** Fifteen (15) members, accumulated from all sessions including one qualified to preside, shall constitute a quorum for the transaction of all business during membership meetings.

#### **Section 4 Order of Business**

Opening Ceremony – Flag Salute

- (a) Reading of the minutes of previous meeting
- (b) Executive Board minutes
- (c) Correspondence
- (d) Financial report
- (e) Report of President and Business Reps.
- (f) Committee reports
- (g) Unfinished business
- (h) New business
- (i) Nominations and installation
- (j) Good and welfare
- (k) Adjournment

**Section 5** Members shall be expected to attend all meetings when possible and to take an active interest in the affairs of the Union.

#### **Section 6 Shop Steward Meetings**

Shop Stewards shall meet separately once each month and shall also attend all membership meetings. The Executive Board shall set the times and places of all steward meetings. Stewards may be removed for failure to attend half or more of required meetings in one year if absent without good cause.

**Section 7** During the Good and Welfare portion of each regular meeting at least thirty (30) minutes time shall be provided for members who wish to speak publicly.

#### **ARTICLE IV OFFICERS**

**Section 1** Officers of this Local Union shall be the President, First Vice President, Second Vice President, Recording Secretary, and Treasurer. These named officers and ten additional Executive Board members shall constitute the Executive Board of the Local Union.

**Section 2 Bonding Requirement.** All officers, agents, shop stewards, and other representatives or employees of this Local Union or of any trust in which the Local Union is interested, who handle funds or other property, shall be bonded for the faithful discharge of their duties in accordance with the requirements of applicable Federal and state law and Article 22, Section 3 of the Workers United Constitution. If the premiums on said bonds are not paid by Workers United, then they shall be paid by the Local Union.

**Section 3 Shop Stewards.** The President, with the approval of the Executive Board, shall determine the necessary number of Shop Stewards for each work location or department and shall call for

elections in those areas. Members may call for a Shop Steward election in their recognized work location or department by submitting a petition to the Local Union that is signed by majority of the members in that location or department. All nominated Shop Stewards and current Shop Stewards shall be eligible to run for the positions. All Shop Stewards must take and complete a steward training course approved by the Executive Board. Shop Stewards may be removed for good cause by the President, subject to approval by the Executive Board.

## **ARTICLE V NOMINATION AND ELECTION**

**Section 1** The election of named officers and Executive Board members shall be held by secret ballot every three years in the month of May among the members in good standing in this Local Union. Good standing means that the member is current in dues or other financial obligations to the Local at the time of the election. Absentee ballots will be provided for all eligible voters of the Local who have verifiable proof that they will be absent on election-day. The Election Committee or their designated entity shall provide safeguards for these absentee ballots. No write-in votes shall be permitted.

**Section 2** Nominations shall be received every three years in the month of April. A reasonable opportunity, but no less than fifteen (15) days' notice, shall be given to the membership to nominate candidates for office.

**Section 3 Eligibility for Office**

(a) In order to be eligible to be nominated for any elected office, a member must have been an active member in continuous good standing for a period of twenty-four (24) calendar months immediately preceding nominations. Continuous good standing means that the member has not been suspended for failure to pay dues or other financial obligations to the Local.

(b) No member may be eligible to be nominated to any office in this Local Union unless he/she is employed or available for employment in the jurisdiction of this Local Union or is an officer or employee of this Local Union or of Workers United.

(c) In order for any member to be eligible to be nominated for any elected office, the member must be present at the nominating meeting or must have submitted a written statement to the Recording Secretary prior to the opening of nominations, indicating his or her willingness to accept the nomination if his or her name is proposed.

(d) No member may be nominated for more than one office.

(e) No employee of the Local Union may become a member of the Election Committee.

(f) For the first four (4) elections following approval of these Bylaws, no member who has served two (2) consecutive full terms in the same position may be nominated for that position. Such member may be nominated for another position, or if one full term has elapsed, may again be nominated for the same position.

**Section 4** The Recording Secretary, not less than fifteen (15) days prior to the date of nominations, shall mail to each member in good

standing to his or her last known home address a notice of the offices to be filled and the time, date, place and manner of submitting nominations, as well as the time, date and place of the election. The notice shall bear the signatures of the President and the Recording Secretary.

**Section 5** The election notice and the ballot shall state that the President, First Vice President, and Second Vice President shall serve, by virtue of their offices, as delegates to any SEIU and Workers United Conventions that take place during their terms.

**Section 6** All named officers and Executive Board members shall be nominated and elected by all Local members in good standing, but the Executive Board positions shall be divided amongst the following designated groups in order to provide for adequate representation of all members:

- 2 ODV
- 3 QSR, including chefs and assistants
- 3 Table Service, including chefs and assistants
- 1 Banquet
- 1 Club 33

Nominees for each Executive Board position must be employed in that position's designated group, but if there is an insufficient number of nominees from that group, then any otherwise eligible member can be nominated for the position. The ballot shall list the nominees under each designated group and the person or persons with the highest number of votes in that group shall be elected to the position.



## **Section 7**

(a) No later than ninety (90) days prior to nominations, the President and First Vice President shall appoint an Election Committee composed of five (5) members in good standing, the majority appointed by the President and the minority appointed by the First Vice President, subject to the approval of the Executive Board. No candidate for office or any officer serving out his/her term of office shall be eligible to serve on the Election Committee. No member of the Election Committee shall be involved in any way with the campaign of any candidate for office, nor shall they endorse any candidate. Three (3) members shall constitute a quorum. The Election Committee shall remain in effect until it certifies the election, and then for one more year with the power only to preserve tally records for that year.

(b) Prior to their first official meeting, the members of the Election Committee shall attend a four (4)-hour training course provided by the Local Union that is designed to present a thorough and objective overview of all labor laws, Local Union bylaws, Workers United Constitutional provisions and other guidelines that relate to their official duties. The training meeting shall be scheduled by the President no more than 7 days after the formation of the Election Committee. Any member who fails to attend the training session without a valid reason, such as medical emergency or death in the family, will be ineligible to serve.

(c) Subject to approval by the Executive Board, the Election Committee shall select a reputable third-party election service to

conduct the election, which may be by manual, mail, or electronic means, or a combination. The election must be conducted fairly and in accordance with applicable labor laws, Local 50 bylaws, and the Workers United Constitution.

(d) The Election Committee shall oversee and approve all aspects of the election, including but not limited to, polling methods and locations, ballot designs and type of ballot, all election notices, and monitoring of campaign practices by candidates and their supporters. The Election Committee shall pass on the eligibility of all candidates and their decision shall be subject to appeal to the Workers United GEB. The Election Committee shall hear election appeals and make every reasonable effort to consider all evidence related to an appeal. The Local Union shall not interfere with the duties of the Election Committee, but shall assist it, whenever asked by the Committee, in a manner consistent with its bylaws and the Workers United Constitution.

**Section 8** Any candidate shall have the right to have an observer at the polls and at the counting of the ballots. All observers must be active members in good standing in this Local Union.

**Section 9** The votes cast by members of this Local shall be counted and the results for each office shall be announced and published separately. The Election Committee shall preserve for one year the ballots and all other records pertaining to the election. The Election Committee shall have access to all election records for the purpose of legitimate investigation, and shall assure that all original election

documents remain in the possession of the Election Committee for one year from the election date.

**Section 10** The installation of all persons elected shall take place as soon as possible following the certification of the election, but in no event later than the last day of the month of the election.

## **ARTICLE VI VACANCIES**

**Section 1** A vacancy in the position of President, First Vice President, Second Vice President, Recording Secretary, and Treasurer shall be filled for the remainder of the term by the next named officer in line in the order specified in this Section. The last remaining vacancy shall be filled for the remainder of the term by appointment of the President, subject to the approval of the Executive Board.

**Section 2** A vacancy in any other position on the Executive Board shall be filled for the remainder of the term by appointment of the President, subject to the approval of the Executive Board.

## **ARTICLE VII DELEGATES**

**Section 1** Where permitted, delegates to all bodies with which the Local Union votes to affiliate shall be appointed by the President subject to approval of the Executive Board and ratification by the membership.

**Section 2** Delegates to SEIU's and Workers United's Conventions may be nominated and elected at the same time as the regular nomination and election of officers is held if there is a Convention scheduled

during that term of office and so long as the ballot clearly indicates that the candidate is running for election as both a local union officer and as a delegate to the Convention. In any event, delegates to the Convention shall be elected not less than 90 days prior to the date of the Convention.

**Section 3** The procedures and requirements, including the notice pertaining to the nomination and election of officers as set forth in these bylaws, shall (where necessary) apply equally to the nomination and election of delegates to the Convention and all other bodies.

## **ARTICLE VIII DUTIES OF OFFICERS**

**Section 1 President.** The President shall be the chief executive officer of the Local Union and shall be salaried. The President shall perform the following duties:

(a) He/she shall preside at all regular and special membership meetings and at all meetings of the Executive Board. He/she shall have the authority to call special meetings of the Executive Board. He/she shall take such action as he/she deems necessary to preserve order and decorum.

(b) He/she shall appoint the majority of all committees. He/she shall be a member ex officio of all committees.

(c) He/she shall co-sign all checks for payment of money from Union funds. He/she shall sign all documents required by the Local and Workers United for the protection and welfare of the members.

(d) He/she shall, by virtue of his/her office, be a delegate to the SEIU and Workers United Conventions and a delegate to all other bodies with which the Local Union affiliates.

(e) He/she shall compile or cause to be compiled under his/her direction and supervision reports to Workers United as required by Workers United's Constitution, Article 8, Section 11.

(f) He/she shall be the official representative of the Local Union in all collective bargaining with employers for wages and working conditions. He/she shall serve as chairperson of all negotiating committee. He/she may delegate his/her negotiating authority to a representative of the Local Union, who shall act under his/her direction and supervision.

(g) He/she shall employ or terminate business agents and other employees needed by the Union. The compensation of said employees shall be recommended by the President and approved by the Executive Board.

(h) He/she shall assign tasks and direct the organizational work of all staff members. He/she shall do his/her utmost to enlarge the membership of the Union.

(i) He/she shall visit or cause to be visited under his/her direction and supervision all establishments under contract with this Local. He/she shall endeavor to maintain congenial relations between employers and members of the Union and to obtain employment for all job applicants.

(j) He/she shall, when feasible, keep regular office hours for the convenience of the members, as well as the employers, and perform such other duties as may be required of him/her.

(k) He/she shall thoroughly train or cause to be thoroughly trained all union officers as to their full responsibilities of office.

(l) He/she shall have charge of and attend to all official correspondence of the Union, impress the seal thereon and keep on file a copy of all such correspondence. He/she shall attend to all clerical work of the office unless otherwise provided for. He/she shall counter-sign all working and withdrawal cards.

## **Section 2 First and Second Vice Presidents.**

The First and Second Vice Presidents shall aid and assist the President in the discharge of his/her duties and in preserving order and decorum in the Local. He/she shall perform such other duties as may be consistent with his/her office. The First Vice President, or if absent, the Second Vice President, shall preside over all meetings in the absence of the President and, for the time being, be invested with the same power as though he/she were President.

## **Section 3 Recording Secretary.**

He/she shall have responsibility for maintaining and overseeing the Local's website and bulletin boards, and publishing all Local communications to members as approved by the President. He/she shall keep a complete record of all committees and officers of the Local Union. He/she shall notify all committee members of their appointment. He/she shall take or cause to be taken a true and faithful

record of the proceedings of the Local Union's meetings which shall be transcribed in the minute book provided for that purpose by the Local. He/she shall call the roll of all officers present at all meetings and record the attendance in the minute book. He/she shall publish the minutes of all membership meetings as required by these bylaws and shall insure that the minutes shall be readily and freely available at the Local office to all members in good standing where such members will be allowed to freely examine them.

**Section 4 Treasurer.** The Treasurer shall perform the following duties:

(a) He/she shall compile or cause to be compiled under his/her direction and supervision the Local Union's membership records, as required by Workers United's Constitution.

(b) Subject to review by the Executive Board, , he/she shall keep or cause to be kept a complete and accurate set of books in such a manner that it will show all of the business transactions of the Union, including its income and expenditures and its assets and liabilities. By appointment, but without unreasonable delay, those books shall be readily and freely available to all members of the Union at the Local Union office where members will be allowed to freely examine those books.

(c) He/she shall make a financial report to the membership at each regular meeting, giving an official accounting of all monies collected and expended by the Union.

(d) He/she shall assist the President in the collection of or cause to be collected all fines, dues and any other fees due the Union and shall give official receipt for all monies collected. He/she shall pay the routine operating expenses of the Union by check. He/she shall co-sign all checks for disbursements of Union funds. It shall be his/her duty to make prompt deposits of all monies in a bank designated by the Executive Board, except for an amount of petty cash to be determined by the Executive Board.

(e) He/she shall perform duties assigned to him/her by the President.

## **Section 5            Executive Board.**

The Executive Board shall consist of the President, First Vice President, Second Vice President, Recording Secretary, Treasurer, and ten (10) additional elected Executive Board members. The Executive Board shall meet monthly and a majority of the Executive Board shall constitute a quorum for the transaction of all business. The Executive Board shall perform the following duties:

(a) Between regular meetings the Executive Board shall be the governing body of the Union. It shall have complete authority between meetings of the Union as may be exercised by the Union under the Workers United Constitution and these bylaws.

(b) All applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation, which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting.



The Executive Board shall determine and approve the compensation of the President, all Local employee compensation, and all stipends, lost time wages, and expense reimbursements paid to members. No stipend granted to a delegate or other member for services performed in representing the Local shall exceed the highest negotiated wage rate (or tip average) earned by any member covered by any collective bargaining agreement with the Local.

(c) All plans for the ownership or long term lease of real estate or the use of any of the funds of the Local or its members for such purposes shall be first recommended by the Executive Board and submitted to the membership for final approval by a two-thirds majority of those members present.

Whenever this Local Union, a trust fund, corporation or other entity created directly or indirectly from funds derived from the Local Union or its membership enters into a plan for the ownership, sale, encumbrance, remodeling or lease exceeding three years of real estate or uses any of its own or its members' funds for such purposes, the entire plan, including any trust agreements, articles of incorporation, corporate bylaws, contracts and leases, shall be subject to approval of the Workers United Secretary Treasurer before becoming effective.

This Local Union or other such entity may not establish or participate in a plan to hold real estate which does not permit Workers United to audit fully the building funds in the same manner as the Local Union's assets are audited.

(d) Any Executive Board Member that misses 6 Executive Board Meetings in one term, or has 3 unexcused Executive Board Meetings

in one term without good cause, are subject to removal from the Executive Board. Removal of an Executive Board Member from the Executive Board will be reviewed and approved by the Executive Board.

## **ARTICLE IX DUTIES OF MEMBERS**

**Section 1** Members shall obey all lawful orders of the officers of this Union and of Workers United or its representative.

**Section 2** Members shall not work for wages below the scale adopted by the Union and shall abide by all working conditions contained in the working agreement adopted by the Union. Members must ascertain the wages and conditions to be received and shall immediately report all violations to the Union office.

**Section 3** All active members shall do such picket duty as may be necessary to bring successfully to conclusion any strikes or organizing programs declared by the Union. The Treasurer shall keep a rotating picket list so that all members shall do an equal amount of picketing.

**Section 4** All members are responsible for maintaining their monthly dues payments. Members must notify the Local of any medical leave of absence.

## **ARTICLE X TRIALS AND APPEALS**

**Section 1** No member of this Local may be fined, suspended, expelled or otherwise disciplined, except for non-payment of dues, by this

Local or any of its officers unless such member has been (a) served with written specific charges; (b) given a reasonable time to prepare his/her defense; and (c) afforded a full and fair hearing as set forth in this Article.

**Section 2** A member or officer of this Local shall be subject to charges and to stand trial when charged with violating these bylaws or the Workers United Constitution. The procedure and requirements of said charges, trials and appeals shall be as set forth in Article 17 of the Workers United Constitution.

### **Section 3**

The President and the First Vice President shall jointly appoint a trial board of five (5) members in good standing, the President the majority and the First Vice President the minority, to hear the charges and to render a decision, unless the Executive Board finds, after assuming the charging parties' facts to be true, that the charges fail to allege actions which would constitute violations of the Workers United Constitution or the Local Union bylaws, or finds that the charges are of such a nature that the interest of the Local Union does not justify the expenditure of time, money, and other resources necessary for the conduct of a disciplinary hearing. If the Executive Board makes either of the findings referenced above, the charges shall be dismissed. The Recording Secretary shall notify the accused of the charges by sending him/her a copy thereof by registered mail or by delivering a copy of the charges to the accused personally. The accused shall be notified of the time, date and place of the trial and shall be allowed not less than ten days from the time of such notice for the preparation

of a defense. Each side shall procure the attendance of its witnesses. When the accused is found guilty, the penalty may be a fine for strikebreaking, suspension, expulsion, limitation to hold office or attend meetings, any combination of the foregoing or such other penalty as the determining authority may deem appropriate.

**Section 4** The decision and penalty of the trial board shall be approved or modified at the next regular meeting of the Local before becoming effective.

**ARTICLE XI FINANCES**

**Section 1 Initiation fees.** The initiation fee of the Local shall be in accordance with the following schedule:

Classification	Amount
All Crafts Initiation	\$50.00
All Crafts Reinitiating	\$30.00

The Executive Board may recommend increases in the initiation fee, which shall be subject to approval by a majority of the members in good standing voting in a secret ballot election, after reasonable notice of the intention to vote on such question.

**Section 2** Dues are owed monthly. Any member being two calendar months in arrears for the payment of any dues, assessments or fines shall be considered automatically suspended from membership. The Local shall attempt to notify the member of his or her suspension, but whether or not notice is received, the member shall remain suspended until all amounts due are paid or the member and the

Treasurer have entered into a mutual agreement providing for payment of all amounts due.

**Section 3** Reinstatement to membership in this Local Union shall be made in accordance with the procedures set forth in the Workers United Constitution, Article 14, §5, Article 15 § 5. and § 7.

**Section 4 Dues.**

The regular monthly dues of this Local shall be \$2.00 per shift up to a maximum of \$32.00 per month. The Executive Board may recommend increases in the dues, which shall be subject to approval by a majority of the members in good standing voting in a secret ballot election, after reasonable notice of the intention to vote on such question.

**ARTICLE XII AMENDMENTS**

**Section 1** All proposed amendments to these bylaws must be in writing, proposed by the Executive Board or signed by 150 members in good standing with the Local and read at three consecutive meetings and voted upon at the 3<sup>rd</sup> meeting. After the first reading, the proposed amendment must be posted on the bulletin board until final action. A two-thirds majority vote of members present at the 3<sup>rd</sup> meeting shall be required to adopt an amendment. No amendment shall become effective until approved by Workers United's President.

**Section 2** The procedure outlined in Section 1 above shall be fully applicable to increases in dues or initiation fees, except it shall require a majority vote by secret ballot on such 3<sup>rd</sup> meeting day after

reasonable written notice of intent to vote on the increase is given to the membership. The amendment, as set forth in the notice, is not subject to change after the notice is sent.

**Section 3** Rules of order or order of business may be amended by a two-thirds vote of the membership present.

### **ARTICLE XIII WORKERS UNITED CONSTITUTION**

**Section 1** The terms and provisions of Workers United's Constitution and any amendments thereto shall be binding upon this Local Union, its officers and members, as if fully set forth herein.

**Section 2** Any provisions of these bylaws which are in conflict with Workers United's Constitution or state or Federal law shall be of no force or effect.

### **ARTICLE XIV TRUSTEES.**

**Section 1** A Chair of Trustees and two Trustees shall be elected at the same time and in the same manner as officers.

**Section 2** The Trustees shall be responsible for publishing an annual report to the membership describing the assets and liabilities of the Local and for overseeing an annual audit of the Local's financial books and records, such audit to be conducted by a reputable third-party auditor approved by the Executive Board. The Trustees shall certify that the books of all officers desiring to resign are properly balanced and audited and that any of the Local's business, which might have been entrusted to those officers, has been properly

completed and accepted by the Local before the resignation can be accepted. In connection with their report and audit responsibilities, all books, papers, documents, and money belonging to the Local which any Local officers or members might have in their possession shall be made available to the Trustees for inspection at designated times.