

SUBMITTED BY: MH/MR/OVH Assembly

SUBJECT: Staff

RATIONALE: Section 1(B) – The Executive Director of OCSEA cannot be terminated by a majority vote.

BE IT RESOLVED THAT ARTICLE X, SECTION 1(B) OF THE OCSEA CONSTITUTION BE AMENDED AS FOLLOWS:

1 **Article X - Staff**

2
3 **Section 1. Executive Director/Comptroller**

4 (A) The Board of Directors shall employ and fix the compensation and tenure of an
5 Executive Director and a Comptroller at the next regular Board of Directors' meeting following
6 the biennial convention for a duration not to exceed three (3) years to take effect at the expiration
7 of present contracts. Both shall be directly and exclusively accountable to the Board of Directors
8 for their performance of their respective duties.

9 (B) **THE EXECUTIVE DIRECTOR SHALL ONLY BE REMOVED BY A**
10 **MAJORITY VOTE.** ~~The Executive Director and/or Comptroller shall only be removed by a~~
11 ~~2/3 vote of the total State Board of Directors.~~

12 **Section 2. Responsibilities of the Executive Director**

13 The Executive Director, at the direction of the Board of Directors, shall be responsible for
14 the general management of the Union except for those duties directly assigned to the Comptroller
15 or found elsewhere in this Constitution. The Executive Director shall employ, determine the
16 duties, and fix the compensations of an administrative staff. However, any changes pertinent to
17 the structure or organization shall be submitted to the Board of Directors for approval prior to
18 implementation. The compensation of such employees shall be limited to the funds available in
19 the personnel services item of the budget.

20 **Section 3. Contracting for Services**

21 No officer, Board of Directors' member or employee may contract for the Union for any
22 service or item of tangible personal property exceeding \$5,000 other than routine salary
23 arrangements or routine operating expenses, nor endorse any issue or program, excluding
24 legislative bills, for the Union without the approval of a majority of the Board of Directors. Any

Committee Assign _____ Committee Recommend _____ Convention Action _____ Requires 2/3 Vote

25 such contracted work required by the Union above \$5,000 is to be put out for bid. Special efforts
26 shall be made to contract with Union firms or minority firms.

27 **Section 4. Appeal Rights**

28 Each Union non-contract staff member shall have a right to an appeal before a mutually
29 agreed upon uneven number of members from the Board of Directors, in case of layoff,
30 demotion, termination, reduction in pay, status, or suspension. This shall also be the final step of
31 the grievance procedure. Any decision reached shall be final.