

SUBMITTED BY: District 5 Council

SUBJECT: State Officers

RATIONALE: Section 3 – To change election of state officers to mail ballots and allow all members in good standing to vote on their leadership.

BE IT RESOLVED THAT ARTICLE III, SECTION 3(A) OF THE OCSEA CONSTITUTION BE AMENDED AS FOLLOWS:

1 **Article III – State Officers**

2 **Section 1. Composition**

3 The state officers of this Union shall consist of President, a Vice President, and a
4 Secretary-Treasurer. At the discretion of the state officers and with the approval of the Board, the
5 President may work up to full-time for the union and the Vice President and Secretary-Treasurer
6 may work up to one-half time for the union.

7 **Section 2. Qualifications**

8 (A) The state officers of this Union shall be active employees within any bargaining unit
9 represented by OCSEA and active members of the union for a period of at least two (2)
10 continuous years immediately preceding their election or appointment and shall have been active
11 members of the Union for a period of at least two continuous years immediately preceding their
12 election or appointment and shall be nominated and elected or appointed as hereinafter provided.

13 (B) No candidate for an office in the Union shall be nominated, elected or appointed if
14 convicted of a felony within five years after completion of sentence and/or probation preceding
15 nomination for a given office.

16 (C) Affiliation with a competing labor organization by a state officer after election shall
17 be deemed an automatic resignation and shall disqualify a member from nomination, election,
18 appointment to or maintenance of the office.

19 (D) Candidates running for state office shall have the opportunity to announce their
20 intentions in the OCSEA Publication three (3) months before the regular biennial convention.
21 Each candidate may submit up to 200 words as long as the language is not defamatory towards
22 other candidates.

23 **Section 3. Election of Officers**

24 (A) ~~The state officers shall be elected at every second regular biennial convention and~~
25 ~~shall serve a four (4) year term.~~ **THE OFFICERS SHALL BE ELECTED BY MAIL-OUT**

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26 **BALLOT. BALLOTS SHALL BE MAILED TO ALL MEMBERS IN GOOD**
27 **STANDING. STATEWIDE OFFICERS SHALL SERVE A FOUR (4) YEAR TERM.**

28 (B) Membership dues money from Chapters, District Councils, assemblies, or the Union,
29 including the AFL-CIO and AFSCME, shall not be used in election campaigns for union offices.

30 **Section 4. Office Vacancy Succession**

31 Should a vacancy occur during the term of the office of President, the Vice President
32 shall move up automatically, and the resultant vacancy of Vice President shall be filled by action
33 of the Board of Directors. Should a vacancy occur during the term of office of the Vice President
34 or Secretary-Treasurer, the resultant vacancy in either position shall be filled by action of the
35 Board of Directors.

36 **Section 5. Vacancy Definition**

37 A vacancy in office shall exist whenever an elected or appointed state officer is not in
38 active pay status for one hundred and eighty (180) days, unless a longer period is recommended
39 by the Judicial and Internal Affairs Committee and approved by the Board of Directors.

40 Resignation or retirement from public service will result in an automatic vacancy.

41 **Section 6. Restrictions of State Officers**

42 The state officers shall not retain, be elected to or be appointed to any Chapter, District
43 Council or Assembly elective office, except for stewards.

44 **Section 7. Removal from Office**

45 Any state officer may only be removed for the reasons set forth in Article XIII, Section 1
46 – Charges, or by a two-thirds (2/3) vote by secret ballot of the certified delegates present and
47 voting at any regular biennial convention of this Union, or any special convention called for that
48 purpose. These sanctions may only be imposed with due process pursuant to OCSEA State By-
49 Laws Article IX, Section 2.

50 **Section 8. Executive Committee**

51 The President, Vice President and Secretary-Treasurer shall comprise the Executive
52 Committee.

53 **Section 9. Duties of the State Officers**

54 **A. Duties of the President**

55 The President shall be the Chief Executive Officer of the Union and shall oversee the
56 affairs of the Union in accordance with the State Constitution, with the policy decisions of the

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57 Convention, and the Board of Directors. The duties of the President shall include but are not
58 limited to the following:

- 59 1. Presides at all meeting(s) of the Union, including but not limited to, Conventions,
60 Board of Directors meetings and Executive Committee meetings.
- 61 2. Appoints Standing Committee Chairperson(s), with the approval of the Board of
62 Directors, and assigns members to Standing Committees.
- 63 3. Appoints special committees as necessary.
- 64 4. Assigns Chapters to Board members.
- 65 5. Appoints a retired member to the Board of Directors to represent retirees. The term
66 of the retired member shall run concurrently with that of the President.
- 67 6. All checks issued by the Union shall be signed by the President and the Secretary-
68 Treasurer or their designees.
- 69 7. Perform generally such other duties as usually pertain to this office, and those duties
70 and functions specified in the Sate Constitution and State By-Laws.

71 **B. Duties of the Vice President**

72 The Vice President shall assist the President when called upon to do so in the
73 performance of his/her duties. In the absence or disability of the President, the Vice President
74 shall perform the duties of the President.

75 **C. Duties of the Secretary-Treasurer**

76 The Secretary-Treasurer shall be the chief financial and recording state officer of the
77 Union. The Secretary-Treasurer shall be responsible for supervising and directing the activities
78 of the Comptroller's office in accordance with the provisions of the State Constitution and policy
79 decisions of the Convention and the State Board of Directors. The duties of the Secretary-
80 Treasurer include:

- 81 1. Chair of the Finance Committee.
- 82 2. Oversight of the taking of minutes at all Board of Directors' meetings.
- 83 3. Oversight of all Chapter, District Council, and Assembly audits.
- 84 4. Responsibility to see that a timely audit is performed by an outside accounting firm.
- 85
- 86 5. Oversight of all financial correspondence relating to the organization.
- 87 6. Provide a copy of the minutes to the Chapter, District Council, and Assembly

- 88 Secretaries, pursuant to Article II, Section 3 of the OCSEA State By-Laws.
- 89 **7.** In the case of absence or disability of both the President and the Vice President, the
- 90 Secretary-Treasurer shall perform the duties of the President.
- 91 **8.** All checks issued by the Union shall be signed by the President and the Secretary-
- 92 Treasurer or their designees.
- 93 **9.** Performance of other such duties as may be requested by the Board of Directors or
- 94 the State Constitution and State By-Laws.
- 95 Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.