

SUBMITTED BY: Fort Defiance Chapter 2000

SUBJECT: Board of Directors

RATIONALE: Section 5 – That OCSEA conduct the State Board election to be done the same way as the public election. In fairness to all candidates running for state board of directors. If there are four candidates on the ballot, there are to be four different rotation of the ballot.

BE IT RESOLVED THAT NEW ARTICLE IV, SECTION 5(C) OF THE OCSEA CONSITUTION BE ADDED AS FOLLOWS:

1 **Article IV - Board of Directors**

2 **Section 1. Composition of Board**

3 (A) The Board of Directors shall consist of the state officers of the Union, one
4 representative from each district for each one/twenty-fifth (1/25), or major fraction thereof, of
5 the total active Union members in the state but no less than two (2) representatives from each
6 district and one retiree representative.

7 (B) The number of members eligible for election to the Board of Directors shall be
8 limited to one person from either a governmental entity or Chapter in the district in which the
9 Chapter is located.

10 (C) No vacancy shall exist by virtue of a failure of a district to elect the number of
11 Board of Directors members to which it is entitled.

12 (D) If a state bargaining unit, or aggregation of local government bargaining units,
13 consisting of at least one/twenty-fifth (1/25) of the total active membership is not represented by
14 an officer or member of the Board, a special Board seat shall be added to the Board and shall be
15 filled by election by the Board from among nominees who are active members in such
16 bargaining unit. Procedures for such election shall be the same as those used to fill a vacancy on
17 the Board.

18 **Section 2. Powers of Board/Source**

19 The Board of Directors shall be the governing body of the Union between conventions.
20

21 **Section 3. Qualifications for Board Membership**

22 (A) Only such employees who are active members of the Union for a period of at least
23 two (2) continuous years immediately prior to election or appointment shall be eligible for
24 election or appointment to the Board of Directors.

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

25 **(B)** Board of Directors members must be employees within jurisdictions represented by
26 OCSEA in order to run for the Board, be appointed or elected to any state office or seat on the
27 Board of Directors, or to maintain their seat on the Board, or to maintain their office. The only
28 exception would be a retiree sitting on the Board specifically representing retirees.

29 **(C)** No candidate for a seat on the Board of Directors in the Union shall be nominated,
30 elected or appointed if convicted of a felony within five (5) years after completion of sentence
31 and/or probation preceding the nomination for such seat.

32 **(D)** Affiliation with a competing labor organization shall disqualify a member from
33 nomination, election, appointment to or maintenance of a seat on the Board of Directors.

34 **Section 4. Board Districts**

35 The districts of the Union, for the purpose of electing Board of Directors members, shall
36 be as defined in the State By-Laws Article II, Section 4. In so doing, consideration shall be given
37 to the relative number of members residing in such districts.

38 **Section 5. Election to the Board**

39 **(A)** The authority for the conduct of Board of Directors' elections is defined in the
40 Constitution. All active members shall vote in the district which contains the Chapter to which
41 the member is assigned, regardless of their place of residence.

42 **(B)** An outside accounting firm shall be hired to handle all district elections to the Board
43 of Directors. It shall be the responsibility of said firm to prepare the ballot, mail to member's
44 address, collect, tabulate, and certify the results of election to the officers and all Board of
45 Directors members as well as all candidates. The firm shall be selected by the Board of
46 Directors. Ballots shall be mailed to a member's address and shall be returned to the selected
47 firm within 15 days. The ballots shall include the last acceptable postmark date by which ballot
48 must be returned.

49 **(C) STATE BOARD ELECTION BALLOTS SHALL BE ROTATED.**

50 **Section 6. Declaration of Vacancy**

51 **(A)** Any officer, or Board of Directors member, or presidential appointee, who fails to
52 attend two consecutive regular Board meetings without excuse and/or submitting, prior to a
53 board meeting, a written reason acceptable to the Board, shall be deemed to have vacated the
54 office.

55 **(B)** Positions on the Board of Directors shall be elected in the following manner:

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

56 (1) One-half (as nearly as possible, the exact number to be determined by the Board of
57 Directors) shall be elected for a three (3) year term or until successors are elected, qualified and
58 installed, said term to commence with the next regular Board of Directors meeting.

59 (2) One half (the remaining half) shall be elected for a three (3) year term or until
60 successors are elected, qualified and installed, said term to commence with the next regular
61 Board of Directors meeting.

62 (3) In accordance with Section 6(B)(1) and (2) above the terms shall be as follows:

63 YEAR ELECTED	63 TERM EXPIRATION
64 2005	64 2008
65 2006	65 No Elections Held
66 2007	66 2010
67 2008	67 2011

68 **Section 7. Term of Office**

69 All persons elected to positions on the Board of Directors shall serve a three (3) year
70 term.

71 **Section 8. Vacancy in Office**

72 A vacancy in office shall exist whenever a Board of Directors member is removed for
73 just cause or is involuntarily off the public payroll in excess of ninety (90) days, for other than a
74 medical leave of absence. No vacancy shall exist by virtue of illness, job abolishment, transfer,
75 layoff or any austerity program, or while any appeal of an employer action is in progress.
76 However, this section in no other way alters the qualifications for Board membership as provided
77 in Article IV, Section 3(B) upon expiration of such member's term. In the event of a leave of
78 absence, an appropriate period may be recommended by the Judicial and Internal Affairs
79 Committee and then may be approved by the Board of Directors.

80 **Section 9. Board Meetings/Quorum**

81 A majority of the Board of Directors shall constitute a quorum for the purpose of
82 conducting and transacting business. Meetings of the Board of Directors shall be held bi-monthly
83 at such times and places as it may determine. Special meetings may also be called as provided
84 for in the State By-Laws Article II, Section 2.

85 **Section 10. Corporate Action**

86 Members of the Board of Directors shall constitute the Board of Trustees as provided in
87 the statutes for the purpose of corporate action.

88 **Section 11. Notice of Board Members to Subordinate Bodies**

89 After the Board of Directors' election, the Executive Director shall publish in the OCSEA
90 Publication and send a list of the names, addresses, districts served, and department by which
91 employed, of all members of the Board of Directors and the state officers to the president of each
92 Chapter, Assembly and District Council.

93 **Section 12. Board Expenses**

94 Expenses for Board of Directors members shall be paid by the Union. Expenses incurred
95 by Officers, Board of Directors members, Board Committees and Committee members, and
96 those serving on such Union bodies, as well as those officers and agents of all Subordinate Union
97 bodies, shall be reimbursed in the manner set forth in the State By-Laws Article II, Section 1(D).

98 No expenses for Board of Directors or officers shall be paid without a receipt or adequate
99 explanation in writing. Records of expenses for Board of Directors and officers shall be retained
100 on file at OCSEA's Central Office for members' viewing during normal business hours.

101 **Section 13. Recall of Board Members**

102 Any Board of Directors member except the President, Vice President, Secretary-
103 Treasurer may be recalled by an affirmative vote of two-thirds (2/3) of the members of that
104 district voting. The recall shall be conducted pursuant to OCSEA State By-Laws Article X.