

1. State Constitution, Article II – Membership; Section 2 and 3 – OCSEA Board of Directors
2. State Constitution, Article II – Membership; Section 6 – OCSEA Board of Directors
3. State Constitution, Article II – Membership; Section 7 and 8 – OCSEA Board of Directors
4. State Constitution, Article III – State Officers; Section 2 – OCSEA Board of Directors
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9. State Constitution, Article IV – Board of Directors; Section 6 – OCSEA Board of Directors
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16. State Constitution, Article XIV – Contract Ratification; Section 4 – OCSEA Board of Directors
17. State Constitution, Article XV – Trusteeships; Section 1 – OCSEA Board of Directors
18. State Constitution, Article XV– Trusteeships; Section 3 – OCSEA Board of Directors
19. By-Laws, Article I – Membership; Section 1 – OCSEA Board of Directors
20. By-Laws, Article II – Board of Directors; Section 1 – Delaware Chapter 2100
21. By-Laws, Article III – Conduct of Board of Director's Elections; Section 2 – OCSEA Board of Directors
22. By-Laws, Article III – Conduct of Board of Director's Elections; Section 4 – OCSEA Board of Directors
23. Subordinate Body Constitution, Article IX – Duties; Section 3 – OCSEA Board of Directors
24. Subordinate Body Constitution, Article X – Business; Section 3 – District 5
25. Subordinate Body Constitution, Article XI – Meetings; Section 7 – OCSEA Board of Directors
26. Subordinate Body Constitution, Article XIV – New Article; – Delaware Chapter 2100



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §2 and §3

RATIONALE: Clarifies that Life and Retired Members who re-enter OCSEA-covered employment must rejoin the union and pay regular dues. Temporarily suspending their Life or Retired Membership during active employment ensures fairness, maintains union solidarity, and supports consistent membership standards.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article II - Membership**

**Section 1. Active Member**

(A) Union membership shall be restricted to those employees within the jurisdiction of OCSEA, and within OCSEA bargaining units. The Union shall have the following classes of membership which are defined below.

(B) Active members shall be all members not otherwise classified and shall include any members who go on authorized leave subject to dues payment. Dues shall be paid by active members through payroll deduction, cash, money order and/or check payment, or any other electronic means

(C) Dues for active members shall be fixed in the Constitution and dues for all other membership classes shall be set forth in the State By-Laws, Article I.

**Section 2. Life Member**

A Life member is a retired OCSEA member who, for a period of at least five consecutive years immediately prior to retirement, was an active member of OCSEA and for whom a Chapter files an application for life membership. The Chapter must agree to have dues deducted annually from the Chapter's per capita refund. Life membership shall not be available to those persons affiliated with a competing labor organization and shall cease should the retiree re-enter the workforce in a management/exempt position.

**In the event a Life Member re-enters the workforce in a bargaining unit position covered by OCSEA, their life membership will be temporarily suspended for the duration of their employment.**

In the event, by vote of the General Body, a chapter decides to revoke life member status, a letter must be sent to the affected member informing them of the decision of the chapter and of

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §2 and §3

RATIONALE: Clarifies that Life and Retired Members who re-enter OCSEA-covered employment must rejoin the union and pay regular dues. Temporarily suspending their Life or Retired Membership during active employment ensures fairness, maintains union solidarity, and supports consistent membership standards.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

the member's right to assume retired member status. A copy of the letter shall be forwarded to the State Secretary-Treasurer.

### Section 3. Retired Member

Membership is open to any retired employee who was an active OCSEA member at the time of retirement. Retired members shall have all rights and privileges of an active member, except the right to seek office as a president or vice president and to vote on ratification of a collective bargaining agreement. Retiree membership shall not be available to those persons affiliated with a competing labor organization. A retired member is responsible for payment of his/her own dues on an annual basis.

**In the event a Retired Member re-enters the workforce in a bargaining unit position covered by OCSEA, their retired membership will be temporarily suspended for the duration of their employment.**

### Section 4. Honorary Member

An Honorary Member has no voting privileges and cannot hold any appointed or elected office within OCSEA. An honorary member is appointed by the President with the approval of the Board of Directors.

### Section 5. Member-At-Large

Any OCSEA member who accepts employment with the AFL-CIO or any associated organization, such as but not limited to labor representative at United Way, will be able to maintain membership in OCSEA by payment on a quarterly basis of the dues amount last paid by the individual while an active member.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §2 and §3

RATIONALE: Clarifies that Life and Retired Members who re-enter OCSEA-covered employment must rejoin the union and pay regular dues. Temporarily suspending their Life or Retired Membership during active employment ensures fairness, maintains union solidarity, and supports consistent membership standards.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

49 **Section 6. Associate Membership**

50       Upon request, associate membership may be offered to groups or former OCSEA  
51 members as determined by the OCSEA State Board of Directors. Amount of dues, payment of  
52 dues and eligibility for benefits for Associate Members shall be determined by the OCSEA State  
53 Board of Directors. An Associate Member has no voting privilege, cannot hold any appointed or  
54 elected office, or serve on any committees within OCSEA.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §6

RATIONALE: Allows members who have been disability separated to maintain their union membership as long as they retain reinstatement rights under the Ohio Revised Code and continue paying dues. It also grants them the ability to vote and hold elected or appointed office (excluding president and vice president), aligning their rights with those of retirees and life members. This change ensures that members who are temporarily separated due to disability can remain engaged and active within the union.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article II - Membership**

**Section 1. Active Member**

(A) Union membership shall be restricted to those employees within the jurisdiction of OCSEA, and within OCSEA bargaining units. The Union shall have the following classes of membership which are defined below.

(B) Active members shall be all members not otherwise classified and shall include any members who go on authorized leave subject to dues payment. Dues shall be paid by active members through payroll deduction, cash, money order and/or check payment, or any other electronic means

(C) Dues for active members shall be fixed in the Constitution and dues for all other membership classes shall be set forth in the State By-Laws, Article I.

**Section 2. Life Member**

A Life member is a retired OCSEA member who, for a period of at least five consecutive years immediately prior to retirement, was an active member of OCSEA and for whom a Chapter files an application for life membership. The Chapter must agree to have dues deducted annually from the Chapter's per capita refund. Life membership shall not be available to those persons affiliated with a competing labor organization and shall cease should the retiree re-enter the workforce in a management/exempt position.

In the event, by vote of the General Body, a chapter decides to revoke life member status, a letter must be sent to the affected member informing them of the decision of the chapter and of the member's right to assume retired member status. A copy of the letter shall be forwarded to the State Secretary-Treasurer.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §6

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BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

24

25 **Section 3. Retired Member**

26       Membership is open to any retired employee who was an active OCSEA member at the  
27 time of retirement. Retired members shall have all rights and privileges of an active member,  
28 except the right to seek office as a president or vice president and to vote on ratification of a  
29 collective bargaining agreement. Retiree membership shall not be available to those persons  
30 affiliated with a competing labor organization. A retired member is responsible for payment of  
31 his/her own dues on an annual basis.

32

33 **Section 4. Honorary Member**

34       An Honorary Member has no voting privileges and cannot hold any appointed or elected  
35 office within OCSEA. An honorary member is appointed by the President with the approval of  
36 the Board of Directors.

37

38 **Section 5. Member-At-Large**

39       Any OCSEA member who accepts employment with the AFL-CIO or any associated  
40 organization, such as but not limited to labor representative at United Way, will be able to  
41 maintain membership in OCSEA by payment on a quarterly basis of the dues amount last paid by  
42 the individual while an active member.

43

44 **Section 6. Associate Membership**

45       Upon request, associate membership may be offered to groups or former OCSEA  
46 members as determined by the OCSEA State Board of Directors. **This shall include members**



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §6

RATIONALE: Allows members who have been disability separated to maintain their union membership as long as they retain reinstatement rights under the Ohio Revised Code and continue paying dues. It also grants them the ability to vote and hold elected or appointed office (excluding president and vice president), aligning their rights with those of retirees and life members. This change ensures that members who are temporarily separated due to disability can remain engaged and active within the union.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

47 **who have been disability separated, provided they retain reinstatement rights to their**  
48 **position under the Ohio Revised Code and continue to pay 67% of their dues at the time of**  
49 **disability separation.** Amount of dues, payment of dues and eligibility for benefits for Associate  
50 Members shall be determined by the OCSEA State Board of Directors. An Associate Member  
51 has no voting privilege, cannot hold any appointed or elected office, or serve on any committees  
52 within OCSEA **except an Associate Members who was disability separated shall have the**  
53 **right to vote and may hold elected or appointed subordinate body office, except for the**  
54 **positions of president or vice president, consistent with the provisions for retiree and life**  
55 **members.**



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §7 and §8

RATIONALE: Clarifies the distinction between non-members and individuals who have formally opted out of OCSEA membership. While non-members may be new or uninformed, opt-outs have made an affirmative decision to decline union affiliation. Defining these groups separately allows OCSEA to tailor outreach efforts and apply policies appropriately. It also authorizes the Board of Directors to establish reasonable restrictions on individuals who seek to rejoin after opting out, helping to protect the integrity of member-only benefits and leadership roles.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article II - Membership**

**Section 1. Active Member**

(A) Union membership shall be restricted to those employees within the jurisdiction of OCSEA, and within OCSEA bargaining units. The Union shall have the following classes of membership which are defined below.

(B) Active members shall be all members not otherwise classified and shall include any members who go on authorized leave subject to dues payment. Dues shall be paid by active members through payroll deduction, cash, money order and/or check payment, or any other electronic means

(C) Dues for active members shall be fixed in the Constitution and dues for all other membership classes shall be set forth in the State By-Laws, Article I.

**Section 2. Life Member**

A Life member is a retired OCSEA member who, for a period of at least five consecutive years immediately prior to retirement, was an active member of OCSEA and for whom a Chapter files an application for life membership. The Chapter must agree to have dues deducted annually from the Chapter's per capita refund. Life membership shall not be available to those persons affiliated with a competing labor organization and shall cease should the retiree re-enter the workforce in a management/exempt position.

In the event, by vote of the General Body, a chapter decides to revoke life member status, a letter must be sent to the affected member informing them of the decision of the chapter and of

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §7 and §8

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BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

the member's right to assume retired member status. A copy of the letter shall be forwarded to the State Secretary-Treasurer.

**Section 3. Retired Member**

Membership is open to any retired employee who was an active OCSEA member at the time of retirement. Retired members shall have all rights and privileges of an active member, except the right to seek office as a president or vice president and to vote on ratification of a collective bargaining agreement. Retiree membership shall not be available to those persons affiliated with a competing labor organization. A retired member is responsible for payment of his/her own dues on an annual basis.

**Section 4. Honorary Member**

An Honorary Member has no voting privileges and cannot hold any appointed or elected office within OCSEA. An honorary member is appointed by the President with the approval of the Board of Directors.

**Section 5. Member-At-Large**

Any OCSEA member who accepts employment with the AFL-CIO or any associated organization, such as but not limited to labor representative at United Way, will be able to maintain membership in OCSEA by payment on a quarterly basis of the dues amount last paid by the individual while an active member.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article II – Membership; §7 and §8

RATIONALE: Clarifies the distinction between non-members and individuals who have formally opted out of OCSEA membership. While non-members may be new or uninformed, opt-outs have made an affirmative decision to decline union affiliation. Defining these groups separately allows OCSEA to tailor outreach efforts and apply policies appropriately. It also authorizes the Board of Directors to establish reasonable restrictions on individuals who seek to rejoin after opting out, helping to protect the integrity of member-only benefits and leadership roles.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 6. Associate Membership**

Upon request, associate membership may be offered to groups or former OCSEA members as determined by the OCSEA State Board of Directors. Amount of dues, payment of dues and eligibility for benefits for Associate Members shall be determined by the OCSEA State Board of Directors. An Associate Member has no voting privilege, cannot hold any appointed or elected office, or serve on any committees within OCSEA.

**Section 7. Non-Member and Opt-Out Distinction**

**For the purpose of determining rights, access, and obligations, the term non-member shall refer to any current bargaining unit employee who is not an active, retired, life, associate, or honorary member of OCSEA.**

**A non-member shall not be presumed to have rejected union membership unless they have submitted a written request to opt out of union membership. Any individual who has submitted such a request shall be considered an opt-out and may be subject to policies, exclusions, or limitations established by the Board of Directors,**

**Section 8. Rejoining After Opt-Out**

**An individual who has previously submitted a formal request to opt out of OCSEA membership and later seeks to rejoin may be subject to restrictions, as established by the Board of Directors.**



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article III – State Officers; §2

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

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

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

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

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

**Section 3. Election of Officers**

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article III – State Officers; §2

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(A) The state officers shall be elected at every second regular biennial convention and shall serve a four (4) year term.

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

#### **Section 4. Office Vacancy Succession**

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

#### **Section 5. Vacancy Definition**

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

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

#### **Section 6. Restrictions of State officers**

The state officers shall not retain, be elected to or be appointed to any Chapter, District Council or Assembly elective office, except for steward and/ or delegate.

#### **Section 7. Removal of Office**



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article III – State Officers; §2

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

**Section 8. Executive Committee**

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

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

**A. Duties of the President**

The President shall be the Chief Executive Officer of the Union and shall oversee the affairs of the Union in accordance with the State Constitution, the policy decisions of the Convention, and the Board of Directors. The duties of the President shall include but are not limited to the following:

1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
2. Appoints Standing Committee Chairperson(s), with the approval of the Board of Directors, and assigns members to Standing Committees.
3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.
6. All checks issued by the Union shall be signed by the President and the Secretary-

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article III – State Officers; §2

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 74                   Treasurer or their designees.
- 75               7. Generally performs such other duties as usually pertain to this office.
- 76               8. At the Direction of the Board of Directors, the President shall be responsible for the
- 77                   general management of the union, except for those duties directly assigned to the
- 78                   Comptroller or found elsewhere in this Constitution. The President shall employ,
- 79                   determine the duties and fix the compensation of an administrative staff. However,
- 80                   any changes pertinent to the structure or organization shall be submitted to the Board
- 81                   of Directors for approval prior to implementation. The compensation of such
- 82                   employees shall be limited to the funds available in the personnel services item of
- 83                   the budget.

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

85               The Vice President shall assist the President when called upon to do so in the

86               performance of his/her duties. In the absence or disability of the President, the Vice

87               President shall perform the duties of the President.

88               The duties of the Vice President shall include:

- 89               (1) Oversight of all trusteeships and oversight designations that may be imposed by the
- 90                   State Board of Directors.
- 91               (2) Assisting all new members of the State Board of Directors.
- 92               (3) Assisting in organizing, both internal and external, pursuant to the annual strategic
- 93                   plan as developed by the State Board of Directors.
- 94               (4) Performance of other such duties as may be requested by the Board of Directors or
- 95                   the State Constitution and State By-laws.

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

97               The Secretary-Treasurer shall be the chief financial and recording state officer of the

98               Union. The Secretary-Treasurer shall be responsible for supervising and directing the

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article III – State Officers; §2

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 99 activities of the Comptroller's office in accordance with the provisions of the State  
100 Constitution and policy decisions of the Convention and the State Board of Directors. The  
101 duties of the Secretary-Treasurer include:
- 102 1. Chair of the Finance Committee.
  - 103 2. Oversight of the taking of minutes at all Board of Directors' meetings.
  - 104 3. Oversight of all Chapter, District Council, and Assembly audits.
  - 105 4. Responsibility to see that a timely audit is performed by an outside accounting  
106 firm.
  - 107 5. Oversight of all financial correspondence relating to the organization.
  - 108 6. Providing an electronic copy of the minutes via the website to the Chapter,  
109 District Council, and Assembly Secretaries, pursuant to Article II, Section 3 of  
110 the OCSEA State By-Laws.
  - 111 7. In the case of absence or disability of both the President and the Vice President,  
112 the Secretary-Treasurer shall perform the duties of the President.
  - 113 8. All checks issued by the Union shall be signed by the President and the  
114 Secretary-Treasurer or their designees.
  - 115 9. Performance of other such duties as may be requested by the Board of Directors  
116 or the State Constitution and State By-Laws.
- 117 Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

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

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

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

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

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 3. Election of Officers**

(A) The state officers shall ~~be elected at every second regular biennial convention and shall~~ serve a four (4) year term and shall be sworn in at the regular biennial convention following the vote by the membership of OCSEA during an election year.

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

**Section 4. Nominations**

(A) Nominations for state officers (OCSEA President, OCSEA Vice President, and OCSEA Secretary/Treasurer) shall be made on nominating petitions which shall be available in the Union office and shall be furnished to any member upon written request during the period March 1st through May 1st, of each election year. If May 1st falls on a Saturday, Sunday, or holiday, the petitions must be furnished to the member by the close of business on the next regularly scheduled business day. The petition must be completed and returned to the Union office by the close of business on June 1st. If June 1st falls on a Saturday, Sunday, or holiday, the petition must be returned to the Union office by the close of business on the next regularly scheduled business day.

(B) All nominating petitions shall, when returned, be accompanied by at least two (2) written Chapter endorsements, which shall be obtained at a regular or special Chapter meeting at which a quorum is present and entered into the minutes of such Chapter. The written endorsement must be signed by one of the Chapter's elected officers or board members present, and the secretary recording such minutes at such meeting.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**(C) Nominating petitions for state officer (OCSEA President, OCSEA Vice President, and OCSEA Secretary/Treasurer) candidates must contain the signatures of at least thirty (30) members in good standing in each OCSEA District, with exception of the District which includes the Chapter to which the candidate is permanently assigned. The nominating petitions for state officer (OCSEA President, OCSEA Vice President, and OCSEA Secretary/Treasurer) candidates must contain the signatures of at least one hundred (100) members or ten (10) percent, whichever is less, of the members in good standing in the District which includes the Chapter to which the candidate is permanently assigned. For the purpose of this section, a member shall be considered in good standing based upon the records in the Union office as of March 1st of the particular year.**

**(D) A candidate shall not submit a completed nomination petition for more than one (1) state officer position in an election year.**

**Section 5. Eligibility/Election Committee**

**(A) Not later than March 1st, the State President shall appoint a State Officer Election Committee from among the members of the Judicial and Internal Affairs (JIAC) and other Membership Committees for the purpose of determining the eligibility of candidates and overseeing the election. The State Officer Election Committee shall be made up of at least 6 members plus a chairperson. The State Officer Election Committee shall have a maximum of 3 members of the Judicial and Internal Affairs committee and at least 3 members from other Membership Committees. If any irregularities are found with the petitions, this committee shall meet on the Saturday following June 1st. Candidates' names shall be listed in alphabetical order on the ballots per state office. The State Officer**

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Election Committee shall remain in session until the candidates are declared elected and sworn in at the OCSEA Biennial Convention during the election year.**

**(B) Candidates whose petitions are rejected for any reason shall be notified in writing as to the reason for the rejection within 7 days of the rejection. Any registered petition rejected shall be so certified by the Judicial Internal Affairs Committee (JIAC) and State Officer Election Committee, and a copy of such certification shall be forwarded to the State Board of Directors and all OCSEA Subordinate Body Presidents.**

**Section 6. Ballot Information and Mailing**

**(A) Not later than June 15th, ballots for the election of each OCSEA State Officer (OCSEA President, OCSEA Vice President, and OCSEA Secretary/Treasurer) shall be mailed to each member who is in good standing on June 1st of the election year at the mailing address on record with the Union as of that date. The ballots for each OCSEA State Officer position shall not be included in the same envelope (and return envelope) as the State Board of Director elections. Ballots shall contain the name, employing agency, and years of membership for all candidates as determined by union records on June 1st. Written instructions, a plain ballot envelope and a postage-paid, pre-addressed return envelope shall be included with the mailing of ballots to eligible voters. A deadline for the return of ballots shall be clearly indicated in the voting instructions, which deadline shall be at least twenty (20) calendar days after the date ballots are mailed to eligible voters.**

**(B) All active members shall vote in the district which contains the Chapter to which the member is assigned, regardless of their place of residence.**

**(C) An outside accounting firm shall be hired to handle state officer elections. It shall be the responsibility of said firm to prepare the ballot, mail to member's address,**



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BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**collect, tabulate, and certify the results of election to the biennial convention delegates and all active members, as well as all candidates. The firm shall be selected by the Board of Directors. Ballots shall be mailed to a member's address and shall be returned to the selected firm within 20 days. The ballots shall include the last acceptable postmark date by which ballot must be returned.**

**(D) JIAC may explore and recommend that the Board of Directors consider implementing electronic and/or phone voting options that will allow greater participation from members.**

#### **Section 7 4. Office Vacancy Succession**

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

#### **Section 8 5. Vacancy Definition**

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

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

#### **Section 9 6. Restrictions of State officers**

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

The state officers shall not retain, be elected to or be appointed to any Chapter, District Council or Assembly elective office, except for steward and/ or delegate.

**Section 10 7. Removal of Office**

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

**Section 11 8. Executive Committee**

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

**Section 12 9. Duties of the State Officers**

**A. Duties of the President**

The President shall be the Chief Executive Officer of the Union and shall oversee the affairs of the Union in accordance with the State Constitution, the policy decisions of the Convention, and the Board of Directors. The duties of the President shall include but are not limited to the following:

1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
2. Appoints Standing Committee Chairperson(s), with the approval of the Board of Directors, and assigns members to Standing Committees.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.
6. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
7. Generally performs such other duties as usually pertain to this office.
8. At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted to the Board of Directors for approval prior to implementation. The compensation of such employees shall be limited to the funds available in the personnel services item of the budget.

**B. Duties of the Vice President**

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

The duties of the Vice President shall include:

- (1) Oversight of all trusteeships and oversight designations that may be imposed by the State Board of Directors.
- (2) Assisting all new members of the State Board of Directors.
- (3) Assisting in organizing, both internal and external, pursuant to the annual strategic

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 166                    plan as developed by the State Board of Directors.
- 167                    (4) Performance of other such duties as may be requested by the Board of Directors or
- 168                    the State Constitution and State By-laws.
- 169                    **C. Duties of the Secretary-Treasurer**
- 170                    The Secretary-Treasurer shall be the chief financial and recording state officer of the
- 171                    Union. The Secretary-Treasurer shall be responsible for supervising and directing the
- 172                    activities of the Comptroller's office in accordance with the provisions of the State
- 173                    Constitution and policy decisions of the Convention and the State Board of Directors. The
- 174                    duties of the Secretary-Treasurer include:
- 175                    1. Chair of the Finance Committee.
- 176                    2. Oversight of the taking of minutes at all Board of Directors' meetings.
- 177                    3. Oversight of all Chapter, District Council, and Assembly audits.
- 178                    4. Responsibility to see that a timely audit is performed by an outside accounting
- 179                    firm.
- 180                    5. Oversight of all financial correspondence relating to the organization.
- 181                    6. Providing an electronic copy of the minutes via the website to the Chapter,
- 182                    District Council, and Assembly Secretaries, pursuant to Article II, Section 3 of
- 183                    the OCSEA State By-Laws.
- 184                    7. In the case of absence or disability of both the President and the Vice President,
- 185                    the Secretary-Treasurer shall perform the duties of the President.
- 186                    8. All checks issued by the Union shall be signed by the President and the
- 187                    Secretary-Treasurer or their designees.
- 188                    9. Performance of other such duties as may be requested by the Board of Directors
- 189                    or the State Constitution and State By-Laws.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §3

RATIONALE: Every member should have a right to run and/or vote for the OCSEA State Officer positions of this Union. If OCSEA can allow every member to vote for the State Board of Directors, they can allow every member to vote for the State President, Vice President, and Secretary/Treasurer.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

190           Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §8

RATIONALE: Being an elected officer in this Union is a privilege and not a career improvement. No hard-earned dues monies should be paid out for an additional salary, wages, compensation, pay supplement, and/or stipend and needs to stop immediately. The members are struggling financially, and their dues should not be used for the advancement of a state officer (Executive Committee member) or help to provide an unfair advantage for state officer elections by having extra income to help campaign, travel, purchase gifts, campaign mailings, hospitality rooms, etc.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

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

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

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

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

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §8

RATIONALE: Being an elected officer in this Union is a privilege and not a career improvement. No hard-earned dues monies should be paid out for an additional salary, wages, compensation, pay supplement, and/or stipend and needs to stop immediately. The members are struggling financially, and their dues should not be used for the advancement of a state officer (Executive Committee member) or help to provide an unfair advantage for state officer elections by having extra income to help campaign, travel, purchase gifts, campaign mailings, hospitality rooms, etc.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

23

24 **Section 3. Election of Officers**

25 (A) The state officers shall be elected at every second regular biennial convention and  
26 shall serve a four (4) year term.

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

30

31 **Section 4. Office Vacancy Succession**

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

37

38 **Section 5. Vacancy Definition**

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

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

43

44 **Section 6. Restrictions of State officers**



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §8

RATIONALE: Being an elected officer in this Union is a privilege and not a career improvement. No hard-earned dues monies should be paid out for an additional salary, wages, compensation, pay supplement, and/or stipend and needs to stop immediately. The members are struggling financially, and their dues should not be used for the advancement of a state officer (Executive Committee member) or help to provide an unfair advantage for state officer elections by having extra income to help campaign, travel, purchase gifts, campaign mailings, hospitality rooms, etc.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

The state officers shall not retain, be elected to or be appointed to any Chapter, District Council or Assembly elective office, except for steward and/ or delegate.

#### **Section 7. Removal of Office**

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

#### **Section 8. Salary and Wage Supplement/Stipend**

**No state officer or Executive Committee member (as defined in Article III Section 8 – Executive Committee of the OCSEA State Constitution), shall receive any additional salary, wage supplement, overtime, and/or stipend for holding elected office throughout their elected term. State officers and Executive Committee members shall only receive their state wages for the state position they hold as salary and compensation for their elected duties. This does not include the vehicle allowance, travel expense reimbursement, education benefit, or phone/internet reimbursement as established through OCSEA State Board Policy and the OCSEA Budget. No state board policy shall override this section of the OCSEA State Constitution on wages, salary, and/or compensation. This section shall take effect immediately upon the close of the OCSEA Biennial Convention in 2025.**

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §8

RATIONALE: Being an elected officer in this Union is a privilege and not a career improvement. No hard-earned dues monies should be paid out for an additional salary, wages, compensation, pay supplement, and/or stipend and needs to stop immediately. The members are struggling financially, and their dues should not be used for the advancement of a state officer (Executive Committee member) or help to provide an unfair advantage for state officer elections by having extra income to help campaign, travel, purchase gifts, campaign mailings, hospitality rooms, etc.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

67

68 **Section 2 8. Executive Committee**

69 The President, Vice President and Secretary-Treasurer shall comprise the Executive  
70 Committee.

71

72 **Section 10 9. Duties of the State Officers**

73 **A. Duties of the President**

74 The President shall be the Chief Executive Officer of the Union and shall oversee  
75 the affairs of the Union in accordance with the State Constitution, the policy decisions of  
76 the Convention, and the Board of Directors. The duties of the President shall include but  
77 are not limited to the following:

- 78 1. Presides at all meeting(s) of the Union, including but not limited to, Conventions,  
79 Board of Directors meetings and Executive Committee meetings.
- 80 2. Appoints Standing Committee Chairperson(s), with the approval of the Board of  
81 Directors, and assigns members to Standing Committees.
- 82 3. Appoints special committees as necessary.
- 83 4. Assigns Chapters to Board members.
- 84 5. Appoints a retired member to the Board of Directors to represent retirees. The term  
85 of the retired member shall run concurrently with that of the President.
- 86 6. All checks issued by the Union shall be signed by the President and the Secretary-  
87 Treasurer or their designees.
- 88 7. Generally performs such other duties as usually pertain to this office.

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SUBJECT: State Constitution – Article III – State Officers; §8

RATIONALE: Being an elected officer in this Union is a privilege and not a career improvement. No hard-earned dues monies should be paid out for an additional salary, wages, compensation, pay supplement, and/or stipend and needs to stop immediately. The members are struggling financially, and their dues should not be used for the advancement of a state officer (Executive Committee member) or help to provide an unfair advantage for state officer elections by having extra income to help campaign, travel, purchase gifts, campaign mailings, hospitality rooms, etc.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

8. At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted to the Board of Directors for approval prior to implementation. The compensation of such employees shall be limited to the funds available in the personnel services item of the budget.

**B. Duties of the Vice President**

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

The duties of the Vice President shall include:

- (1) Oversight of all trusteeships and oversight designations that may be imposed by the State Board of Directors.
- (2) Assisting all new members of the State Board of Directors.
- (3) Assisting in organizing, both internal and external, pursuant to the annual strategic plan as developed by the State Board of Directors.
- (4) Performance of other such duties as may be requested by the Board of Directors or the State Constitution and State By-laws.

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

The Secretary-Treasurer shall be the chief financial and recording state officer of the

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §8

RATIONALE: Being an elected officer in this Union is a privilege and not a career improvement. No hard-earned dues monies should be paid out for an additional salary, wages, compensation, pay supplement, and/or stipend and needs to stop immediately. The members are struggling financially, and their dues should not be used for the advancement of a state officer (Executive Committee member) or help to provide an unfair advantage for state officer elections by having extra income to help campaign, travel, purchase gifts, campaign mailings, hospitality rooms, etc.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 111 Union. The Secretary-Treasurer shall be responsible for supervising and directing the  
112 activities of the Comptroller's office in accordance with the provisions of the State  
113 Constitution and policy decisions of the Convention and the State Board of Directors. The  
114 duties of the Secretary-Treasurer include:
- 115 1. Chair of the Finance Committee.
  - 116 2. Oversight of the taking of minutes at all Board of Directors' meetings.
  - 117 3. Oversight of all Chapter, District Council, and Assembly audits.
  - 118 4. Responsibility to see that a timely audit is performed by an outside accounting  
119 firm.
  - 120 5. Oversight of all financial correspondence relating to the organization.
  - 121 6. Providing an electronic copy of the minutes via the website to the Chapter,  
122 District Council, and Assembly Secretaries, pursuant to Article II, Section 3 of  
123 the OCSEA State By-Laws.
  - 124 7. In the case of absence or disability of both the President and the Vice President,  
125 the Secretary-Treasurer shall perform the duties of the President.
  - 126 8. All checks issued by the Union shall be signed by the President and the  
127 Secretary-Treasurer or their designees.
  - 128 9. Performance of other such duties as may be requested by the Board of Directors  
129 or the State Constitution and State By-Laws.
- 130 Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §9

RATIONALE: The OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director. The President is elected by Union members represented by their elected Delegates at Convention. The President is NOT hired by OCSEA to run day to day business of the OCSEA office nor be in charge of hiring of, firing of, or giving raises to OCSEA Staff and Managers. The President is elected to represent members, their interests, and fight on their behalf with the state with regards to our contract. The Staff are hired to assist officers and members of the Union. When there is a conflict and difference of opinion, the President should not be the one to choose a side of the members or the staff. This is a conflict of interest. The President should ALWAYS be on the side of the members and the Chief Executive Officer/Executive Director should ALWAYS be in charge of staff.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article III – State Officers**

**Section 1. Composition**

The President, Vice President and Secretary-Treasurer of OCSEA, AFSCME, Local 11 shall be placed on full time administrative leave with pay to conduct union business. The union shall reimburse the employer for all costs associated with placing the employees on administrative leave with pay.

**Section 2. Qualifications**

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

(B) No potential candidate shall be nominated, elected or appointed for any office in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

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

(D) Candidates running for state office shall have the opportunity to announce their intentions in the OCSEA Publication three (3) months before the regular biennial convention.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §9

RATIONALE: The OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director. The President is elected by Union members represented by their elected Delegates at Convention. The President is NOT hired by OCSEA to run day to day business of the OCSEA office nor be in charge of hiring of, firing of, or giving raises to OCSEA Staff and Managers. The President is elected to represent members, their interests, and fight on their behalf with the state with regards to our contract. The Staff are hired to assist officers and members of the Union. When there is a conflict and difference of opinion, the President should not be the one to choose a side of the members or the staff. This is a conflict of interest. The President should ALWAYS be on the side of the members and the Chief Executive Officer/Executive Director should ALWAYS be in charge of staff.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

21 Each candidate may submit up to two hundred (200) words, as long as the language is not  
22 defamatory towards other candidates.

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24 **Section 3. Election of Officers**

25 (A) The state officers shall be elected at every second regular biennial convention and  
26 shall serve a four (4) year term.

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

30

31 **Section 4. Office Vacancy Succession**

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

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38 **Section 5. Vacancy Definition**

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

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §9

RATIONALE: The OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director. The President is elected by Union members represented by their elected Delegates at Convention. The President is NOT hired by OCSEA to run day to day business of the OCSEA office nor be in charge of hiring of, firing of, or giving raises to OCSEA Staff and Managers. The President is elected to represent members, their interests, and fight on their behalf with the state with regards to our contract. The Staff are hired to assist officers and members of the Union. When there is a conflict and difference of opinion, the President should not be the one to choose a side of the members or the staff. This is a conflict of interest. The President should ALWAYS be on the side of the members and the Chief Executive Officer/Executive Director should ALWAYS be in charge of staff.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

**Section 6. Restrictions of State officers**

The state officers shall not retain, be elected to or be appointed to any Chapter, District Council or Assembly elective office, except for steward and/ or delegate.

**Section 7. Removal of Office**

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

**Section 8. Executive Committee**

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

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

**A. Duties of the President**

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

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: Delaware Chapter 2100

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RATIONALE: The OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director. The President is elected by Union members represented by their elected Delegates at Convention. The President is NOT hired by OCSEA to run day to day business of the OCSEA office nor be in charge of hiring of, firing of, or giving raises to OCSEA Staff and Managers. The President is elected to represent members, their interests, and fight on their behalf with the state with regards to our contract. The Staff are hired to assist officers and members of the Union. When there is a conflict and difference of opinion, the President should not be the one to choose a side of the members or the staff. This is a conflict of interest. The President should ALWAYS be on the side of the members and the Chief Executive Officer/Executive Director should ALWAYS be in charge of staff.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

1. Presides at all meeting(s) of the Union, including but not limited to, Conventions, Board of Directors meetings and Executive Committee meetings.
2. Appoints Standing Committee Chairperson(s), with the approval of the Board of Directors, and assigns members to Standing Committees.
3. Appoints special committees as necessary.
4. Assigns Chapters to Board members.
5. Appoints a retired member to the Board of Directors to represent retirees. The term of the retired member shall run concurrently with that of the President.
6. All checks issued by the Union shall be signed by the President and the Secretary-Treasurer or their designees.
7. Generally performs such other duties as usually pertain to this office.
8. ~~At the Direction of the Board of Directors, the President shall be responsible for the general management of the union, except for those duties directly assigned to the Comptroller or found elsewhere in this Constitution. The President shall employ, determine the duties and fix the compensation of an administrative staff. However, any changes pertinent to the structure or organization shall be submitted to the Board of Directors for approval prior to implementation. The compensation of such employees shall be limited to the funds available in the personnel services item of the budget.~~

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



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BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**B. Duties of the Vice President**

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

The duties of the Vice President shall include:

- (1) Oversight of all trusteeships and oversight designations that may be imposed by the State Board of Directors.
- (2) Assisting all new members of the State Board of Directors.
- (3) Assisting in organizing, both internal and external, pursuant to the annual strategic plan as developed by the State Board of Directors.
- (4) Performance of other such duties as may be requested by the Board of Directors or the State Constitution and State By-laws.

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

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

1. Chair of the Finance Committee.
2. Oversight of the taking of minutes at all Board of Directors' meetings.
3. Oversight of all Chapter, District Council, and Assembly audits.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article III – State Officers; §9

RATIONALE: The OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director. The President is elected by Union members represented by their elected Delegates at Convention. The President is NOT hired by OCSEA to run day to day business of the OCSEA office nor be in charge of hiring of, firing of, or giving raises to OCSEA Staff and Managers. The President is elected to represent members, their interests, and fight on their behalf with the state with regards to our contract. The Staff are hired to assist officers and members of the Union. When there is a conflict and difference of opinion, the President should not be the one to choose a side of the members or the staff. This is a conflict of interest. The President should ALWAYS be on the side of the members and the Chief Executive Officer/Executive Director should ALWAYS be in charge of staff.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 105           4. Responsibility to see that a timely audit is performed by an outside accounting  
106           firm.
- 107           5. Oversight of all financial correspondence relating to the organization.
- 108           6. Providing an electronic copy of the minutes via the website to the Chapter,  
109           District Council, and Assembly Secretaries, pursuant to Article II, Section 3 of  
110           the OCSEA State By-Laws.
- 111           7. In the case of absence or disability of both the President and the Vice President,  
112           the Secretary-Treasurer shall perform the duties of the President.
- 113           8. All checks issued by the Union shall be signed by the President and the  
114           Secretary-Treasurer or their designees.
- 115           9. Performance of other such duties as may be requested by the Board of Directors  
116           or the State Constitution and State By-Laws.
- 117           Upon the Secretary-Treasurer's request, staff shall be made available to the Comptroller.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IV – Board of Directors**

**Section 1. Composition of Board**

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

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

(C) No vacancy shall exist by virtue of a failure of a District to elect the number of Board of Directors members to which it is entitled. In the event such a failure occurs, a non-voting District Representative shall be selected pursuant to Board Policy.

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

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

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

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

22

23 **Section 3. Emergency Powers**

24 (A) In the event of an emergency, as declared by the State Board of Directors, that  
25 impacts the ability of OCSEA to conduct its business and affairs (e.g. global pandemic, state of  
26 emergency, other declared emergency, etc.), the State Board of Directors may temporarily revise  
27 and/or adopt provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body  
28 Constitution.

29 Said provisions may be approved at a regular or special meeting of the Board of  
30 Directors.

31 (B) Notice of this Meeting shall be displayed prominently on the OCSEA website and  
32 distributed by any other available electronic media. Said notice shall include all Subordinate  
33 Body Presidents.

34 (C) All proposed changes must be presented in writing. A quorum must be present. It  
35 shall require a two-third (2/3) vote of all members of the State Board to revise and/or adopt the  
36 temporary provisions.

37 (D) All changes shall be posted on the OCSEA website, **published in the PEQ, mailed**  
38 **to subordinate body officers,** and distributed via any electronic media immediately following  
39 the meeting.

40 (E) If passed, these temporary provisions will remain in effect for the length of the  
41 emergency situation or until the Board rescinds, if earlier than the end of the emergency. Any

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

temporary, emergency measures still in place at the time of the next biennial convention shall be presented to the Convention for consideration or sunset at the close of the Convention.

#### **Section 4. Qualifications for Board Membership**

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

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

(C) No potential candidate shall be nominated, elected or appointed for a seat on the Board of Directors in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

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

#### **Section 5. Board Districts**

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

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

63

64 **Section 6. Election to the Board**

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

68 (B) An outside accounting firm shall be hired to handle all district elections to the Board  
69 of Directors. It shall be the responsibility of said firm to prepare the ballot, mail to member's  
70 address, collect, tabulate, and certify the results of election to the officers and all Board of  
71 Directors members, as well as all candidates. The firm shall be selected by the Board of  
72 Directors. Ballots shall be mailed to a member's address and shall be returned to the selected  
73 firm within 20 days. The ballots shall include the last acceptable postmark date by which ballot  
74 must be returned.

75 (C) JIAC may explore and recommend that the Board of Directors consider implementing  
76 electronic and/or phone voting options that will allow greater participation from members.

77

78 **Section 7. Declaration of Vacancy**

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

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

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

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

91                   (3) In accordance with Section 67(B)(1) and (2) above the terms shall be as  
92                   follows:

<u>YEAR ELECTED</u>	<u>TERM EXPIRATION</u>
2022	2025
2023	2026
2024	No elections held
2025	2028
2026	2029

100   **Section 8. Term of Office**

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

104   **Section 9. Vacancy in Office**

Committee Assign       Committee Recommend       Convention Action       Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

113

114 **Section 10. Board Meetings/Quorum**

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

119

120 **Section 11. Corporate Action**

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

123

124 **Section 12. Notice of Board Members to Subordinate Bodies**



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article IV – Board of Directors; §3

RATIONALE: To ensure communication with members and subordinate bodies. Something that is an emergency or passed as an emergency should be required to be sent out immediately to all members and followed up with an update or a reminder in the next printed PEQ.

The temporary revision and/or adopted provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution should be just that; temporary. The Delegates at convention have final say for revisions and/or adopted provisions to the constitution and by-laws therefore, the temporary provisions should be brought to the floor and voted on at the next convention if the provisions need extended. If not or are not accepted, then they should sunset.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

125           After the Board of Directors' election, the Secretary-Treasurer shall publish in the  
126 OCSEA Publication and send a list of the names, addresses, districts served, and department by  
127 which employed, of all members of the Board of Directors and the state officers to the president  
128 of each Chapter, Assembly and District Council.

129

130 **Section 13. Board Expenses**

131           Expenses for Board of Directors members shall be paid by the Union. Expenses incurred  
132 by Officers, Board of Directors members, Board

133           Committees and Committee members, and those serving on such Union bodies, as well as  
134 those officers and agents of all Subordinate Union bodies, shall be reimbursed in the manner set  
135 forth in the State By-Laws Article II, Section 1(F).

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

139

140 **Section 14. Recall of Board Members**

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



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IV – Board of Directors**

**Section 1. Composition of Board**

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

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

(C) No vacancy shall exist by virtue of a failure of a District to elect the number of Board of Directors members to which it is entitled. In the event such a failure occurs, a non-voting District Representative shall be selected pursuant to Board Policy.

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

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

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

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 3. Emergency Powers**

(A) In the event of an emergency, as declared by the State Board of Directors, that impacts the ability of OCSEA to conduct its business and affairs (e.g. global pandemic, state of emergency, other declared emergency, etc.), the State Board of Directors may temporarily revise and/or adopt provisions of the OCSEA State Constitution, By-Laws and/or Subordinate Body Constitution.

Said provisions may be approved at a regular or special meeting of the Board of Directors.

(B) Notice of this Meeting shall be displayed prominently on the OCSEA website and distributed by any other available electronic media. Said notice shall include all Subordinate Body Presidents.

(C) All proposed changes must be presented in writing. A quorum must be present. It shall require a two-third (2/3) vote of all members of the State Board to revise and/or adopt the temporary provisions.

(D) All changes shall be posted on the OCSEA website and distributed via any electronic media immediately following the meeting.

(E) If passed, these temporary provisions will remain in effect for the length of the emergency situation or until the Board rescinds, if earlier than the end of the emergency. Any temporary, emergency measures still in place at the time of the next biennial convention shall be presented to the Convention for consideration.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 4. Qualifications for Board Membership**

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

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

(C) No potential candidate shall be nominated, elected or appointed for a seat on the Board of Directors in the Union if after conviction for a felony, it is less than five (5) years after completion of the sentence and/or the probation for said felony.

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

**Section 5. Board Districts**

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

**Section 6. Election to the Board**

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

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) An ~~outside accounting firm~~ independent third-party service shall be hired to ~~handle~~ conduct all district elections to the Board of Directors. This may include, but is not limited to, an outside accounting firm or election services provider. It shall be the responsibility of said ~~firm~~ service to prepare the ballot, ~~mail~~ distribute it to ~~member's address~~ members, collect, tabulate, and certify the results of election to the officers and all Board of Directors members, as well as all candidates. The ~~firm~~ service shall be selected by the Board of Directors. ~~Ballots shall be mailed to a member's address and shall be returned to the selected firm within 20 days. The ballots shall include the last acceptable postmark date by which ballot must be returned.~~

(C) If mail balloting is utilized, ballots shall be mailed to members' addresses, and returned ballots must be postmarked by the final date indicated on the ballot in order to be counted.

(D) In addition to traditional mail balloting, the Board of Directors may authorize the use of secure electronic and/or phone voting methods to allow greater participation from members, provided such methods comply with applicable policies and security protocols.

(E) The voting period shall remain open for a minimum of twenty (20) calendar days, regardless of the voting method used.

~~(C)~~(F) JIAC may explore and recommend that the Board of Directors consider implementing electronic and/or phone voting options that will allow greater participation from members.

## Section 7. Declaration of Vacancy

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

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

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

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

(3) In accordance with Section 67(B)(1) and (2) above the terms shall be as follows:

<u>YEAR ELECTED</u>	<u>TERM EXPIRATION</u>
2022	2025
2023	2026
2024	No elections held
2025	2028
2026	2029

## **Section 8. Term of Office**

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

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

119

120 **Section 9. Vacancy in Office**

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

129

130 **Section 10. Board Meetings/Quorum**

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

135

136 **Section 11. Corporate Action**

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

139

140 **Section 12. Notice of Board Members to Subordinate Bodies**

141       After the Board of Directors' election, the Secretary-Treasurer shall publish in the  
142 OCSEA Publication and send a list of the names, addresses, districts served, and department by

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article IV – Board of Directors; §6

RATIONALE: Allows OCSEA to hire either an outside accounting firm or an election service, expanding options for managing Board of Directors elections. By including election service providers, OCSEA can select from a broader range of specialized election services, ensuring flexibility to adapt to modern voting methods and meet the evolving needs of its membership.

BE IT RESOLVED THAT ARTICLE IV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

143 which employed, of all members of the Board of Directors and the state officers to the president  
144 of each Chapter, Assembly and District Council.

145

146 **Section 13. Board Expenses**

147 Expenses for Board of Directors members shall be paid by the Union. Expenses incurred  
148 by Officers, Board of Directors members, Board

149 Committees and Committee members, and those serving on such Union bodies, as well as  
150 those officers and agents of all Subordinate Union bodies, shall be reimbursed in the manner set  
151 forth in the State By-Laws Article II, Section 1(F).

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

155

156 **Section 14. Recall of Board Members**

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



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article V – Duties of Board of Directors; §4

RATIONALE: OCSEA state officers and state board of director members should not be able to create policy, constitution language interpretations, or any other provision without allowing the members of OCSEA to amend, edit, or remove those provisions. Also, any language governing the policy, procedures, constitution interpretations, etc. should be included in the Constitution. If these policies aren't approved by the members via convention delegates, they should no longer carry any weight within the Union and should sunset.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article V – Duties of Board of Directors**

**Section 1. Fiscal Responsibility**

The Board of Directors shall be responsible for an annual operating budget and such budget shall be limited to the anticipated income for a given budget period. The Board of Directors shall carry out the mandate and policies laid down by conventions, within one hundred eighty (180) days following adjournment, and shall have full power to take such actions as are necessary and expedient to attain maximum operating efficiency and to give substance to the purposes of the Union. At least twelve (12) months in advance, the Board of Directors shall fix the date and location of the regular biennial convention.

**Section 2. Bonding of Officers and Agents**

A surety bond in such amount as the Board of Directors shall determine shall be given by the Secretary-Treasurer of the Union, and such officers and employees as may be required by the Board of Directors, and the premium for such bond, or bonds, shall be paid by the Union.

**Section 3. Documents, Property, Funds Held in Trust**

All officers and members of the Board of Directors shall, upon their removal from office or their resignation or at the expiration of their terms, surrender to the Secretary-Treasurer of the Union all records, documents of a confidential nature, property and funds of the Union within their possession or control.

**Section 4. Board Policies**

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article V – Duties of Board of Directors; §4

RATIONALE: OCSEA state officers and state board of director members should not be able to create policy, constitution language interpretations, or any other provision without allowing the members of OCSEA to amend, edit, or remove those provisions. Also, any language governing the policy, procedures, constitution interpretations, etc. should be included in the Constitution. If these policies aren't approved by the members via convention delegates, they should no longer carry any weight within the Union and should sunset.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(A) All policies of the Board of Directors shall be provided to all Chapter, District Council, and Assembly presidents within sixty (60) days of their passage and shall be made easily accessible on the OCSEA website.

(B) Board policies shall expire on the eve of each Biennial Convention.

(C) All new or amended Board policies not in conflict with constitutional or by-laws changes shall resume full force and effect upon the close of each biennial convention shall be presented to the Convention Delegates for review, amendment, and approval at each Biennial Convention. If a Board Policy is not approved by the delegates of the Biennial Convention, such policy shall sunset and no longer carry any weight or effect on the members and/or officers of OCSEA. Upon approval, each individual Board Policy shall be included in OCSEA Subordinate Body Constitution, Article XIV – Convention Approved Board Policies. Each Board Policy shall be listed as a section number following the format of the OCSEA Constitution and Bylaws.

(D) Board policies which interpret constitutional or by-law provisions may only be changed by the voting percentage required to change the underlying provision, i.e., two-thirds (2/3) if it applies to a state constitutional provision or a majority if it applies to the State By-laws or Subordinate Body Constitution.

#### Section 5. Board of Directors Powers

(A) The Board of Directors shall have the power to make an official ruling and/or board policy. Such ruling or policy shall be binding on the Chapter, District Council or Assembly involved.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article V – Duties of Board of Directors; §4

RATIONALE: OCSEA state officers and state board of director members should not be able to create policy, constitution language interpretations, or any other provision without allowing the members of OCSEA to amend, edit, or remove those provisions. Also, any language governing the policy, procedures, constitution interpretations, etc. should be included in the Constitution. If these policies aren't approved by the members via convention delegates, they should no longer carry any weight within the Union and should sunset.

BE IT RESOLVED THAT ARTICLE V OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

45           (B) No member of the Board of Directors shall sit in judgment and render decisions  
46 involving any irregularity in the Chapter, District Council or Assembly of which he or she is a  
47 member.

48           (C) In the event of layoff, demotion, termination, reduction in pay, status, or suspension,  
49 each OCSEA non-contract staff member shall have the right to an appeal. The appeal shall be  
50 heard before a mutually agreed upon uneven number of members from the Board of Directors.  
51 This shall also be the final step of the grievance procedure. Any decision reached shall be final.

52

53 **Section 6. Call for Presidents' Conference**

54           The Board of Directors shall call a conference of presidents biennially, in years in which  
55 there is no regular convention.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VI – State Board Committees; §1 and §3

RATIONALE: Adds the Future of Work Committee as a standing committee ensuring OCSEA remains proactive in addressing how technology impacts public sector jobs. As tools like AI and automation evolve, the committee will provide guidance to protect members' interests, support responsible innovation, and help the union adapt through research and strategic input.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article VI – State Board Committees**

**Section 1. Standing and Special Committees**

(A) The State President shall appoint the following standing committees: Governmental Affairs Committee, Membership and Public Relations Committee, Finance Committee, Alternative Contracts Committee (ACC), Judicial and Internal Affairs Committee (JIAC), Women's Action Committee, the Committee for Minority and Community Affairs, the Education Committee, **the Future of Work Committee**, and the Veterans Advisory Committee. The State President shall appoint special committees as needed in the conduct of the Union's business. These committees shall meet on a regular basis in conjunction with the State Board meeting(s).

(B) The State President shall, with the advice and consent of the Board of Directors, appoint committee chairpersons with the exception of the Finance Committee. Said chairperson may be removed by a simple majority of a roll call vote of Board of Directors members present at a meeting.

(C) The State President may request a staff member to be assigned to each committee named in State Constitution Article VI, Section 1(A) to aid, assist and advise the committee in an ex-officio capacity with the permission of the committee chairperson concerned.

**Section 2. General Members on Board Committees**

Any active member of the Union may be appointed by the State President to serve on any committee; provided, however, that a majority of each committee, except for the Alternative Contracts Committee (ACC), must be Board of Directors members. When a Judicial and Internal Affairs Committee (JIAC) member is a member of the same chapter as either the accused or the

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VI – State Board Committees; §1 and §3

RATIONALE: Adds the Future of Work Committee as a standing committee ensuring OCSEA remains proactive in addressing how technology impacts public sector jobs. As tools like AI and automation evolve, the committee will provide guidance to protect members' interests, support responsible innovation, and help the union adapt through research and strategic input.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

charging party, that JIAC member shall not preside over or render judgment on such case which involves alleged constitutional violations.

**Section 3. Committee Duties**

Each committee shall perform such duties and assume such responsibilities as may be assigned to it by the Board of Directors or as may be delegated to it through the State Constitution or State By-Laws of this Union.

(A) The Governmental Affairs Committee shall have oversight of the Union's Legislative program and, as such, shall have oversight and general supervision of the endorsement of any candidates for public office by this Union as provided in the State By-Laws. The Governmental Affairs Committee of the Board of Directors shall constitute the OCSEA Political Action Committee (OCSEA-PAC). All expenditures of OCSEA-PAC funds shall be made only by the OCSEA-PAC or with the approval of the OCSEA-PAC in the manner adopted by the OCSEA-PAC. The OCSEA-PAC shall report its actions to the Board of Directors at its regular bi-monthly meetings. Chapter, District Council, and Assembly PAC's are prohibited.

(B) The Membership and Public Relations Committee shall review and recommend those programs, current or proposed, which deal with the recruitment and retention of the Union's membership to the Board of Directors. This committee shall also offer input regarding the Union's relations with the various media and the internal communications of the Union.

(C) The Finance Committee shall review and make recommendations regarding all finances, general resources of the Union, income and disbursements to the Board of Directors. The Finance Committee shall also review the annual budget for recommendation to the Board of Directors.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VI – State Board Committees; §1 and §3

RATIONALE: Adds the Future of Work Committee as a standing committee ensuring OCSEA remains proactive in addressing how technology impacts public sector jobs. As tools like AI and automation evolve, the committee will provide guidance to protect members' interests, support responsible innovation, and help the union adapt through research and strategic input.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

47 (D) The Alternative Contracts Committee shall (1) develop and review issues pertaining  
48 to all negotiated collective bargaining agreements other than the main state employee collective  
49 bargaining agreement and (2) have input into developing educational and informational formats  
50 dedicated to the affected membership.

51 (E) The Judicial and Internal Affairs Committee (JIAC) shall oversee the resolution of  
52 matters, except those related to staff, pertaining to disputes or irregularities at any level of the  
53 union, including but not limited to, Chapter, District Councils, and Assemblies. JIAC shall have  
54 the authority to investigate and review the continued viability of Chapters, District Councils or  
55 Assemblies due to changes in membership, size, agency mergers, work place relocations, etc.,  
56 and make the appropriate recommendations to the Board. Internal controversies conducted  
57 pursuant to Article VII of the Subordinate Body Constitution, which remain unresolved, shall  
58 then be appealable to JIAC within fifteen (15) days of the body meeting. Hearings will be held  
59 for appealed election protests, alleged constitutional violations and other issues in a timely  
60 manner and conducted pursuant to Article IX, Section 2 of the OCSEA State By-Laws. All JIAC  
61 recommendations shall be presented to the State Board for approval and inclusion in the minutes.  
62 No State officer shall be an ex-officio member of this committee.

63 (F) The Committee for Minority and Community Affairs shall develop the Union's  
64 minority affairs program. The Committee for Minority and Community Affairs shall address  
65 minority concerns within OCSEA and the community.

66 (G) The Women's Action Committee shall promote and encourage the participation and  
67 development of women in leadership roles in the Union and the workplace through on-going  
68 education and training. The committee shall also seek to inform and educate all members on the  
69 issues affecting women and the family and actively work in support of legislation impacting  
70 women and families.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VI – State Board Committees; §1 and §3

RATIONALE: Adds the Future of Work Committee as a standing committee ensuring OCSEA remains proactive in addressing how technology impacts public sector jobs. As tools like AI and automation evolve, the committee will provide guidance to protect members' interests, support responsible innovation, and help the union adapt through research and strategic input.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

71 (H) The Education Committee shall promote and have the oversight of labor education  
72 programs developed for and delivered to the Union membership.

73 (I) The Veterans Advisory Committee shall strive to protect, enhance, and promote the  
74 rights of veterans, active military personnel, and their families. It will accomplish these goals by  
75 establishing positive links with veterans' organizations, state and local agencies, and other  
76 community resources.

77 **(J) The Future of Work Committee shall explore emerging and existing technologies**  
78 **that enhance the efficiency, effectiveness, and impact of public sector employees. The**  
79 **committee shall assess technological advancements that support workers in their roles**  
80 **while ensuring that innovation strengthens rather than replaces human jobs and**  
81 **interactions. Through research, strategic recommendations, and proactive solutions, the**  
82 **committee shall promote the responsible integration of technology that preserves the**  
83 **integrity of public service and fosters collaboration between workers and innovation.**  
84

85 **Section 4. Committee Appointments**

86 Except as otherwise provided, committee appointments may be changed by the State  
87 President at any time with the advice and consent of the Board of Directors.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article VI – State Board Committees; §1

RATIONALE: To avoid the appearance of impropriety, JIAC should be made up of current state board of director members and chaired by the OCSEA Vice President. The OCSEA should not control or have the appearance of controlling JIAC because of his/her appointments to the committee. That is why the Vice President should be the chair of JIAC.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article VI – State Board Committees**

**Section 1. Standing and Special Committees**

(A) The State President shall appoint the following standing committees: Governmental Affairs Committee, Membership and Public Relations Committee, Finance Committee, Alternative Contracts Committee (ACC), Judicial and Internal Affairs Committee (JIAC), Women's Action Committee, the Committee for Minority and Community Affairs, the Education Committee, and the Veterans Advisory Committee. The State President shall appoint special committees as needed in the conduct of the Union's business. These committees shall meet on a regular basis in conjunction with the State Board meeting(s).

(B) The State President shall, with the advice and consent of the Board of Directors, appoint committee chairpersons with the exception of the Finance Committee and the Judicial and Internal Affairs Committee (JIAC). Said chairperson may be removed by a simple majority of a roll call vote of Board of Directors members present at a meeting. The OCSEA Vice President shall serve as the chairperson of the Judicial and Internal Affairs Committee (JIAC).

(C) The State President may request a staff member to be assigned to each committee named in State Constitution Article VI, Section 1(A) to aid, assist and advise the committee in an ex-officio capacity with the permission of the committee chairperson concerned.

**Section 2. General Members on Board Committees**

With the exception of the Judicial Internal Affairs Committee, Any active member of the Union may be appointed by the State President to serve on any committee; provided, however, that a majority of each committee, except for the Alternative Contracts Committee (ACC), must be Board of Directors members. When a Judicial and Internal Affairs Committee

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article VI – State Board Committees; §1

RATIONALE: To avoid the appearance of impropriety, JIAC should be made up of current state board of director members and chaired by the OCSEA Vice President. The OCSEA should not control or have the appearance of controlling JIAC because of his/her appointments to the committee. That is why the Vice President should be the chair of JIAC.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(JIAC) member is a member of the same chapter as either the accused or the charging party, that JIAC member shall not preside over or render judgment on such case which involves alleged constitutional violations. **All members of the Judicial and Internal Affairs Committee shall be members of the state board of directors.**

### Section 3. Committee Duties

Each committee shall perform such duties and assume such responsibilities as may be assigned to it by the Board of Directors or as may be delegated to it through the State Constitution or State By-Laws of this Union.

(A) The Governmental Affairs Committee shall have oversight of the Union's Legislative program and, as such, shall have oversight and general supervision of the endorsement of any candidates for public office by this Union as provided in the State By-Laws. The Governmental Affairs Committee of the Board of Directors shall constitute the OCSEA Political Action Committee (OCSEA-PAC). All expenditures of OCSEA-PAC funds shall be made only by the OCSEA-PAC or with the approval of the OCSEA-PAC in the manner adopted by the OCSEA-PAC. The OCSEA-PAC shall report its actions to the Board of Directors at its regular bi-monthly meetings. Chapter, District Council, and Assembly PAC's are prohibited.

(B) The Membership and Public Relations Committee shall review and recommend those programs, current or proposed, which deal with the recruitment and retention of the Union's membership to the Board of Directors. This committee shall also offer input regarding the Union's relations with the various media and the internal communications of the Union.

(C) The Finance Committee shall review and make recommendations regarding all finances, general resources of the Union, income and disbursements to the Board of Directors.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article VI – State Board Committees; §1

RATIONALE: To avoid the appearance of impropriety, JIAC should be made up of current state board of director members and chaired by the OCSEA Vice President. The OCSEA should not control or have the appearance of controlling JIAC because of his/her appointments to the committee. That is why the Vice President should be the chair of JIAC.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

48 The Finance Committee shall also review the annual budget for recommendation to the Board of  
49 Directors.

50 (D) The Alternative Contracts Committee shall (1) develop and review issues pertaining  
51 to all negotiated collective bargaining agreements other than the main state employee collective  
52 bargaining agreement and (2) have input into developing educational and informational formats  
53 dedicated to the affected membership.

54 (E) The Judicial and Internal Affairs Committee (JIAC) shall oversee the resolution of  
55 matters, except those related to staff, pertaining to disputes or irregularities at any level of the  
56 union, including but not limited to, Chapter, District Councils, and Assemblies. JIAC shall have  
57 the authority to investigate and review the continued viability of Chapters, District Councils or  
58 Assemblies due to changes in membership, size, agency mergers, work place relocations, etc.,  
59 and make the appropriate recommendations to the Board. Internal controversies conducted  
60 pursuant to Article VII of the Subordinate Body Constitution, which remain unresolved, shall  
61 then be appealable to JIAC within fifteen (15) days of the body meeting. Hearings will be held  
62 for appealed election protests, alleged constitutional violations and other issues in a timely  
63 manner and conducted pursuant to Article IX, Section 2 of the OCSEA State By-Laws. All JIAC  
64 recommendations shall be presented to the State Board for approval and inclusion in the minutes.  
65 No State officer shall be an ex-officio member of this committee.

66 (F) The Committee for Minority and Community Affairs shall develop the Union's  
67 minority affairs program. The Committee for Minority and Community Affairs shall address  
68 minority concerns within OCSEA and the community.

69 (G) The Women's Action Committee shall promote and encourage the participation and  
70 development of women in leadership roles in the Union and the workplace through on-going  
71 education and training. The committee shall also seek to inform and educate all members on the

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article VI – State Board Committees; §1

RATIONALE: To avoid the appearance of impropriety, JIAC should be made up of current state board of director members and chaired by the OCSEA Vice President. The OCSEA should not control or have the appearance of controlling JIAC because of his/her appointments to the committee. That is why the Vice President should be the chair of JIAC.

BE IT RESOLVED THAT ARTICLE VI OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

72 issues affecting women and the family and actively work in support of legislation impacting  
73 women and families.

74 (H) The Education Committee shall promote and have the oversight of labor education  
75 programs developed for and delivered to the Union membership.

76 (I) The Veterans Advisory Committee shall strive to protect, enhance, and promote the  
77 rights of veterans, active military personnel, and their families. It will accomplish these goals by  
78 establishing positive links with veterans' organizations, state and local agencies, and other  
79 community resources.

80

81 **Section 4. Committee Appointments**

82 Except as otherwise provided, committee appointments may be changed by the State  
83 President at any time with the advice and consent of the Board of Directors.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VII – Chapters, District Councils, and Assemblies; §4

RATIONALE: Provides a clear and consistent process for the reactivation of subordinate bodies that have been deactivated. By requiring a twelve-month waiting period for any chapter deactivated following a trusteeship, the amendment ensures time for reflection, reorganization, and stabilization before reentry. For all other deactivations, referring reactivation requests to the Judicial and Internal Affairs Committee (JIAC) adds a layer of oversight and fairness, allowing each case to be reviewed on its individual merits. This balanced approach supports accountability while maintaining flexibility for chapters that may be facing less severe challenges.

BE IT RESOLVED THAT ARTICLE VII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

1                                   **Article VII – Chapters, District Councils, and Assemblies**

2       **Section 1. Chapters**

3               The first criteria of Chapter formation shall be commonality of agency, state institution  
4 or local office. Thereafter, Chapter formation shall be based upon whether the active members of  
5 the union are employed within the same or adjacent county. Residence within the same or  
6 adjacent county shall be a third tier.

7  
8       **Section 2. District Councils**

9               District Councils may be formed in each Board district of the Union, as defined in Article  
10 II, Section 4 of the OCSEA State By-Laws, whenever a majority of the chapters within the  
11 geographic area of a Board district of the Union petitions the Board of Directors for such  
12 privilege.

13  
14       **Section 3. Assemblies**

15               Assemblies of like entities (agencies of government) may be formed by a majority of  
16 Chapters having members in such agency petitioning the Board of Directors for the  
17 establishment of such Assembly. The name of such Assembly shall reflect the agency  
18 represented, i.e. ODOT, ODJFS etc.

19  
20       **Section 4. Deactivation or Merger of Chapter, District Council, or Assembly**

21               Any Chapter, District Council or Assembly which fails, for a period of two (2)  
22 consecutive quarters, to comply with the definition of active Chapter, District Council and

Committee Assign       \_\_\_\_\_ Committee Recommend       \_\_\_\_\_ Convention Action       \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VII – Chapters, District Councils, and Assemblies; §4

RATIONALE: Provides a clear and consistent process for the reactivation of subordinate bodies that have been deactivated. By requiring a twelve-month waiting period for any chapter deactivated following a trusteeship, the amendment ensures time for reflection, reorganization, and stabilization before reentry. For all other deactivations, referring reactivation requests to the Judicial and Internal Affairs Committee (JIAC) adds a layer of oversight and fairness, allowing each case to be reviewed on its individual merits. This balanced approach supports accountability while maintaining flexibility for chapters that may be facing less severe challenges.

BE IT RESOLVED THAT ARTICLE VII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

Assembly shall receive written notice from OCSEA outlining the current status and the steps necessary to come into compliance with the definition(s) of active. Should any Chapter, District Council or Assembly fail to comply for three (3) consecutive quarters, the entire Executive Board and assigned State Board Member shall receive a letter from OCSEA stating that deactivation shall commence thirty (30) days from the date of the letter unless all deficiencies are corrected and notice sent thereof within the thirty (30) days. Notice of potential deactivation and reassignment shall be sent to all affected members.

In the case of a deactivated Chapter, all members shall be assigned to an active Chapter which most closely meets the Agency or working conditions of each employee. Any properties in the possession of a deactivated Chapter, District Council or Assembly shall become the property of the Union. Any funds currently outstanding or in the possession of a deactivated Chapter, District Council or Assembly shall be transferred on a prorated basis to the OCSEA Chapter, District Council or Assembly to which the members have now been assigned.

**A Subordinate Body that is deactivated following a period of trusteeship shall not be eligible to request reactivation for a minimum of twelve (12) months from the date of deactivation. In cases of deactivation for other reasons, any request for reactivation shall be referred to the Judicial and Internal Affairs Committee (JIAC) for review and recommendation to the Board of Directors.**

Any Chapter, District Council or Assembly may agree to merge with another Chapter, District Council or Assembly for the preservation of the rights and interests of the members of the Chapter, District Council or Assembly and of OCSEA. A request for such a merger shall be



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VII – Chapters, District Councils, and Assemblies; §4

RATIONALE: Provides a clear and consistent process for the reactivation of subordinate bodies that have been deactivated. By requiring a twelve-month waiting period for any chapter deactivated following a trusteeship, the amendment ensures time for reflection, reorganization, and stabilization before reentry. For all other deactivations, referring reactivation requests to the Judicial and Internal Affairs Committee (JIAC) adds a layer of oversight and fairness, allowing each case to be reviewed on its individual merits. This balanced approach supports accountability while maintaining flexibility for chapters that may be facing less severe challenges.

BE IT RESOLVED THAT ARTICLE VII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

forwarded to the Judicial and Internal Affairs Committee (JIAC) for review and presentation to the State Board of Directors for approval.

**Section 5. Funds and Assets**

In those instances where OCSEA affiliation no longer exists, all funds and assets remain the property of OCSEA, unless otherwise ordered by the Board of Directors.

**Section 6. President's Conference**

(A) Each active Chapter shall be entitled to send a minimum of two representatives, which includes the automatic representative in Part B. Each active Chapter is also entitled to an additional representative for each one hundred

(100) members. Members of the State Board of Directors shall be automatic representatives at the conference.

(B) The president of a Chapter, District Council or Assembly shall be an automatic representative to the President's Conference. In the event the president is unable to attend the conference as the automatic representative of the Chapter, District Council, or Assembly, then the vice-president shall be the automatic representative. In the event the vice-president is unable to attend the conference as the automatic representative of the Chapter, District Council,

or Assembly, then the secretary or secretary-treasurer shall be the automatic representative. In the event the secretary is unable to attend the conference as the automatic representative of the Chapter, District Council, or Assembly, then the treasurer shall be the automatic representative. If the Treasurer is unable to attend, a member of the executive board shall be the automatic representative based on lot.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VII – Chapters, District Councils, and Assemblies; §4

RATIONALE: Provides a clear and consistent process for the reactivation of subordinate bodies that have been deactivated. By requiring a twelve-month waiting period for any chapter deactivated following a trusteeship, the amendment ensures time for reflection, reorganization, and stabilization before reentry. For all other deactivations, referring reactivation requests to the Judicial and Internal Affairs Committee (JIAC) adds a layer of oversight and fairness, allowing each case to be reviewed on its individual merits. This balanced approach supports accountability while maintaining flexibility for chapters that may be facing less severe challenges.

BE IT RESOLVED THAT ARTICLE VII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

66 (C) At a conference of presidents, a simple majority of representatives present shall  
67 constitute a quorum.

68 (D) The conference may consider any matters for the good of the Union and make  
69 recommendations to the Board of Directors or to any future convention of the union to be given  
70 due consideration.

71  
72  
73 **Section 7. Definitions and Qualifications for Active Status**

74 Chapters, District Councils and Assemblies of the Union shall be deemed to be active  
75 Chapters, District Councils or Assemblies within the meaning of this section as follows:

76 (A) The Chapter, District Council, and Assembly shall hold at least one (1) general body  
77 meeting and one (1) executive board meeting per quarter. At least one general body or executive  
78 board meeting within two (2) consecutive quarters must have a quorum.

79 (B) Elections of officers and executive board members are timely, held within the same  
80 month every three (3) years; and

81 (C) The Chapter, District Council or Assembly has submitted approved financial reports  
82 within thirty (30) days of the end of the prior quarter to the comptroller as required.

83 (D) The Chapter, District Council and Assembly shall maintain a full complement of  
84 officers and Executive Board Members pursuant to article IV of the subordinate body  
85 constitution. Vacancies must be filled within ninety (90) days of the effective days of the  
86 vacancy.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article VII – Chapters, District Councils, and Assemblies; §4

RATIONALE: Provides a clear and consistent process for the reactivation of subordinate bodies that have been deactivated. By requiring a twelve-month waiting period for any chapter deactivated following a trusteeship, the amendment ensures time for reflection, reorganization, and stabilization before reentry. For all other deactivations, referring reactivation requests to the Judicial and Internal Affairs Committee (JIAC) adds a layer of oversight and fairness, allowing each case to be reviewed on its individual merits. This balanced approach supports accountability while maintaining flexibility for chapters that may be facing less severe challenges.

BE IT RESOLVED THAT ARTICLE VII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

- 87           (E) Chapters must have at least one (1) certified Steward current in the OCSEA  
88   database.
- 89           (F) Chapters, District Councils and Assemblies must send at least one (1) delegate to the  
90   OCSEA Biennial State Convention.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article X – Board Employees & Contract Services; §1

RATIONALE: Because the OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director due to a conflict of interest, OCSEA needs to hire an Executive Director to run the day to day business of OCSEA including office procedures, hiring, firing, and compensating employees.

In addition, it is a conflict of interest for an employee of OCSEA to hold membership and/or offices within the Union and the subordinate bodies. As staff, they are there to assist members and run OCSEA. Membership pays dues monies that are used to compensate staff. This has caused conflict at the subordinate body level with staff attempting to interfere in body business because they are a member of OCSEA.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article X – Board Employees & Contract Services**

**Section 1. Executive Director and Comptroller**

(A) The Board of Directors ~~may employ and shall fix the compensation and tenure of~~  
~~an Executive Director and~~ shall employ and fix the compensation and tenure of a an Executive  
Director and a Comptroller for a duration not to exceed three (3) years to take effect at the  
expiration of present contracts or immediately upon vacancy. Both shall be directly and  
exclusively accountable to the Board of Directors for their performance of their respective duties.

(B) The Executive Director and/or Comptroller shall only be removed by a two-thirds  
(2/3) vote of the total State Board of Directors.

(C) No state officer or state board of director member, shall be employed by and/or  
compensated by OCSEA while serving throughout their elected term. If a state officer or  
state board of director member is employed temporarily as OCSEA staff or executive  
management, they shall be required to abstain from all of their elected duties, and have  
their state officer/state board of director member benefits (e.g. education monies, travel  
expenses, wage reimbursement, etc.) paused until such time as their OCSEA staff  
employment ends or their elected term is completed, whichever occurs first. OCSEA staff  
positions in question, include but are not limited to, OCSEA Executive Director,  
Comptroller, Operations Director, and/or Project Staff. No permanent OCSEA staff or  
executive management member shall be a member of OCSEA while employed by OCSEA.

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

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires 2/3 Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Constitution – Article X – Board Employees & Contract Services; §1

RATIONALE: Because the OCSEA President should NOT act in the capacity of the Chief Executive Officer/Executive Director due to a conflict of interest, OCSEA needs to hire an Executive Director to run the day to day business of OCSEA including office procedures, hiring, firing, and compensating employees.

In addition, it is a conflict of interest for an employee of OCSEA to hold membership and/or offices within the Union and the subordinate bodies. As staff, they are there to assist members and run OCSEA. Membership pays dues monies that are used to compensate staff. This has caused conflict at the subordinate body level with staff attempting to interfere in body business because they are a member of OCSEA.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

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

29

30 **Section 3. Contracting for Services**

31           No officer, Board of Directors' member or employee may contract for the Union for any  
32 service or item of tangible personal property exceeding five thousand dollars (\$5,000) other than  
33 routine salary arrangements or routine operating expenses, nor endorse any issue or program,  
34 excluding legislative bills, for the Union without the approval of a majority of the Board of  
35 Directors. Any such contracted work required by the Union above five thousand dollars (\$5,000)  
36 is to be put out for bid. Special efforts shall be made to contract with Union firms or minority  
37 firms.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XII – Dues; §6

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XII – Dues**

**Section 1. Amount**

(A) Dues shall be 1.25% of the member's base rate of pay per bi-weekly pay period, effective September 17, 1995. Those not paying on a bi-weekly basis shall be prorated accordingly.

(B) Membership dues shall be payable through payroll deduction, electronic fund transfers or by cash payment to the OCSEA Central Office. Cash payments, which include checks, money orders and bank drafts, shall only be accepted when payroll deduction is not available, including, but not limited to times when a member is in an active or non-active pay status, such as, unpaid disability, leave of absences, workers' compensation or the exceptions listed in section 2(A) or 2(B) of this Article. Cash payments will be accepted from retirees for their annual dues. Any member will be considered in good standing who is paying dues through regular payroll deduction for so long as such person continues to pay through such deduction method, or who pays cash dues by the fourteenth (14th) day after the dues were not deducted from the paycheck. A member who fails to pay dues in accordance with the terms described herein shall be an inactive member upon failure to pay dues for two consecutive payroll periods.

**Section 2. Exceptions**

(A) However, a member who has been terminated, laid off or suspended and has a grievance pertaining to the adverse job action which remains unresolved, or who is on a sanctioned strike or is locked out shall not be required to make dues payments in order to remain in active status while not on the payroll.

(B) Members who have dues payments interrupted as a result of workers' compensation, disability leave, or the waiting period for disability leave shall not be suspended as a result of non-payment of dues for the first 13 pay periods of such interruption. Dues

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XII – Dues; §6

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

payments are not interrupted as long as members receive sick leave, disability benefits or other employer provided remuneration. Thereafter, the dues shall be set at the current amount established by the AFSCME International Constitution for members-at-large for the remainder of the period of the interruption of dues deduction.

(C) A member who becomes inactive under the provisions of this section may be reinstated to active membership upon payment of all arrearages or upon payment of a reinstatement fee equal to two months' dues, not to exceed twenty-five dollars (\$25.00).

(D) Members on military leave shall remain active members for the duration of any period in excess of paid military leave.

(E) In the event that an OCSEA officer, Board Member or Chapter, District Council, or Assembly officer becomes delinquent in payment of dues, that person shall be notified in writing by certified and regular mail by the OCSEA Secretary-Treasurer of his/her delinquency status. If such person does not become a member in good standing by payment of all arrearages within fourteen (14) calendar days of such notice, he/she shall stand removed from the office(s) which he/she holds and such office(s) will be filled pursuant to the appropriate provision of this Constitution. Where an OCSEA officer, Board Member or Chapter, District Council or Assembly officer is a part-time employee, the arrearage shall be calculated based upon the average of the last six (6) pay periods prior to the delinquency.

(A) Where a bargaining unit member is in a permanent, seasonal position, he/she shall be eligible to run for and hold an elected office under the following conditions:

1. They have been an active OCSEA member as prescribed by State Constitution Article IV, Section 3 (A) for Board of Director members and Subordinate Body Constitution Article IV, Section 3 (A) for subordinate body officers; and
2. All membership dues have been properly made during their employment; and
3. During the seasonal interruptions, dues at the current amount established by the



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XII – Dues; §6

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

51 AFSCME International Constitution for member-at-large shall be paid for each  
52 month or portion thereof until the month of their reinstatement/recall.  
53 4. In the event the member is not reinstated/recalled, payments shall continue to be  
54 made at the members-at-large rate, subject to their rights and obligations under  
55 Article 18 of the current Collective Bargaining Agreement and Article XII of the  
56 OCSEA State Constitution.

57

58 **Section 3. Refunds, Credits and Assessments**

59 (A) Each active Chapter, as defined in Article VII, Section 7 of the State Constitution,  
60 shall receive a quarterly refund in an amount equivalent to 9% (nine percent) with a minimum of  
61 nine hundred dollars (\$900) for Chapters with less than fifty (50) members and a minimum of  
62 one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) or more, of the bi-weekly  
63 dues received for each active member who has paid monies in advance for one or more months  
64 in said quarters and for those who, under the payroll deduction method, have caused to be  
65 remitted dues for one or more of the months of said quarter.

66 (B) Each chartered District Council and chartered Assembly shall receive a quarterly  
67 refund in an amount equivalent to 1% (one percent) of the dues received bi-weekly for each  
68 active member in the District or Assembly under the terms described above for Chapters.  
69 However, the quarterly refund made to an Assembly shall not be less than \$500.

70 (C) The Union shall credit eighty-five hundredths of one percent (.85%) of the dues  
71 received bi-weekly to the convention fund for use in defraying the expenses of the biennial and  
72 special conventions and the President's conference. Such amounts shall be taken from the dues  
73 of each active member who has paid his/her dues directly or caused dues to be remitted to the  
74 Union before the end of the month of said action.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XII – Dues; §6

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(D) When dues are remitted to the Union by cash members and annual members, the Union shall remit the above amounts to the Chapters, District Councils and Assemblies and shall credit the convention fund in the amount specified above which will cover the period of such advancements.

(E) Any Chapter, with the approval of the Board of Directors, may levy voluntary assessments on its members. Where allowable by Ohio law, membership dues may be remitted to the Chapter by the state or political subdivision thereof with the approval of the State Board of Directors, and individual Chapters will be responsible to send dues to Central Office.

#### **Section 4. Qualifications for Refunds**

(A) To qualify for such Chapter, District Council or Assembly refund, each active Chapter, District Council or Assembly, as defined in Article VII, Section 7 of the OCSEA State Constitution, shall file quarterly financial statements with state headquarters on a form prescribed by the Board of Directors. Upon failure of a Chapter, District Council or Assembly to meet any of the conditions required by the State Constitution and State By-Laws to qualify for a refund, the Board of Directors shall withhold payment of such refund until such requirements are met. A request for Chapter, District Council or Assembly refund more than four quarters in arrears shall not be honored. Disputes concerning timeliness shall be referred to the Judicial and Internal Affairs Committee (JIAC) for recommendation to the Board of Directors whose decisions in the matter are final.

(B) Failure to hold elections during the month of the expiration of the term of office shall result in the withholding of one-third (1/3) of the current quarter's rebate. An additional one-third (1/3) shall be withheld for every month thereafter until elections are held and results forwarded to OCSEA central office. At the end of the original election month, a letter shall be

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XII – Dues; §6

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XII OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

sent to all members of the affected subordinate body outlining the upcoming penalties, remedies and timelines. The cost of said mailing shall be deducted from the subordinate body's rebate.

Funds may be released upon receipt of the election results, subject to any other provision of this constitution and by-laws. Disputes concerning these funds shall be forwarded to the office of the State Secretary-Treasurer for review and recommendation to the Board of Directors whose decision(s) in the matter is final.

#### **Section 5. Initial Refund**

Whenever a new Chapter, District Council, or Assembly is organized and some of the members have previously been members of another Chapter, District Council, or Assembly, the funds and assets of the Chapter, District Council, or Assembly to which the members had previously been members shall be divided between the affected bodies in such manner or proportions as the Board of Directors may deem fair and reasonable.

#### **Section 6. Dues Distribution**

Effective with the pay period including January 1, 2008, all dues received shall be credited to the following accounts:

1. General Fund 88.15% (eighty-eight and fifteen hundredths percent)
2. Chapter Refund 9% (nine percent but no less than ~~than~~ nine hundred dollars (\$900) for Chapters with less than fifty (50) members and one thousand one hundred dollars (\$1,100) for Chapters with fifty (50) members or more.)
3. District Refund 1% (one percent)
4. Assembly Refund 1% (one percent) or five hundred dollars (\$500) whichever is greater
5. Convention Fund .85% (eighty-five hundredths of one percent).



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XIV – Contract Ratification; §4

RATIONALE: Permits electronic voting as an additional option for contract ratification, providing members with a more accessible and convenient way to participate in important decisions. By aligning with OCSEA's election guidelines and AFSCME's standards, this change enhances member engagement while ensuring a secure and transparent voting process.

BE IT RESOLVED THAT ARTICLE XIV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XIV – Contract Ratification**

**Section 1. Opportunity to Vote**

All members shall be afforded an opportunity to vote concerning the acceptance or rejection of their Collective Bargaining Agreement. No union representative may affix his/her signature to such agreement until ratification has taken place.

**Section 2. Review of Tentative Agreement**

Prior to ratification, all new contract language negotiated by this Union will be presented in draft form to all affected members.

**Section 3. Meetings**

A minimum of one hour should be allocated for questions and answers prior to the ratification of the contract.

**Section 4. Ratification**

The new contract language shall be ratified either at the Chapter level or centrally by the OCSEA Central Office, based on the voting method and procedures established by OCSEA.

Electronic voting may be used as a method of ratification, provided it adheres to OCSEA's election guidelines and AFSCME's standards for secure and transparent voting.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XV – Trusteeships**

**Section 1. Grounds for Trusteeship**

(A) If the President of OCSEA finds (1) that a Chapter District Council, or Assembly has seceded or purported to secede, (2) that dissolution or secession of a Chapter, District Council, or Assembly is threatened, or (3) that dissipation or loss of the funds or assets of a Chapter, District Council, or Assembly is threatened, or (4) that the Chapter, District Council, or Assembly has deliberately filed false rebate forms or other financial or audit reports with OCSEA or (5) that a Chapter, District Council, or Assembly is acting in violation of OCSEA's State Constitution or State Laws, so that in the opinion of the OCSEA President an emergency situation exists or (6) that the Chapter, District Council, or Assembly or its officers or its members are conducting affairs so as to seriously undermine OCSEA and the President determines that the circumstances constitute an emergency, the OCSEA President is empowered to place such Chapter, District Council, or Assembly under trusteeship pending notice and hearing. Upon placing a Chapter, District Council, or Assembly in trusteeship, the OCSEA President shall refer the matter for hearing in accordance with the procedures set forth in Section 2 of this Article, shall notify the Chapter, District Council, or Assembly, and shall promptly submit a written report to all members of the Board of Directors notifying them of the imposition of the trusteeship and the reasons for taking such action.

(B) If the President of OCSEA has reasonable cause to believe that a Chapter, District Council, or Assembly or its officers or members are (1) engaged in financial malpractice, or (2) violating the obligations of a collective bargaining agreement between any employer and OCSEA, or (3) acting in violation of OCSEA's State Constitution or State By-Laws, or (4) conducting the affairs of the Chapter, District Council, or Assembly in such a manner as to directly and seriously jeopardize the fundamental rights and interests of the membership of the Chapter, District Council, or Assembly or OCSEA,

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

and that such conduct cannot or will not be immediately remedied by the Chapter, District Council, or Assembly, but such action does not constitute an emergency situation, the OCSEA President shall refer the matter to the Judicial and Internal Affairs Committee (JIAC) for hearing in accordance with the procedures provided in Section 2 of this Article to determine if such actions have occurred and make recommendations necessary to impose a trusteeship.

(C) Where a member of the State Board of Directors requests the imposition of trusteeship, he/she must submit a written, detailed report documenting the issues and/or concerns to support the request to the Judicial and Internal Affairs Committee (JIAC). JIAC shall review the report along with prior years Board visitation reports to decide whether or not a hearing should be set or the request dismissed.

(D) The Judicial and Internal Affairs Committee, with the approval of the Board of Directors, shall have the power, after appeal and due process procedures as spelled out in the State By-Laws Article IX, Section 2(~~EF~~), to place any Chapter, District Council, or Assembly under trusteeship if it determines that alleged grievances or irregularities are of sufficient importance.

## **Section 2. Due Process**

(A) After a matter is referred to the Judicial and Internal Affairs Committee pursuant to Section 1 of this Article, the chair of the Judicial and Internal Affairs Committee shall schedule the matter for hearing. At least ten

(10) days' written notice shall be provided to all interested parties, prior to the hearing, which will be held not later than twenty-one (21) days after the imposition of any trusteeship pursuant to Section 1, paragraph (A) of this Article. All interested parties shall be given a fair opportunity to present evidence in support of their positions.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) After the hearing has been closed, the Judicial and Internal Affairs Committee will review the evidence and by a majority vote of those present at the hearing, based on the preponderance of the evidence, shall make a recommendation as to whether the Chapter, District Council, or Assembly has committed any of the acts stated in Section 1. If the committee determines that the Chapter, District Council, or Assembly has not committed any of the acts stated in Section 1, the trusteeship shall be vacated, but the OCSEA President shall have the right to appeal such determination to the Board of Directors. If the committee determines that the Chapter, District Council, or Assembly has committed any of the acts stated in Section 1, the OCSEA President shall take such action as the President deems appropriate, provided, however, that the Chapter, District Council, or Assembly shall have the right to appeal such action to the State Board. The Judicial and Internal Affairs Committee is authorized to recommend such other action it deems necessary to remedy any violations of the State Constitution and State By-Laws.

### **Section 3. Authority of Trustee**

(A) In all cases where a Chapter, District Council, or Assembly has been placed under trusteeship, the OCSEA President shall assume charge of the affairs and business of such Chapter, District Council, or Assembly and may appoint a trustee for such purpose. All actions of the trustee shall be subject to the direction, instruction and approval of the OCSEA President. No member may be appointed trustee of his/her home chapter.

(B) Such trustee shall have the right, upon demand, to take possession of all the funds, properties, books and other assets of such Chapter, District Council, or Assembly for the period that the trustee is in charge, such assets

to be held in trust for the benefit of the Chapter, District Council, or Assembly and to be expended only to the extent necessary for the proper conduct of the affairs of the Chapter, District Council, or Assembly. The trustee shall institute all necessary action to recover money or

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

other property of the Chapter, District Council, or Assembly. The trustee shall be adequately bonded to safeguard the Chapter, District Council, or Assembly assets and for the faithful performance of the trustee's duties.

(C) The trustee shall be authorized and empowered to suspend from office any or all of the Chapter, District Council, or Assembly officers and appoint temporary officers, from among the members in good standing of such Chapter, District Council, or Assembly, for the duration of the trustee- ship; to remove or replace representatives of such Chapter, District Council, or Assembly; and to take such other actions as in the trustee's judgment are necessary for the preservation of the rights and interests of the members of the Chapter, District Council, or Assembly and of OCSEA. The trustee shall be

empowered to conduct and manage the affairs of the Chapter, District Council, or Assembly with the assistance of the officers or temporary officers herein provided for until the trusteeship is terminated.

(D) The trustee shall submit complete written, monthly reports of the trustee's actions and of the affairs of the Chapter, District Council, or Assembly to the Judicial and Internal Affairs Committee and the acting officers and executive board of the affected body. Expenses of the trustee shall be paid out of the funds of the Chapter, District Council, or Assembly if they are available, otherwise they shall be borne by OCSEA. Expenses shall be submitted on the approved trustee expense report to the Comptroller's office.

#### **Section 4. Duration of Trusteeship**

(A) Such trusteeship shall be continued no longer than is necessary to remove the causes of its establishment. The Chapter, District Council, or Assembly shall have the right to appeal to the Judicial and Internal Affairs

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

Committee for removal of the trusteeship on the ground that such trusteeship has been continued longer than is necessary. However, under no circumstances may such an appeal be made within six months of imposition or within six (6) months after a prior decision by the board of directors was made to continue the trusteeship.

(B) The Judicial and Internal Affairs Committee shall schedule a hearing on the appeal and permit all interested parties to present arguments in support of their positions. The Committee shall review all documents. In order to recommend to the Board of Directors that the trusteeship should continue, a majority of the members of the committee present at the hearing must vote to recommend such action. At the next meeting of the Board of Directors following any hearing, action shall be taken, on the committee's recommendation. A two-thirds (2/3) vote of the Board of Directors shall be required to continue the trusteeship.

#### **Section 5. Termination of a Trusteeship**

When a trusteeship is to be terminated, the trustee shall conduct elections of officers of the Chapter, District Council, or Assembly except for those elected officers whose terms shall not have expired and who have not been expelled, suspended or otherwise removed from office during the period of trusteeship and shall install such officers on the day the trusteeship is terminated. The trustee shall return all funds, books, property and other assets of the Chapter, District Council, or Assembly to its appropriate officers who shall give appropriate receipt for same. The trustee shall make a final accounting of the trusteeship and submit it to the Board of Directors and to the Chapter, District Council, or Assembly under trusteeship.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §3

RATIONALE: Updates the reporting frequency to bimonthly to align with current practices.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XV – Trusteeships**

**Section 1. Grounds for Trusteeship**

(A) If the President of OCSEA finds (1) that a Chapter District Council, or Assembly has seceded or purported to secede, (2) that dissolution or secession of a Chapter, District Council, or Assembly is threatened, or (3) that dissipation or loss of the funds or assets of a Chapter, District Council, or Assembly is threatened, or (4) that the Chapter, District Council, or Assembly has deliberately filed false rebate forms or other financial or audit reports with OCSEA or (5) that a Chapter, District Council, or Assembly is acting in violation of OCSEA's State Constitution or State Laws, so that in the opinion of the OCSEA President an emergency situation exists or (6) that the Chapter, District Council, or Assembly or its officers or its members are conducting affairs so as to seriously undermine OCSEA and the President determines that the circumstances constitute an emergency, the OCSEA President is empowered to place such Chapter, District Council, or Assembly under trusteeship pending notice and hearing. Upon placing a Chapter, District Council, or Assembly in trustee- ship, the OCSEA President shall refer the matter for hearing in accordance with the procedures set forth in Section 2 of this Article, shall notify the Chapter,

District Council, or Assembly, and shall promptly submit a written report to all members of the Board of Directors notifying them of the imposition of the trusteeship and the reasons for taking such action.

(B) If the President of OCSEA has reasonable cause to believe that a Chapter, District Council, or Assembly or its officers or members are (1) engaged in financial malpractice, or (2) violating the obligations of a collective bargaining agreement between any employer and OCSEA, or (3) acting in violation of OCSEA's State Constitution or State By-Laws, or (4) conducting the affairs of the Chapter, District Council, or Assembly in such a manner as to directly and seriously jeopardize the fundamental

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §3

RATIONALE: Updates the reporting frequency to bimonthly to align with current practices.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

rights and interests of the membership of the Chapter, District Council, or Assembly or OCSEA, and that such conduct cannot or will not be immediately remedied by the Chapter, District Council, or Assembly, but such action does not constitute an emergency situation, the OCSEA President shall refer the matter to the Judicial and Internal Affairs Committee (JIAC) for hearing in accordance with the procedures provided in Section 2 of this Article to determine if such actions have occurred and make recommendations necessary to impose a trusteeship.

(C) Where a member of the State Board of Directors requests the imposition of trusteeship, he/she must submit a written, detailed report documenting the issues and/or concerns to support the request to the Judicial and Internal Affairs Committee (JIAC). JIAC shall review the report along with prior years Board visitation reports to decide whether or not a hearing should be set or the request dismissed.

(D) The Judicial and Internal Affairs Committee, with the approval of the Board of Directors, shall have the power, after appeal and due process procedures as spelled out in the State By-Laws Article IX, Section 2(E), to place any Chapter, District Council, or Assembly under trusteeship if it determines that alleged grievances or irregularities are of sufficient importance.

## **Section 2. Due Process**

(A) After a matter is referred to the Judicial and Internal Affairs Committee pursuant to Section 1 of this Article, the chair of the Judicial and Internal Affairs Committee shall schedule the matter for hearing. At least ten

(10) days' written notice shall be provided to all interested parties, prior to the hearing, which will be held not later than twenty-one (21) days after the imposition of any trusteeship pursuant to Section 1, paragraph (A) of this Article. All interested parties shall be given a fair opportunity to present evidence in support of their positions.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §3

RATIONALE: Updates the reporting frequency to bimonthly to align with current practices.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

(B) After the hearing has been closed, the Judicial and Internal Affairs Committee will review the evidence and by a majority vote of those present at the hearing, based on the preponderance of the evidence, shall make a recommendation as to whether the Chapter, District Council, or Assembly has committed any of the acts stated in Section 1. If the committee determines that the Chapter, District Council, or Assembly has not committed any of the acts stated in Section 1, the trusteeship shall be vacated, but the OCSEA President shall have the right to appeal such determination to the Board of Directors. If the committee determines that the Chapter, District Council, or Assembly has committed any of the acts stated in Section 1, the OCSEA President shall take such action as the President deems appropriate, provided, however, that the Chapter, District Council, or Assembly shall have the right to appeal such action to the State Board. The Judicial and Internal Affairs Committee is authorized to recommend such other action it deems necessary to remedy any violations of the State Constitution and State By-Laws.

### **Section 3. Authority of Trustee**

(A) In all cases where a Chapter, District Council, or Assembly has been placed under trusteeship, the OCSEA President shall assume charge of the affairs and business of such Chapter, District Council, or Assembly and may appoint a trustee for such purpose. All actions of the trustee shall be subject to the direction, instruction and approval of the OCSEA President. No member may be appointed trustee of his/her home chapter.

(B) Such trustee shall have the right, upon demand, to take possession of all the funds, properties, books and other assets of such Chapter, District Council, or Assembly for the period that the trustee is in charge, such assets

to be held in trust for the benefit of the Chapter, District Council, or Assembly and to be expended only to the extent necessary for the proper conduct of the affairs of the Chapter, District Council, or Assembly. The trustee shall institute all necessary action to recover money or

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §3

RATIONALE: Updates the reporting frequency to bimonthly to align with current practices.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

other property of the Chapter, District Council, or Assembly. The trustee shall be adequately bonded to safeguard the Chapter, District Council, or Assembly assets and for the faithful performance of the trustee's duties.

(C) The trustee shall be authorized and empowered to suspend from office any or all of the Chapter, District Council, or Assembly officers and appoint temporary officers, from among the members in good standing of such Chapter, District Council, or Assembly, for the duration of the trusteeship; to remove or replace representatives of such Chapter, District Council, or Assembly; and to take such other actions as in the trustee's judgment are necessary for the preservation of the rights and interests of the members of the Chapter, District Council, or Assembly and of OCSEA. The trustee shall be

empowered to conduct and manage the affairs of the Chapter, District Council, or Assembly with the assistance of the officers or temporary officers herein provided for until the trusteeship is terminated.

(D) The trustee shall submit complete written, ~~monthly~~ **bimonthly** reports of the trustee's actions and of the affairs of the Chapter, District Council, or Assembly to the Judicial and Internal Affairs Committee and the acting officers and executive board of the affected body. Expenses of the trustee shall be paid out of the funds of the Chapter, District Council, or Assembly if they are available, otherwise they shall be borne by OCSEA. Expenses shall be submitted on the approved trustee expense report to the Comptroller's office.

#### **Section 4. Duration of Trusteeship**

(A) Such trusteeship shall be continued no longer than is necessary to remove the causes of its establishment. The Chapter, District Council, or Assembly shall have the right to appeal to the Judicial and Internal Affairs



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Constitution – Article XV – Trusteeships; §3

RATIONALE: Updates the reporting frequency to bimonthly to align with current practices.

BE IT RESOLVED THAT ARTICLE XV OF THE OCSEA STATE CONSTITUTION BE AMENDED AS FOLLOWS:

Committee for removal of the trusteeship on the ground that such trusteeship has been continued longer than is necessary. However, under no circumstances may such an appeal be made within six months of imposition or within six (6) months after a prior decision by the board of directors was made to continue the trusteeship.

(B) The Judicial and Internal Affairs Committee shall schedule a hearing on the appeal and permit all interested parties to present arguments in support of their positions. The Committee shall review all documents. In order to recommend to the Board of Directors that the trusteeship should continue, a majority of the members of the committee present at the hearing must vote to recommend such action. At the next meeting of the Board of Directors following any hearing, action shall be taken, on the committee's recommendation. A two-thirds (2/3) vote of the Board of Directors shall be required to continue the trusteeship.

#### **Section 5. Termination of a Trusteeship**

When a trusteeship is to be terminated, the trustee shall conduct elections of officers of the Chapter, District Council, or Assembly except for those elected officers whose terms shall not have expired and who have not been expelled, suspended or otherwise removed from office during the period of trusteeship and shall install such officers on the day the trusteeship is terminated. The trustee shall return all funds, books, property and other assets of the Chapter, District Council, or Assembly to its appropriate officers who shall give appropriate receipt for same. The trustee shall make a final accounting of the trusteeship and submit it to the Board of Directors and to the Chapter, District Council, or Assembly under trusteeship.



SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article I – Membership; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE I OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article I – Membership**

**Section 1. Effective Date - Dues**

**(A) Active Member:** Effective date of membership is the date the card is accepted by an OCSEA member or staff person.

**(B) Life Member:** Effective date of membership is the date the Chapter President signs the application. Dues shall be ~~deducted~~<sup>charged</sup> **deducted** annually from the Chapter's per capita refund. The amount of dues shall be set by the State Board during the annual budget review at an amount not to exceed fifty dollars (\$50.00) per year.

**(C) Retired Member:** Effective date of membership is the date dues are received in the OCSEA Central Office. The amount of dues shall be set by the State Board during the annual budget review at an amount not to exceed \$50.00 per year. Dues must be submitted annually, by December 31st, to the Comptroller's Office for the following year.

**(D) Member-at-large:** Effective date of membership shall be the date dues are received in the OCSEA central office. Time spent as a member-at-large does not count toward eligibility for future office elections.

**(E) Honorary Member:** Effective date of membership is the date of Board approval.

**Section 2. Retiree Chapter Membership**

Upon request of either a life member or a retired member, OCSEA may take action to enroll that person in AFSCME Retiree Chapter 1184 and shall pay his/her first year's dues for the membership up to December 31st of the year in which the member retired. Thereafter, the member may annually request reimbursement for one-half the cost of the current Chapter 1184 dues. The request for reimbursement must be submitted to OCSEA Central Office, Attn: Comptroller's Office no later than March 31st of each year. Requests received after this date shall be denied. Such reimbursement shall be deducted from the first quarter rebate for the

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article I – Membership; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE I OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

District Council in which the member resided. The remaining half of the dues shall be the responsibility of the member.

### **Section 3. Membership Standing**

An individual shall remain a member in good standing as long as valid payroll deduction of dues authorization remains in effect or cash dues payments are made timely. Membership shall be suspended or terminated only pursuant to the provisions of Articles XII or XIII of the OCSEA State Constitution.

### **Section 4. Membership and Mailing Lists**

(A) Membership lists are those lists which contain member name, chapter data, agency, work location, county of residence (COR), and county of employment (COE). Mailing lists are membership lists which contain address information. Customized lists may be created upon appropriate request and approval. All mailing or membership lists shall only be used for the purpose(s) stated in the request, including the maintenance of a confidential membership list.

(B) Requests for lists must be made to the OCSEA IT Department by the Chapter, District Council or Assembly President or designee of record in writing. The request should detail the intended use of the list, type of list requested, date required and contact information.

(C) The following types of lists are generated in the usual course of business.

(1) Mailing of OCSEA Publications, and Chapter, District Council, or Assembly newsletters.

(2) Board of Directors approved and endorsed commercial ventures such as insurance plans, tours, etc.

(3) Chapter membership lists shall be provided to all active Chapters on a quarterly basis.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article I – Membership; §1

RATIONALE: Housekeeping.

BE IT RESOLVED THAT ARTICLE I OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

51                   (4) No mailing list shall be used for campaigning for or against any candidate or  
52                   candidates for union office except as required by the AFSCME International  
53                   Constitution or applicable law.

54                   (5) When required to provide membership or mailing lists by a court of competent  
55                   jurisdiction or by an administrative agency or government pursuant to applicable  
56                   laws, rules or regulations, or when necessary to provide or acquire a sufficient  
57                   current showing to win representational rights, for any other requirement under  
58                   collective bargaining.

59                   (6) An Assembly or District Council President, or his/her designee of record, may  
60                   obtain a mailing list of delegates under his/her purview upon written request.

61                   (7) All mailings regarding constitutional elections must be made through OCSEA  
62                   and deducted from the body's rebate.

63                   In the event the request is not related to a union-based activity, the request will be  
64                   forwarded to the State President for review and presentation to the State Board. A majority vote  
65                   of the Board of Directors shall be necessary to release such list.

66                   (D) An administrative fee for providing membership and/or mailing lists shall be set by the  
67                   Comptroller's office.

68

69                   **Section 5. Responsibilities of Members**

70                   (A) All members shall abide by the Constitution and By-Laws of the Union, including the  
71                   Subordinate Body Constitution and any revisions which may subsequently be made and duly  
72                   enacted.

73                   (B) No Chapter, District Council or Assembly shall, in any way, revise the Uniform  
74                   Subordinate Body Constitution.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Bylaws – Article II – Board of Directors; §1

RATIONALE: To avoid conflicts between chapter leadership and the state board member. Also, to provide a checks and balance to chapters where the President is also a state board of director.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article II – Board of Directors**

**Section 1. Duties**

(A) Individual members of the Board of Directors shall be responsible for:

- (1) Promoting and maintaining the interests of the Union in the member's District;
- (2) Assisting Chapters in their activities;
- (3) Encouraging competent persons to seek Chapter offices;
- (4) Suggesting and helping to promote district-wide meetings;
- (5) Assisting and obtaining appropriate and interesting speakers and information for sharing and distributing at meetings;
- (6) Relaying to Chapters, District Councils, Assemblies and/or the Union office the problems of members which have been brought to their attention;
- (7) Assisting and advising in the Chapter's nominations and election;
- (8) Swearing in new officers and executive board members;
- (9) Visiting assigned Chapters;
- (10) Overseeing an internal controversy committee in an assigned Chapter, District Council, and/or Assembly;
- (11) Filing visitation reports;
- (12) Notifying OCSEA of any changes, including elections and removals, of assigned Chapter, District Council and Assembly Officers and Executive Board members;
- (13) Assisting new Chapter, District Council and Assembly Officers and Executive Board members in receiving the appropriate leadership and treasurer training;
- (14) Assisting the Treasurer of each assigned Chapter, District Council and Assembly in completing the process necessary for the Comptroller to be a signatory on every financial account within thirty (30) days of an election or other change of office.

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Bylaws – Article II – Board of Directors; §1

RATIONALE: To avoid conflicts between chapter leadership and the state board member. Also, to provide a checks and balance to chapters where the President is also a state board of director.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

(B) The retiree representative on the Board shall be a participating OCSEA member in retiree labor organization Chapter 1184.

(C) The President shall assign the Board of Directors members a number of Chapters. **No state board of director member shall be assigned to their own chapter.** It shall be the responsibility of the Board of Directors members to assist his/her assigned Chapters.

(D) In the event a member of the Board of Directors or a District Representative agrees to serve in a management/exempt position on a temporary basis, he/she shall be removed from his/her position on the Board automatically.

(E) Board of Directors and District Representative members shall attend all regular and special Board meetings, standing and special committee meetings to which they are assigned unless excused. To be excused, the OCSEA Central Office or the Chairperson must be notified of the absence in advance. When an emergency precludes advance notification, the State President may retroactively grant an excused absence.

(F) The actual and necessary expenses of members of the Board of Directors in the pursuance of their duties will be paid by the Union in conformance with the policy established by the Board of Directors.

## **Section 2. Meetings**

(A) Special meetings of the Board of Directors may be called by the State President. At least ten (10) days notice shall be given for all regular meetings.

(B) The Board of Directors may also take official action when time is of the essence and upon unanimous prior authority of the Executive Committee, by causing the entire Board of Directors to be polled by telephone, text and/or e-mail. In taking the poll, the Executive Committee shall agree upon a common statement to be read and/or sent to each Board member.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Bylaws – Article II – Board of Directors; §1

RATIONALE: To avoid conflicts between chapter leadership and the state board member. Also, to provide a checks and balance to chapters where the President is also a state board of director.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

The results of the poll shall be the decision of the Board of Directors and be made a part of the minutes of the next regularly scheduled Board of Directors' meeting.

(C) The President shall call a special meeting of the Board of Directors upon written application by a majority of the members of the Board. At least three (3) days written notice of special meetings shall be given to each member of the Board together with a statement of the purpose of each meeting.

### **Section 3. Board Meeting Minutes**

(A) The minutes of all meetings of the Board of Directors shall be available to all members via the OCSEA website within fifteen (15) days of their approval.

(B) The minutes provided via the OCSEA website shall include an accurate record of each officer's and Board of Directors Member's vote on each matter presented to them for their vote..

### **Section 4. Board of Directors Districts**

There shall be nine (9) geographic Districts from which the Board of Directors shall be elected on the basis of the formula provided in Article IV, Section 1 of the State Constitution. Such Districts shall be composed of the following counties:

District 1: Allen, Auglaize, Champaign, Clark, Darke, Defiance, Fulton, Hancock, Hardin, Henry, Logan, Lucas, Mercer, Miami, Ottawa, Paulding, Putnam, Sandusky, Seneca, Shelby, VanWert, Williams, Wood and Wyandot.

District 2: Butler, Clermont, Clinton, Greene, Hamilton, Montgomery, Preble and Warren.

District 3: Ashland, Crawford, Erie, Huron, Lorain, Medina, Richland, and Wayne.

District 4: Ashtabula, Columbiana, Mahoning, Portage, Stark, Summit, and Trumbull.

District 5: Belmont, Carroll, Coshocton, Fairfield, Guernsey, Harrison, Holmes, Jefferson, Knox, Licking, Muskingum, Perry, and Tuscarawas.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: Delaware Chapter 2100

SUBJECT: State Bylaws – Article II – Board of Directors; §1

RATIONALE: To avoid conflicts between chapter leadership and the state board member. Also, to provide a checks and balance to chapters where the President is also a state board of director.

BE IT RESOLVED THAT ARTICLE II OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

- 74 District 6: Delaware, Fayette, Franklin, Madison, Marion, Morrow, Pickaway, and Union.  
75 District 7: Cuyahoga, Geauga, and Lake. District 8: Athens, Gallia, Hocking, Meigs,  
76 Monroe, Morgan, Noble, Vinton, and Washington.  
77 District 9: Adams, Brown, Highland, Jackson, Lawrence, Pike, Ross, and Scioto.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §2

RATIONALE: Modernizes the signature collection process for petitions, Chapter nominations, and attestment forms by formally authorizing the use of electronic submissions. It reflects practices adopted during the COVID-19 pandemic and provides members with accessible, verifiable participation options. By clearly defining the required information, assigning the Election Committee authority to establish verification procedures, and requiring original signed forms by the nomination deadline, the amendment ensures flexibility while maintaining integrity, security, and consistency in the nomination process.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article III – Conduct of Board of Directors' Election**

**Section 1. Definition**

(A) The number of vacancies within each District shall be determined at the regular Board of Directors' meeting preceding March 1 of each year.

(B) No more than nine (9), one from each District, of the elected Board of Directors members, exclusive of the Executive Committee members and retiree representative, shall be employed by any one governmental entity or be from the same Chapter.

(C) The Board of Directors shall determine when the aggregate membership of a statewide bargaining unit or non-state bargaining units equals or exceed one/twenty-fifth (1/25) of the total active Union members in the state. Should such group be not otherwise represented on the Board of Directors, the position shall be filled in accordance with the rules for filling of vacancies as provided in Section 5 below.

**Section 2. Nominations**

(A) Nominations for membership on the Board of Directors shall be made on nominating petitions which shall be available in the Union office and shall be furnished to any member upon written request during the period March 1 through May 1, of each election year. If May 1 falls on a Saturday, Sunday or holiday, the petitions must be furnished to the member by the close of business on the next regularly scheduled business day. The petition must be completed and returned to the Union office by the close of business on May 15. If May 15 falls on a Saturday, Sunday or holiday, the petition must be returned to the Union office by the close of business on the next regularly scheduled business day.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §2

RATIONALE: Modernizes the signature collection process for petitions, Chapter nominations, and attestment forms by formally authorizing the use of electronic submissions. It reflects practices adopted during the COVID-19 pandemic and provides members with accessible, verifiable participation options. By clearly defining the required information, assigning the Election Committee authority to establish verification procedures, and requiring original signed forms by the nomination deadline, the amendment ensures flexibility while maintaining integrity, security, and consistency in the nomination process.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

(B) All nominating petitions shall, when returned, be accompanied by a written Chapter endorsements, from the District where the candidate is currently assigned as a member, which shall be obtained at a regular or special Chapter meeting at which a quorum is present and entered into the minutes of

such Chapter. The written endorsement must be signed by one of the Chapter's elected officers or board members present, and the secretary recording such minutes at such meeting.

(C) Nominating petitions for Board of Directors candidates must contain the signatures of at least one hundred (100) members or ten (10) percent, whichever is less, of the members in good standing in the District which includes the Chapter to which the candidate is permanently assigned. For the purpose of this section, a member shall be considered in good standing based upon the records in the Union office as of January 1 of the particular year.

**(D) In lieu of a physical signature, an electronic submission may be accepted, provided it includes the member's full name, the last four digits of their Social Security number or employee ID number, mailing address, Chapter, and agency. Acceptable formats include email, scanned documents, or clearly photographed forms. Electronic submissions may be used for petitions, Chapter nominations, attestment forms, or other official documents as authorized by the Board of Directors**

**Electronic submission is encouraged for the purpose of timely verification. However, for Chapter nominations and other documents requiring signature validation, the original signed form must also be received at OCSEA Headquarters by the nomination deadline established in Section 1 of this Article.**

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §2

RATIONALE: Modernizes the signature collection process for petitions, Chapter nominations, and attestment forms by formally authorizing the use of electronic submissions. It reflects practices adopted during the COVID-19 pandemic and provides members with accessible, verifiable participation options. By clearly defining the required information, assigning the Election Committee authority to establish verification procedures, and requiring original signed forms by the nomination deadline, the amendment ensures flexibility while maintaining integrity, security, and consistency in the nomination process.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**The Election Committee shall have the authority to establish procedures and security measures for verifying electronic submissions.**

**Section 3. Eligibility/Election Committee**

(A) Not later than March 15th, the State President shall appoint a committee from among the members of the Judicial and Internal Affairs and Membership Committees for the purpose of determining the eligible candidates and overseeing the election. If any irregularities are found with the petitions, this committee shall meet on the Saturday following May 15th. Candidates' names shall be listed in alphabetical order on the ballots. The committee shall remain in session until all eligible candidates are declared elected.

(B) Candidates whose petitions are rejected for any reason shall be notified in writing as to the reason for the rejection. Any registered petition rejected shall be so certified by the State Secretary-Treasurer and a copy of such certification shall be forwarded to the State President.

**Section 4. Ballot Information ~~and Mailing~~**

Not later than June 10th, ballots for the election of Board members from each district shall be mailed to each member who is in good standing on May 15th of the election year at the mailing address on record with the Union as of that date. Ballots shall contain the name and employing agency for all candidates in the district, which includes the Chapter to which the member is permanently assigned as determined by union records on May 15th.

Written instructions, a plain ballot envelope and a postage-paid, pre-addressed return envelope shall be included with the mailing of ballots to eligible voters.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §2

RATIONALE: Modernizes the signature collection process for petitions, Chapter nominations, and attestment forms by formally authorizing the use of electronic submissions. It reflects practices adopted during the COVID-19 pandemic and provides members with accessible, verifiable participation options. By clearly defining the required information, assigning the Election Committee authority to establish verification procedures, and requiring original signed forms by the nomination deadline, the amendment ensures flexibility while maintaining integrity, security, and consistency in the nomination process.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

A deadline for the return of ballots shall be clearly indicated in the voting instructions, which deadline shall be at least twenty (20) calendar days after the date ballots are mailed to eligible voters.

**Section 5. Vacancies**

Should any Board of Directors member's position be vacated for any reason, the following steps shall be taken to fill the vacancy.

(A) All Chapters within the District from which the vacant position exists will be given at least thirty (30) days notice of the vacancy. This shall be done by publishing such vacancy in the OCSEA Publication(s) and/or a

special bulletin and letter to this effect to be sent to each Chapter President and Secretary.

(B) Any Chapter within the District may endorse, at a regular or special Chapter meeting, in writing, a candidate for the vacancy provided that the candidate is willing to serve, if elected by the Board of Directors, and is qualified under the provisions of Article IV of the State Constitution.

(C) Nominees shall, prior to the Board meeting after publication of the vacancy, submit to the Judicial and Internal Affairs Committee (JIAC) the Chapter endorsement, a brief statement of qualifications and a signed statement indicating willingness to serve on the Board of Directors, if elected.

(D) The Judicial and Internal Affairs Committee will examine and report to the Board of Directors the names of all qualified candidates. The Board of Directors will, by secret ballot, elect the candidate to the unexpired term of the vacant position. Each Board Member shall cast

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §2

RATIONALE: Modernizes the signature collection process for petitions, Chapter nominations, and attestment forms by formally authorizing the use of electronic submissions. It reflects practices adopted during the COVID-19 pandemic and provides members with accessible, verifiable participation options. By clearly defining the required information, assigning the Election Committee authority to establish verification procedures, and requiring original signed forms by the nomination deadline, the amendment ensures flexibility while maintaining integrity, security, and consistency in the nomination process.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

- 88 one vote and a majority of the votes cast shall be required to be elected. In the event no candidate  
89 receives a majority of the votes cast, a run-off election shall be held between the two candidates  
90 receiving the highest number of votes in the previous elections.





SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §4

RATIONALE: Updates the ballot distribution process to align with the language in the Constitution, ensuring flexibility in how ballots are provided to members. This amendment removes outdated mail-only references while maintaining clear guidelines for ballot materials and deadlines.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

**Article III – Conduct of Board of Directors' Election**

**Section 1. Definition**

(A) The number of vacancies within each District shall be determined at the regular Board of Directors' meeting preceding March 1 of each year.

(B) No more than nine (9), one from each District, of the elected Board of Directors members, exclusive of the Executive Committee members and retiree representative, shall be employed by any one governmental entity or be from the same Chapter.

(C) The Board of Directors shall determine when the aggregate membership of a statewide bargaining unit or non-state bargaining units equals or exceed one/twenty-fifth (1/25) of the total active Union members in the state. Should such group be not otherwise represented on the Board of Directors, the position shall be filled in accordance with the rules for filling of vacancies as provided in Section 5 below.

**Section 2. Nominations**

(A) Nominations for membership on the Board of Directors shall be made on nominating petitions which shall be available in the Union office and shall be furnished to any member upon written request during the period March 1 through May 1, of each election year. If May 1 falls on a Saturday, Sunday or holiday, the petitions must be furnished to the member by the close of business on the next regularly scheduled business day. The petition must be completed and returned to the Union office by the close of business on May 15. If May 15 falls on a Saturday, Sunday or holiday, the petition must be returned to the Union office by the close of business on the next regularly scheduled business day.

(B) All nominating petitions shall, when returned, be accompanied by a written Chapter endorsements, from the District where the candidate is currently assigned as a member, which

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §4

RATIONALE: Updates the ballot distribution process to align with the language in the Constitution, ensuring flexibility in how ballots are provided to members. This amendment removes outdated mail-only references while maintaining clear guidelines for ballot materials and deadlines.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

shall be obtained at a regular or special Chapter meeting at which a quorum is present and entered into the minutes of

such Chapter. The written endorsement must be signed by one of the Chapter's elected officers or board members present, and the secretary recording such minutes at such meeting.

(C) Nominating petitions for Board of Directors candidates must contain the signatures of at least one hundred (100) members or ten (10) percent, whichever is less, of the members in good standing in the District which includes the Chapter to which the candidate is permanently assigned. For the purpose of this section, a member shall be considered in good standing based upon the records in the Union office as of January 1 of the particular year.

### **Section 3. Eligibility/Election Committee**

(A) Not later than March 15th, the State President shall appoint a committee from among the members of the Judicial and Internal Affairs and Membership Committees for the purpose of determining the eligible candidates and overseeing the election. If any irregularities are found with the petitions, this committee shall meet on the Saturday following May 15th. Candidates' names shall be listed in alphabetical order on the ballots. The committee shall remain in session until all eligible candidates are declared elected.

(B) Candidates whose petitions are rejected for any reason shall be notified in writing as to the reason for the rejection. Any registered petition rejected shall be so certified by the State Secretary-Treasurer and a copy of such certification shall be forwarded to the State President.

### **Section 4. Ballot Information and ~~Mailing~~ Distribution**

Not later than June 10th, ballots for the election of Board members from each district shall be ~~mailed~~ distributed to each member who is in good standing on May 15th of the election year

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §4

RATIONALE: Updates the ballot distribution process to align with the language in the Constitution, ensuring flexibility in how ballots are provided to members. This amendment removes outdated mail-only references while maintaining clear guidelines for ballot materials and deadlines.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

at the ~~mailing~~ member's address on record with the Union as of that date. Ballots shall contain the name and employing agency for all candidates in the district, which includes the Chapter to which the member is permanently assigned as determined by union records on May 15th.

**Ballots shall be accompanied by clear voting instructions and any necessary materials required for members to properly cast their vote. For mail-in ballots, ~~Written instructions,~~** a plain ballot envelope and a postage-paid, pre-addressed return envelope shall be included with the mailing of ballots to eligible voters.

A deadline for the return of ballots shall be clearly indicated in the voting instructions, which deadline shall be at least twenty (20) calendar days after the date ballots are ~~mailed~~ **distributed** to eligible voters.

#### Section 5. Vacancies

Should any Board of Directors member's position be vacated for any reason, the following steps shall be taken to fill the vacancy.

(A) All Chapters within the District from which the vacant position exists will be given at least thirty (30) days notice of the vacancy. This shall be done by publishing such vacancy in the OCSEA Publication(s) and/or a

special bulletin and letter to this effect to be sent to each Chapter President and Secretary.

(B) Any Chapter within the District may endorse, at a regular or special Chapter meeting, in writing, a candidate for the vacancy provided that the candidate is willing to serve, if elected by the Board of Directors, and is qualified under the provisions of Article IV of the State Constitution.

(C) Nominees shall, prior to the Board meeting after publication of the vacancy, submit to the Judicial and Internal Affairs Committee (JIAC) the Chapter endorsement, a brief statement of

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: State Bylaws – Article III – Conduct of Board of Directors' Election; §4

RATIONALE: Updates the ballot distribution process to align with the language in the Constitution, ensuring flexibility in how ballots are provided to members. This amendment removes outdated mail-only references while maintaining clear guidelines for ballot materials and deadlines.

BE IT RESOLVED THAT ARTICLE III OF THE OCSEA STATE BY-LAWS BE AMENDED AS FOLLOWS:

73 qualifications and a signed statement indicating willingness to serve on the Board of Directors, if  
74 elected.

75 (D) The Judicial and Internal Affairs Committee will examine and report to the Board of  
76 Directors the names of all qualified candidates. The Board of Directors will, by secret ballot,  
77 elect the candidate to the unexpired term of the vacant position. Each Board Member shall cast  
78 one vote and a majority of the votes cast shall be required to be elected. In the event no candidate  
79 receives a majority of the votes cast, a run-off election shall be held between the two candidates  
80 receiving the highest number of votes in the previous elections.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Subordinate Body Constitution – Article IX – Duties; §3

RATIONALE: Add that the Subordinate body Secretary or Secretary-Treasurer must also notify OCSEA of meetings.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article IX – Duties**

**Section 1.** The Chapter, District Council, or Assembly President shall:

(A) Preside over all meetings.

(B) Transfer to the succeeding officer within seven (7) days of election any and all records, books, and property of the office and/or Chapter including and not limited to the records of the Chapter's chief steward.

(C) Except as otherwise provided herein, the president shall appoint all committees needed to conduct this Chapter's, District Council's or Assembly's business. At least one (1) Chapter, District Council, or Assembly executive board member other than the Chapter, District Council, or Assembly officers shall be appointed on each standing committee.

(D) Chapter president shall appoint representatives to the district grassroots committee. The District president shall appoint the district grassroots committee chairperson and vice-chairperson.

(E) Through the chapter secretary, shall provide a list to OCSEA Central Office of all current stewards within ten (10) days of his/her election. Any new appointments or removals of stewards thereafter must be reported to OCSEA within seven (7) days of the action.

**Section 2.** The Vice President shall:

(A) Assist the President when called upon to do so and, in the case of absence or disability of the president, shall act as President.

(B) Transfer to the succeeding officer within seven (7) days of election all records, books, and property of the office.

**Section 3.** The Chapter, District Council, or Assembly Secretary shall:

(A) Keep

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Subordinate Body Constitution – Article IX – Duties; §3

RATIONALE: Add that the Subordinate body Secretary or Secretary-Treasurer must also notify OCSEA of meetings.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

(1) All records in books or files; the location of which is known by the President at all

times; and

(2) A copy of the State Constitutions and State By-Laws of the OCSEA, and By-Laws of the Chapter, District Council, or Assembly, if any, and the Board policies; and

(3) A current membership list of the Chapter, District Council, or Assembly; and

(4) A record of the minutes of all the meetings of the Chapter, District Council, or Assembly, its Executive Board and Committees after they have been approved; and

(5) All communications initiated by the Chapter, District Council, or Assembly.

(B) Prepare and forward all supporting documentation regarding the unaudited portion of the Chapter, District Council or Assembly records to the Comptroller's office after an election or other change of office of the Secretary.

(C) Transfer to the succeeding officer all other records and books of the office within seven (7) days of election or taking office.

(D) The Secretary or Secretary-Treasurer, where applicable, of the Chapter shall notify, in writing, **OCSEA**, the assigned Staff Representative of the Union, and the assigned State Board of Directors member, at least ten (10) days in advance of each Chapter's meeting.

(E) The Secretary or Secretary-Treasurer, where applicable, of the District Council and Assembly shall notify **OCSEA and** the Secretary-Treasurer of the Union, in writing, at least ten (10) days in advance of each District Council's or Assembly's meeting.

(F) Sign all certified copies of activities of the body, such as minutes, unless otherwise specified in the documents.

**Section 4.** The Chapter, District Council, or Assembly Treasurer shall:

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Subordinate Body Constitution – Article IX – Duties; §3

RATIONALE: Add that the Subordinate body Secretary or Secretary-Treasurer must also notify OCSEA of meetings.

BE IT RESOLVED THAT ARTICLE IX OF THE OCSEA STATE SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

50 (A) Receive and hold all monies, securities, vouchers and such other property of the  
51 Chapter, District Council, or Assembly as may pertain to the Treasurer's office.

52 (B) Keep an accurate account of all financial transactions of the Chapter, District Council,  
53 or Assembly.

54 (C) Report all financial transactions at each regular meeting of the Chapter, District  
55 Council, or Assembly and submit in writing to the Secretary. The report, including Board polls  
56 and Executive Board actions, shall be attached to the minutes after approval by the Chapter,  
57 District Council, or Assembly.

58 (D) Submit all necessary financial reports to the Comptroller, as required in the State  
59 Constitution Article XII, Sections 3 and 4.

60 (E) Shall pay out monies only after the Chapter, District Council, or Assembly or  
61 Executive Board has authorized payment or as the State By-Laws prescribe.

62 (F) Submit all financial records upon request of the Chapter, District Council, or  
63 Assembly's duly appointed and elected audit committee or the Comptroller.

64 (G) Not authorize any expenditures or incur any obligations for which funds are  
65 unavailable.

66 (H) Forward all unaudited portions of the Chapter, District Council or Assembly's  
67 financial records to the Comptroller's Office after an election or other change in the office of  
68 Treasurer.

69 (I) Transfer to the succeeding officer all monies, securities, vouchers and all other  
70 property, including audited records, within seven (7) days of a change in the office of Treasurer.

71 (J) Sign as evidence of certification all financial transactions of the Chapter, District  
72 Council, or Assembly.

73 (K) Ensure that the Comptroller is a signatory on all chapter, District Council or Assembly  
74 bank accounts within thirty (30) days of taking office.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote





SUBMITTED BY: District 5

SUBJECT: Subordinate Body Constitution – Article X – Business; §3

RATIONALE: To update and clarify the term “incapacitated” in the Subordinate Body Constitution and to establish a minimum criteria for designated alternate(s) to co-sign checks.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article X – Business**

**Section 1.** No Body business shall be conducted without a quorum present.

(A) A quorum for a Chapter shall be a majority of the Chapter's Executive Board Members.

(B) A quorum for a District Council shall be a majority of the Executive Board plus 35% of the active Chapters within the Council.

(C) A quorum for an Assembly shall be a majority of the Executive Board plus three (3) other delegates representing at least two separate Chapters of the Assembly.

**Section 2.** No funds shall be disbursed or expended without the prior approval of the Chapter, District Council, or Assembly or its Executive Board, and the vote duly recorded in the minutes of the meeting. All Chapter, District Council, or Assembly and executive board meeting minutes shall contain detailed motions and seconds and be presented at the next regular Chapter, District Council, or Assembly meeting for approval.

**Section 3.** All checks and financial reports shall be signed by the President and the Treasurer. Should either be incapacitated, as defined but not limited to – inability to attend a regularly scheduled meeting or otherwise perform the duties of the Office due to the following: (A) government emergency/disaster or health and safety declaration, (B) contractual obligations to remain on duty, duty to be on call back or duty to report to work, (C) mandated overtime, or (E) on approved FMLA and/or disability leave as defined in the contract and/or federal or Ohio laws and rules. ~~‡~~The Chapter, District Council, or Assembly shall designate an alternate to sign checks until the incapacitated officer resumes office or is replaced. The alternate shall be an approved/authorized signatory to the account(s). By motion and approval of the General Body, additional signatory(ies) may be added to the

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: District 5

SUBJECT: Subordinate Body Constitution – Article X – Business; §3

RATIONALE: To update and clarify the term “incapacitated” in the Subordinate Body Constitution and to establish a minimum criteria for designated alternate(s) to co-sign checks.

BE IT RESOLVED THAT ARTICLE X OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

26 account(s). At all times financial accountability and reporting shall comply with provisions of  
27 OCSEA's State Constitution and State By-Laws.

28

29 **Section 4.** All Officers and Executive Board members shall be responsible for their actions in  
30 handling the Chapter, District Council, or Assembly's funds. Where any one (1) or more of said  
31 Officers and Executive Board members fails to properly handle Chapter, District Council, or  
32 Assembly funds, each shall be held fully accountable and must repay such improperly handled  
33 funds to the Chapter, District Council, or Assembly or to the Union's Comptroller.

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Subordinate Body Constitution – Article XI – Meetings; §7

RATIONALE: Modernizes the language to reflect current technology by removing outdated platforms and including widely used virtual meeting tools such as Zoom and Microsoft Teams. It also acknowledges the use of AI-powered transcription services like Otter.ai to enhance accessibility and assist with meeting documentation. These updates ensure that subordinate bodies can effectively conduct business using reliable and accessible virtual meeting solutions.

BE IT RESOLVED THAT ARTICLE XI OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Article XI – Meetings**

**Section 1.**

(A) The Chapter shall hold at least one regular meeting and one Executive Board meeting per quarter and hold other meetings as called by the Chapter President at a time and place specified by the President and approved in advance by the Chapter Executive Board.

(B) District Councils and Assemblies shall hold a minimum of one meeting per quarter and hold other meetings as called by the District Council or Assembly President.

**Section 2.** A meeting shall be called upon written petition to the Chapter, District Council, or Assembly's President, signed by (1) a majority of the District Council, or Assembly's delegates or Executive Board Members or (2) Chapter Executive Board Members. The petition shall specify the time and place of such meeting.

**Section 3.** In the event the President will not call a meeting, or the District Council, or Assembly's delegates or Executive Board Members or Chapter Executive Board will not petition for a meeting, the State President and/or the State Board of Directors' member assigned to that Chapter, District Council, or Assembly may order that a meeting be held.

**Section 4.** All Chapter delegates to the State Biennial Convention shall be elected at a regular or special Chapter meeting, from among the active members, in good standing, of the Chapter excepting the President, who by virtue of the office, is a Delegate-at-Large. In the event that the Chapter president is unable to attend the convention as the Chapter's representative, the delegate-at-large position shall be filled pursuant to Article IX, Section 1 of the State Constitution.

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Subordinate Body Constitution – Article XI – Meetings; §7

RATIONALE: Modernizes the language to reflect current technology by removing outdated platforms and including widely used virtual meeting tools such as Zoom and Microsoft Teams. It also acknowledges the use of AI-powered transcription services like Otter.ai to enhance accessibility and assist with meeting documentation. These updates ensure that subordinate bodies can effectively conduct business using reliable and accessible virtual meeting solutions.

BE IT RESOLVED THAT ARTICLE XI OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

**Section 5.** All meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised, except where such rules conflict with this Subordinate Body Constitution or OCSEA's State Constitution and State By-Laws.

**Section 6.** All officers, delegates, and Executive Board members of the Chapter, District Council, or Assembly shall be notified of all meetings of this Chapter, District Council, or Assembly.

**Section 7. ~~In the event of unforeseen circumstances (to include but not be limited to emergencies such as inclement weather) whereby a subordinate body (Assembly, Chapter or District) meeting could not be held or timing does not permit members coming together,~~**  
OCSEA shall recognize all virtual media meetings held in lieu of a physical meeting (Executive and General Body meetings) as an official meeting. A virtual meeting includes audio and/or video teleconferencing, such as including, but not limited to, telephone bridge lines, web conferencing services, Face time, ~~Skype~~, Zoom, Microsoft Teams ~~OOVVOO~~ or other similar applications. The use of AI-powered transcription tools, such as Otter.ai, may be utilized by subordinate body leadership solely to assist in the preparation of official meeting minutes. Transcripts generated through such tools are not considered official records and are not required to be retained or distributed.

Before a subordinate body may convene such a virtual meeting, its executive board and the State Board shall adopt and adhere to the written policy contained in Appendix F of the International Union Constitution. In addition, the State Board shall adopt provisions on how such

Committee Assign \_\_\_\_\_ Committee Recommend \_\_\_\_\_ Convention Action \_\_\_\_\_ Requires Majority Vote

SUBMITTED BY: OCSEA Board of Directors

SUBJECT: Subordinate Body Constitution – Article XI – Meetings; §7

RATIONALE: Modernizes the language to reflect current technology by removing outdated platforms and including widely used virtual meeting tools such as Zoom and Microsoft Teams. It also acknowledges the use of AI-powered transcription services like Otter.ai to enhance accessibility and assist with meeting documentation. These updates ensure that subordinate bodies can effectively conduct business using reliable and accessible virtual meeting solutions.

BE IT RESOLVED THAT ARTICLE XI OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

- 47 meetings will be held and made accessible to all participants. Audio and/or video teleconference  
48 meetings shall not be permitted for conventions or elections.



SUBMITTED BY: Delaware Chapter 2100

SUBJECT: Subordinate Body Constitution – Article XIV – Convention Approved Board Policies

RATIONALE: Creating a new Article in the Subordinate Body Constitution to include the convention approved board policies from “OCSEA State Constitution Article V – Duties of Board of Directors, Section 4(C)”.

BE IT RESOLVED THAT ARTICLE XIV OF THE OCSEA SUBORDINATE BODY CONSTITUTION BE AMENDED AS FOLLOWS:

1

**XIV – Convention Approved Board Policies**