

AFSCME LOCAL 4041
DESERT CHAPTER CONSTITUTION

ARTICLE I

NAME AND OBJECTIVES

SECTION 1: NAME AND ADDRESS: This organization shall be known as Desert Chapter of AFSCME Local 4041. The region as defined for the Desert Chapter of AFSCME Local 4041, State of Nevada. The office of the Desert Chapter will be maintained in Las Vegas, Nevada.

SECTION 2: OBJECTIVES: The aims and objectives of Desert Chapter shall be in accordance with the aims and objectives as set forth in the Constitution of AFSCME Local 4041.

ARTICLE II

MEMBERSHIP

SECTION 1: MEMBERSHIP: Any individual who is eligible for membership under the provisions of ARTICLE IV of the Constitution of AFSCME Local 4041 is eligible for membership in Desert Chapter.

ARTICLE III

ADMINISTRATION

SECTION 1: BOARD OF DIRECTORS:

- (A) The Board of Directors shall consist of the President, Vice President, Recording Secretary, Secretary-Treasurer, and six (6) Chapter Directors.
- (B) The administration of the affairs of the Desert Chapter is vested in the Chapter Board of Directors. The Board of Directors shall have all powers not forbidden by the Chapter's Constitution and Bylaws or restricted by other AFSCME Local 4041 bodies.

ARTICLE IV

AMENDMENTS

SECTION 1: AMENDMENTS: This Constitution may be amended, revised, or changed by a majority vote of the members voting at a regular or special board meeting of DesertChapter, adequate notice having been given. (See Section X of the AFSCME Local 4041 Constitution and By Laws) Such changes shall take effect only upon written approval of the AFSCME Local 4041 Board of Directors.

ARTICLE V

ADOPTION

SECTION 1: ADOPTION: This Constitution, upon adoption, shall supersede any and all governing regulations of Desert Chapter, AFSCME Local 4041. This shall not be construed to preclude any duly elected officer or director from serving the term for which elected.

Approved and accepted by majority vote of Desert Chapter Board of Directors this _____ day of _____, 2009.

Turessa Russell, President

Margaret Brandner, Recording Secretary

AFSCME LOCAL 4041
DESERT CHAPTER BYLAWS

ARTICLE I

MEETINGS, QUORUMS, VOTING RIGHTS, ABSENCES, REMOVAL FROM OFFICE

SECTION 1: REGULAR MEETINGS: The Board of Directors will meet monthly and at such other times as may be deemed necessary to conduct Chapter business. The Board will conduct the affairs of the Chapter in accordance with the provisions of AFSCME Local 4041 State and Chapter Constitution and Bylaws and the mandates of the membership of Desert Chapter.

SECTION 2: SPECIAL MEETINGS: Special meetings of the Desert Chapter may be called by the chapter President for good cause. The chapter membership must be advised of such special meetings by any means deemed acceptable.

SECTION 3: QUORUMS: A simple majority of the elected Board of Directors shall constitute a quorum.

SECTION 4: VOTING RIGHTS: All members of the Board of Directors will have a vote on all matters presented to the Board. No proxy votes will be permitted on any matter.

SECTION 5: ABSENCES: Any elected officer or member of the Board of Directors who cannot be in attendance at any chapter business meeting must notify the president and/or recording secretary in advance unless physically unable to do so. Each absence must be approved as "excused" or "unexcused" by the board of directors, and the board's findings shall be recorded in the chapter minutes.

SECTION 6: REMOVAL FROM OFFICE: Removals from office shall be accomplished as follows:

(A) Chapter elected officers and members of the Board of Directors:

- (1) Three unexcused recorded absences within a term of office shall constitute resignation from the elected position.
- (2) By proposal of a majority of the total board of Directors or by written petition signed by twenty percent (20%) of the total membership and presented at a regular chapter business meeting.

SECTION 7: RIGHT OF APPEAL: No member of the chapter, claiming to be aggrieved by any action of the Chapter or of the Board, officer committee or other unit or agency thereof shall be denied the right of a hearing before the chapter board of directors. Expulsion of a member of the Chapter, by the Board of Directors shall be sustained by no less than a two-thirds (2/3) vote.

ARTICLE II

DUTIES: PRESIDENT, VICE PRESIDENT, RECORDING SECRETARY, SECRETARY-TREASURER, AND CHAPTER DIRECTORS

NOTE: For the purpose of these sections, the officer referenced will be referred to as *he*.

SECTION 1: THE PRESIDENT SHALL:

- (A) Preside at all meetings of Desert Chapter and of the Desert Chapter Executive Board.
- (B) Be a member of all Desert Chapter committees, except for the Desert Chapter election committee.
- (C) Countersign all checks drawn against the funds of the chapter. (See Article II-Section 2.)
- (D) Appoint all standing committees and all special committees of the chapter, subject to approval of the Executive Board.
- (E) Report periodically to the membership regarding the progress and standing of the Desert Chapter, and regarding the President's official acts.

SECTION 2: THE VICE-PRESIDENT SHALL:

- (A) Assist the President in the work of the President's office.
- (B) In the absence of the President, or in the President's inability to serve, preside at all meetings and perform all duties otherwise performed by the President.
- (C) Upon approval by the Desert Chapter executive board, be authorized to act as a co-signer of checks drawn on the Desert Chapter local funds in place of either the President or the Secretary-Treasurer.

SECTION 3: THE RECORDING SECRETARY SHALL:

- (A) Keep records of the proceedings of all membership meetings and of all chapter board meetings.
- (B) Carry on the official correspondence of the chapter, except as the chapter board may direct otherwise.
- (C) Perform other duties as required by the chapter board.
- (D) Prepare and distribute the monthly minutes to the Board of Directors for approval before the next meeting.
- (E) Prepare and submit minutes, original copies of the monthly meeting sign-in sheet, and treasurer's report, after all have been approved, to Local 4041.

SECTION 4: THE SECRETARY-TREASURER SHALL:

- (A) Receive and receipt all monies of the chapter.
- (B) Deposit all chapter monies received in a bank or banks selected by the Board of Directors. All monies so deposited shall be withdrawn only by check and signed by the President and the Secretary-Treasurer. (See Article II, Section 1 (C).)
- (C) Prepare and sign checks for such purposes as required by the constitution or as authorized by the membership or the Board of Directors.
- (D) Keep an accurate record of receipts and disbursements and shall, once each month, submit to the membership a monthly operating statement of the financial transactions of the chapter for the previous month.
- (E) Act as custodian of all properties of the chapter.
- (F) Give a surety bond for an amount to be fixed by the Board of Directors of the chapter, at the expense of the chapter and through AFSCME Local 4041 and the International Union.
- (G) See that any financial reports required by the AFSCME Local 4041 Constitution be submitted in accordance with said AFSCME Local 4041 Constitution.

SECTION 5: THE DELEGATES TO THE ANNUAL STATE CONVENTION SHALL:

- (A) Represent to the best of their ability, the feelings of a majority of the membership of Desert Chapter on all matters that come before the Annual Convention.
- (B) All Desert Chapter officers shall be, ex-officio, delegates to the Annual Convention.

ARTICLE III

CHAPTER COMMITTEES

THE PRESIDENT SHALL ESTABLISH all such committees as it deems necessary to perform such functions as are assigned to them by the President with the approval

of the Board of Directors. All coordinating committees shall meet at least once a year.

- (A) Suggested committees shall include, but not be limited to, those listed in the Desert Chapter Policies and Procedures manual.

ARTICLE IV

OFFICERS, NOMINATIONS, AND ELECTIONS

SECTION 1: An employee member of Desert Chapter is eligible to hold any elective office in the chapter, provided that the individual has been an employee member for six months prior to the nomination and that the individual gives his verbal or written consent thereto.

SECTION 2: The term of office for officers shall be two years, with elections being held in odd-numbered years during the month of February. In the event of a vacancy, the President shall appoint a new officer, with the approval of the Board of Directors. The appointment shall be for the remainder of the unexpired term.

SECTION 3: Any member of Desert Chapter, in good standing, is eligible to become a delegate to the Annual Convention provided that the individual has been an employee member six (6) months or more prior to Annual Convention. The chapter membership shall elect additional delegates to fulfill the number of delegate positions allowed for Desert Chapter.

- (A) A delegate shall serve a term of one year; elections being held annually, in the month of February.
- (B) In the case of delegates to the Annual Convention, vacancies will be filled from the list of alternate delegates received at the annual Chapter election. In the event the list of alternate delegates is exhausted, the Chapter President shall appoint necessary delegates, with the concurrence of the Chapter Board of Directors, giving due consideration to securing representation of all agencies covered by Chapter membership.

ARTICLE V

SPECIAL COMMITTEES: ELECTIONS AND INSTALLATION

SECTION 1: An Election Committee composed of not less than three (3) employee members of Desert Chapter, not running for any elected position, shall be appointed by the President.

(A) The Election Committee will take names from the floor for the end of term vacancies at a scheduled Chapter Business Meeting in accordance with Chapter D of the International Constitution.

(B) The Election Committee shall prepare the ballots at that meeting.

SECTION 2: All Desert Chapter Board of Directors and Delegates shall be elected by secret ballot and in accordance with the International Constitution.

SECTION 3: After the ballots have been counted, the election results will be announced. The tally sheet with the ballots shall be placed in a sealed envelope, signed by the election committee, and turned over to the Recording Secretary. The ballots will be maintained for one year in an AFSCME Local 4041 office. A challenge to the election must be in accordance with Appendix D of the Election Code of the International Constitution.

SECTION 4: Installation of newly elected Chapter Board members and Delegates will be held immediately following the election.

ARTICLE VI

THE ASSOCIATION DUES AND FUNDS, LIMITATIONS, MEMBERSHIP RIGHTS AND RESTRICTIONS

SECTION 1: The Union Dues, Union Funds, Limitations, Membership Rights and Restrictions for Desert Chapter shall be governed by the AFSCME Local 4041 Constitution and Bylaws.

ARTICLE VII

AMENDMENT PROCEDURE FOR BYLAWS AND RULES

SECTION 1: AMENDMENTS TO THESE BYLAWS may be proposed by the Chapter Board of Directors, or by written petition signed by ten percent (10%) of the Chapter Membership present at a regular Chapter Business Meeting.

(A) The President shall use any acceptable means to notify the total Chapter Membership of the proposed amendment prior to the final vote.

(B) The proposed amendment shall be voted on at the next Chapter Business Meeting following its introduction. A majority vote of those Chapter

Members present shall be required for adoption. Voting by proxy is prohibited.

(C) All changes to the Constitution and Bylaws will be approved by the State Board and signed by the Local 4041 President.

SECTION 2: ROBERT'S RULES OF ORDER: The rules contained in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the Chapter in all cases to which they are acceptable and in which they are not inconsistent with these Bylaws and any special rules of order that the Chapter may adopt.

ARTICLE VIII

ADOPTION

SECTION 1: Adoption of Bylaws: These Bylaws, upon adoption, shall supersede all governing regulations of Desert Chapter, AFSCME Local 4041. This shall not be construed to preclude any duly elected Officer or Director from serving the term for which elected.

Approved and accepted by majority vote of Desert Chapter Board of Directors
this _____ day of _____, 2009.

Turessa Russell, President, Desert Chapter, AFSCME Local 4041

Margaret Brandner, Recording Secretary

Approved and accepted by majority vote of AFSCME Local 4041 Board of
Directors this _____ day of _____, 2009.

Neil Lake, President, AFSCME Local 4041