

# PROPOSED FOR RATIFICATION

## **Bylaws**

Adult Foster Home Providers Local 858, SEIU Local 503, OPEU

### ARTICLE I – NAME

The name of this organization shall be Adult Foster Home (AFH) Local 858 of the Service Employees International Union, Local 503, OPEU (the Union).

### ARTICLE II – PURPOSE

Local 858 is a basic membership group of the Union and is established for the purpose of representing the employees of the Adult Foster Home Local 858. The AFH Council is the elected representatives of the AFH Local 858 members and responsible for carrying out the duties of their respective positions. Their purpose is to represent the membership of Local 858 with and in the best interest of all members to ensure that every member has equal treatment and protection within their contract and through the Union.

### ARTICLE III – VISION

The vision of this organization is to be a voice for the members of the Adult Foster Home Local 858 and work to achieve fair reimbursement rates, health care and other benefits, recognition and respect for the value of our work and to advance the economic, social and political areas, improving the lives and welfare of Local 858 members, working families and the residents we care for through bargaining, organizing and political action.

### ARTICLE IV – MEMBERSHIP

Section 1. Active membership is open to all Union members in good standing of the AFH Local 858.

### ARTICLE V - DUTIES OF THE LOCAL

The duties of Local 858 will be to participate in bargaining fair contracts to ensure quality care for Medicaid residents through safe and fair working conditions for all AFH providers, and to develop a system of communication for bargaining, voting on ratification of the collective bargaining contracts, to elect Local Representatives who are current members in good standing of Local 858 and to protect the general goals of Local 858 and the Union.

### ARTICLE VI – LOCAL REPRESENTATIVES

Section 1. The elected representatives of Local 858 shall be the President, Vice President, Financial Treasurer, Recording Secretary, and Chief Steward. The Immediate Past President shall also participate in Local leadership as a non-voting member of the Executive Committee.

Section 2. Each representative, except Immediate Past President, shall be elected for a two-year year term. The President becomes the Immediate Past President upon the installation of their successor, provided the Immediate Past President continues to be a member in good standing.

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Section 3. District Council Directors shall be elected to the AFH Council for a two-year term.

Section 4. The AFH Council shall consist of the President, Vice President, Financial Treasurer, Recording Secretary, Chief Steward, Immediate Past President (non-voting), and the District Council Directors elected from their respective regions. All members of the local may attend as non-voting observers.

## ARTICLE VII - ELECTIONS

Section 1. The term of office shall be two (2) years beginning in May 1 of even numbered years

Section 2. The President shall appoint a Nominations/Election Committee of at least three (3) active members or retiree members to seek candidates, to oversee and certify the election results in accordance with the Union's governing documents.

Section 3. All members shall be entitled to vote for all candidates elected in the local.

## ARTICLE VIII - DISTRICTS

The Adult Foster Home Council is composed of regional districts as defined in Appendix 1 of the Union's Bylaws. District Council Directors shall be elected from each of the regional districts based on the district where they reside.

## ARTICLE IX - EXECUTIVE COMMITTEE

The President, Vice President, Financial Treasurer, and Recording Secretary, and the Immediate Past President as a non-voting member, shall constitute the Executive Committee, empowered to transact all AFH Local 858 business between meetings of Adult Foster Home Council.

## ARTICLE X - DUTIES OF LOCAL REPRESENTATIVES

Section 1. President:

- a. Preside over all meetings of the Adult Foster Home Council and the Adult Foster Home Council Executive Board.
- b. Set the agenda for Council meetings and the Council Executive Board
- c. Shall be the chief spokesperson for AFH Local 858.
- d. Shall have the authority to attend and represent AFH Local 858 at national, local and coalition meetings as appropriate.
- e. Shall assist in the development of the Local's communication system.
- f. Shall be an automatic delegate to General Council.
- g. Shall appoint nominations and elections committee.
- h. Shall work on an ongoing basis to enhance skills, knowledge and abilities by
  - i. attending trainings, conferences, meetings, reading mailings and educational
  - j. material.
- k. Shall assist in the development of Ground Rules and shall abide by and enforce
  - l. all Ground Rules.
- m. Shall be an automatic member of the bargaining team.

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## Section 2. Immediate Past President:

- a. Shall advise the President.
- b. Shall serve as a non-voting member of the Executive Committee.
- c. Shall serve on such committees as may be designated by these bylaws or to which they are appointed by the President.
- d. Shall serve as Historian of the AFH Local 858.

## Section 3. Vice President:

- a. Shall, in the absence of or upon request of the President perform the duties of
- b. the President.
- c. Shall replace the President for the unexpired term in the event of death,
- d. incapacity, resignation or removal of the President.
- e. Shall assist in the development of the Adult Foster Home Council
- f. internal structure to support political action and organizing within local 858.
- g. Shall be an automatic delegate to General Council, or, in the event the local does not have adequate positions available, serve as the 1st Alternate General Council Delegate.
- h. Shall be a member of the Adult Foster Home Council executive
- i. committee.
- j. Shall work on an ongoing basis to enhance skills, knowledge and abilities by
- k. attending trainings, conferences, meetings, reading mailings and educational
- l. materials.
- m. Shall be an automatic member of the bargaining team.

## Section 4. Secretary-Treasurer:

- a. Shall maintain financial records of the Adult Foster Home Local and maintain a record of the meetings of the Adult Foster Home Council and Executive Board.
- b. Shall be responsible for disbursement of Local funds. Requests for disbursement shall be made to Union headquarters in care of the statewide.
- c. Treasurer of the Union who shall comply with such requests where they are in compliance with the Bylaws of the Union.
- d. Shall assist in the development of the Adult Foster Home Council.
- e. internal structure to support political action and organizing within Adult Foster
- f. Home Union Local 858.
- g. Shall be an automatic delegate to General Council, or, in the event the local does not have adequate positions available, serve as the 2nd Alternate General Council Delegate.
- h. Shall be a member of the Local 858 Executive Committee.
- i. Shall coordinate and keep current a list of all policies and procedures of the Adult Foster Home Provider's Local 858.
- j. Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.
- k. Shall be an automatic member of the bargaining team.

## Section 5. Statewide Chief Steward:

- a. Must be an Adult Foster Home Steward before seeking the position of Chief Steward.
- b. Shall be a voting member of the Adult Foster Home Council.
- c. Shall be elected by a vote of eligible members of Adult Foster Home Local 858.
- d. Shall Chair the AFH Stewards Committee.

# PROPOSED FOR RATIFICATION

- e. Shall recruit and develop stewards.
- f. Shall track grievances.
- g. Shall assist stewards.
- h. Shall ensure training opportunities for stewards.
- i. Shall participate in Labor/Management meetings as necessary.
- j. Shall be an automatic delegate to General Council, or, in the event the local does not have adequate positions available, serve as the 3rd Alternate General Council Delegate
- k. Shall be an automatic member of the bargaining team.

## Section 6. Adult Foster Home District Council Director(s):

One (1) District Council Director for each of the regional districts:

- a. Shall assist members.
- b. Shall participate in statewide AFH Local 858 meetings.
- c. Shall participate in political action in the district and whenever possible at the State Capitol.
- d. Shall assist in recruiting AFH into the Union.
- e. Shall assist in communications within their area of geographic representation.
- f. Shall represent AFH at District meetings of the Union.
- g. Shall serve as alternate delegates to General Council, in order of the highest votes received.
- h. Council Directors must live in the District they are elected to represent.
- i. Shall assist in the development of Ground Rules and shall abide by all Ground Rules.
- j. Shall be an automatic member of the bargaining team. A District Council Director may relinquish their role on the bargaining team to the Assistant Council Director in their region without resigning their position as Council Director, but may not assume a role on the bargaining team again after relinquishing their role.

## Section 7. Assistant Council Director(s):

One (1) Assistant Council Director for each of the regional districts:

- a. Shall, at the request of the Council Director, serve in their absence.
- b. Shall assist Council Directors in carrying out the duties enumerated in the preceding section, Council Directors.
- c. Shall serve as an alternate General Council Delegate if positions cannot be filled from all of the District Council Directors, serving in the order of the highest number of votes received.
- d. Assistant Council Directors must live in the District they are elected to represent.
- e. Shall abide by all Ground Rules.
- f. Shall serve as an alternate on the bargaining team for their regional Director.

## Section 8. Filling vacancy of AFH Council Statewide Local Representative Position:

Except for the President and Immediate Past President, a vacancy of a statewide representative position shall be announced to the membership of the AFH Local 858 and every member given the opportunity to submit their name for consideration for appointment by the AFH Council to fill the remainder of the term.

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Section 9. Filling vacancy of AFH Provider's Council Directors and Assistant Council Directors: Vacancies in the office of Council Directors shall be filled by the Assistant Council Director for that District. The vacant Assistant Council Director(s) shall be filled by appointment of the AFH Providers Council.

## ARTICLE XI - REMOVAL OF LOCAL REPRESENTATIVES

In the event a Local Representative of Local 858 is not actively carrying out the duties and responsibilities of the elected position they may be removed from their position by a two-thirds (2/3) majority vote of the AFH Council.

## ARTICLE XII – BARGAINING TEAM

The elected President and Vice President shall both be automatic Bargaining Delegates. The Secretary-Treasurer and Chief Steward shall also be automatic Bargaining Delegates, but may opt out of this bargaining team position in writing in advance of bargaining commencing.

Council Directors shall also be automatic Bargaining Team Delegates. A Council Director may allow their Assistant Director to serve in their place on the Bargaining Team.

All types of licensing groups must be represented on the bargaining team. If a licensing group is not represented on the elected bargaining team, additional member(s) may be appointed by the other members of the bargaining team so that all licensing groups are represented.

## ARTICLE XIII – QUORUMS

A Quorum of at least 50% of the seated AFH Council shall be required to conduct the business of the AFH Council to allow for a proper and fair discussion and decision making. This article is to ensure that all proceedings have a fair democratic process and to ensure the broadest representation of the providers within Local 858.

## ARTICLE XIV – PARLIAMENTARY PROCEDURES

Meetings and other types of business shall be conducted per the Parliamentary Procedures and Robert's Rules to ensure order, fair process and that all members are able to participate equally.

## ARTICLE XV – AMENDMENTS

The Bylaws can only be amended by a majority vote at the statewide AFH Council meeting following proper notice to the membership, via electronic voting, or mail voting. Proper notice means that the AFH Council shall notify the membership via mail, email, or web publication with the proposed amendments for distribution along with the time and date of the meeting where the vote will take place. The vote will take place no sooner than fifteen (15) days of original notice to all eligible voters of Local 858 and in good standing.

End of the Bylaws

Date of Ratification:

## **Constitution & By-Laws**

**Adult Foster Home Providers Local 858, SEIU Local 503, OPEU**

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## **Constitution and Bylaws**

Adult Foster Home Providers Local 858, SEIU Local 503, OPEU

### **CONSTITUTION**

#### **ARTICLE I – NAME**

The name of this organization shall be Adult Foster Home Local 858 of the Service Employees International Union (SEIU), Local 503, OPEU.

#### **ARTICLE II – PURPOSE**

Local 858 is a basic membership group of the Union (503) and is established for the purpose of representing the employees of the Adult Foster Home Local 858. The AFH Council is the elected representatives of the AFH Local 858 members and responsible for carrying out the duties of their respective offices. Their purpose is to represent the membership of Local 858 with and in the best interest of all members to insure that every member has equal treatment and protection within their contract and through SEIU 503/OPEU.

#### **ARTICLE III – VISION**

The vision of this organization is to be a voice for the members of the Adult Foster Home Local 858 and work to achieve fair reimbursement rates, health care and other benefits, recognition and respect for the value of our work and to advance the economic, social and political areas, improving the lives and welfare of Local 858 members, working families and the residents we care for through bargaining, organizing and political action.

#### **ARTICLE IV – MEMBERSHIP**

AFH Local 858 has two (2) types of membership: active and retired.

Section 1 Active membership is open to all SEIU Local 503, OPEU bargaining unit members in good standing of the AFH Local 858.

Section 2 Retired membership is limited to persons who, while employed, were active members in good standing of the AFH Local 858.

#### **ARTICLE V – LOCAL OFFICERS**

Section 1 The officers of Local 858 shall be President, Vice President, Financial Treasurer, Recording Secretary, Chief Steward and Immediate Past President as a non-voting member.

Section 2 Each officer, except Immediate Past President, shall be elected for a 2 year term. The President becomes the Immediate Past President upon the installation of the successor; provided the Immediate Past President continues to be a member in good standing.

#### **ARTICLE VI – AMENDMENTS**

The Constitution can only be amended by a two-thirds (2/3) vote at the statewide AFH Council meeting following proper notice to the membership. Proper notice means that the AFH Council shall mail to each steward and contact person in the Adult Foster Home Providers Local 858 a copy of the proposed amendments for distribution along with the time and date of the meeting where the vote will take place. The vote will take place no sooner than 45 days of original notice to all eligible voters of Local 858 and in good standing.

#### **ARTICLE VII – QUORUMS**

A Quorum of at least 50% of the seated AFH Council shall be required to conduct the business of the AFH Council to allow for a proper and fair discussion and decision making. This article is to insure that all proceedings have a fair democratic process and to ensure the broadest representation of the providers within Local 858.

#### **ARTICLE VIII – Manner in which Business is to be conducted**

Meetings and other types of business shall be conducted per the Parliamentary Procedures and Robert's Rules to insure order, fair process and that all members are able to participate equally.

End of the Constitution

## BYLAWS

### **Article I Duties of the Local**

The duties of Local 858 will be to participate in bargaining fair contracts to insure quality care for Medicaid residents through safe and fair working conditions for all AFH providers, and to develop a system of communication for bargaining, voting on ratification of the collective bargaining contracts, to elect officers who are current members in good standing of Local 858 and to protect the general goals of Local 858 and the Union.

### **Article II Membership**

Active membership is open to all SEIU Local 503, sub-local 858 AFH Providers based on union membership status.

### **Article III Elections**

**Section 1.** The term of office shall be two (2) years beginning in May 1 of even numbered years *(The first slate of elected officers for Local 858 will serve terms that end in April, 2011)*

**Section 2.** The President shall appoint a Nominations/Election Committee of at least three (3) active members to seek candidates, to oversee and certify the election results.

**Section 3.** A minimum of ninety (90) days prior to May 1, notice shall be given to the membership that the Committee is accepting names for nomination.

**Section 4.** The ballot will be prepared and mailed no later than seventy (70) days prior to May 1.

**Section 5.** Voting shall be by secret ballot and may be by direct mail or any publicized meeting.

### **Article IV Districts**

The Adult Foster Home Council is composed of nine Districts as follows:

District 1 Counties - Gilliam, Morrow, Umatilla, Union, Wallowa, Baker, Sherman

District 2 Counties – Deschutes, Crook, Wheeler, Grant, Jefferson

District 3 Counties – Josephine, Jackson, Klamath, Curry

District 4 Counties – Lake, Harney, Malheur

District 5 Counties – Douglas, Coos

District 6 Counties – Linn, Lane, Marion

District 7 Counties – Polk, Benton, Yamhill, Lincoln, Tillamook, Clatsop

District 8 Counties – Clackamas, Hook River, Wasco

District 9 Counties – Multnomah, Washington, Columbia

### **Article V EXECUTIVE COMMITTEE**

The President, Vice President, Financial Treasurer and Recording Secretary, Immediate Past President, as a non-voting member shall constitute the Executive Committee, empowered to transact all AFH Local 858 business between meetings of Adult Foster Home Council.

### **Article VI DUTIES OF OFFICERS**

#### **Section 1. President:**

- a. Preside over all meetings of the Adult Foster Home Council and the Adult Foster Home Council Executive Board.
- b. Set the agenda for Council meetings and the Council Executive Board



- c. Shall be the chief spokesperson for AFH Local 858.
- d. Shall have the authority to attend and represent AFH Local 858 at national, local and coalition meetings as appropriate.
- e. Shall assist in the development of the Local's communication system.
- f. Shall be an automatic delegate to General Council.
- g. Shall appoint nominations and elections committee.
- h. Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational material.
- I. Shall assist in the development of Ground Rules and shall abide by and enforce all Ground Rules.

Section 3.Immediate Past President:

- a. Shall advise the President.
- b. Shall serve as a non-voting member of the AFH Council.
- c. Shall serve on such committees as may be designated by these bylaws or to which he/she is appointed by the President.
- d. Shall serve as Historian of the AFH Local 858.
- e. Shall serve as a non-voting member of the Council Executive Board.

Section 4.Vice President:

- a. Shall, in the absence of or upon request of the President perform the duties of the President.
- b. Shall replace the President for the unexpired term in the event of death, incapacity, resignation or removal of the President.
- c. Shall assist in the development of the Adult Foster Home Council internal structure to support political action and organizing within local 858.
- d. Shall be an automatic delegate to General Council.
- e. Shall be a member of the Adult Foster Home Council executive committee.
- f. Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.

Section 4.Financial Treasurer:

- a. Shall maintain financial records of the Adult Foster Home Local
- b. Shall be responsible for disbursement of Local funds. Requests for disbursement shall be made to Union headquarters in care of the statewide Treasure of the Union who shall comply with such request where they are in compliance with the Constitution and Bylaws of the Union.
- c. Shall assist in the development of the Adult Foster Home Council internal structure to support political action and organizing within Adult Foster Home Union Local 858.
- d. Shall be an automatic delegate to General Council.
- e. Shall be Chairperson of the Adult Foster Home Local 858 Finance Committee.
- f. Shall be a member of the Local 858 Executive Committee.
- g. Shall coordinate and keep current a list of financial policies and procedures of the Adult Foster Home Provider's Local 858.

- h. Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.

Section 5. Recording Secretary:

- a. Shall keep a correct record of the meetings of Adult Foster Home Council, Executive Board and AFH Finance Committee.
- b. Shall be a member of the Local 858 Executive Committee.
- c. Shall be a member of the Adult Foster Home Local 858 Finance Committee.
- d. Shall be a member of the Local 858 Executive Committee.
- e. Shall coordinate and keep current a list of policies and procedures of the Adult Foster Home Local 858.
- f. Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials
- g. Shall be responsible for mailings, and contacting the general membership.
- h. Shall assist the Executive Secretary Treasurer.

Section 6. Statewide Chief Steward:

- a. Must be an Adult Foster Home Steward before seeking the position of Chief Steward.
- b. Shall be a voting member of the Adult Foster Home Council.
- c. Shall be elected by a vote of eligible members of Adult Foster Home Local 858.
- d. Shall Chair the AFH Stewards Committee.
- e. Shall recruit and develop stewards.
- f. Shall track grievances.
- g. Shall assist stewards.
- h. Shall ensure training opportunities for stewards.
- i. Shall participate in Labor/Management meetings as necessary.
- j. Shall be an automatic delegate to General Council.
- k. Shall be an automatic member of the bargaining team.

Section 7. Adult Foster Home District Council Director(s):

1 District Council Director for each of the 9 Districts

- a. Shall assist members.
- b. Shall participate in statewide AFH Local 858 meetings.
- c. Shall participate in political action in the district and whenever possible at the State Capitol.
- d. Shall assist in recruiting AFH into the Union.
- e. Shall assist in communications within their area of geographic representation.
- f. Shall represent AFH at District meetings of the Union.
- g. Shall be an automatic delegate to General Council.
- h. Council Directors must live or work in the AFH Provider District they are elected to represent and shall be a current Adult Foster Home Provider within that District.
- i. Shall assist in the development of Ground Rules and shall abide by all Ground

Rules.

Section 8. Assistant Council Director(s):

- 1 Assistant Council Director for each of the 9 Districts
  - a. Shall, at the request of the Council Director, serve in their absence
  - b. Shall assist Council Directors in carrying out the duties enumerated in the preceding section, Council Directors.
  - c. Shall be an automatic delegate to General Council
  - d. Assistant Council Directors must live or work in the AFH District they are elected to represent.
  - e. Shall abide by all Ground Rules and the rules set forth by the AFC Council

Section 9. Resignation from office:

Any AFH Council member, including statewide officers, will be considered resigned from their elected position following 2 unexcused absences from statewide council meetings.

Section 10. Filling vacancy of AFH Council Statewide Officer Position:

Except for the President and Immediate Past President, a vacancy of a statewide officer position shall be announced to the membership of the AFH Local 858 and every member given the opportunity to run for the vacant position. Vacancies mid-term shall be filled by vote of the membership; except when such vacancy occurs within 180 days prior to the next regularly scheduled election cycle; then the vacancy will be filled by appointment of the AFH Council.

Section 11. Filling vacancy of AFH Provider's Council Directors and Assistant Council Directors:

Vacancies in the office of Council Directors may be filled by one of the Assistant Council Director for that District. The vacant Assistant Council Director(s) shall be filled by appointment of the AFH Providers Council after proper notice and election by the membership.

**Article VII REMOVAL OF OFFICERS**

In the event an officer of Local 858 is not actively carrying out the duties and responsibilities of the elected position he or she may be removed from office, by a simple majority vote of the membership eligible to vote for the office. Balloting will occur when called for by an initiative petition bearing signatures of ten (10) percent of the members eligible to vote. Petitions will be delivered to the Adult Foster Home Providers Council Executive Committee who will validate the membership standing of the petitioners. The executive Committee shall order an election to be held, if appropriate, within forty five (45) days of receipt of petition. If the person removed wishes to appeal, an appeal shall be made to SEIU Local 503, OPEU Executive Board, who will then hear the appeal and a majority vote, will rule.

**Article VIII GROUND RULES**

Ground rules shall be established and posted at each meeting. Ground rules shall include but not be restricted to the following;

1. The manner in which meetings shall be conducted.
2. In accordance with the SEIU Local 503 Constitution & By Laws, all members in good standing are allowed to attend meetings of the AFH Local 858
3. Manner in which all are to conduct themselves i.e. "Rules of engagement".

4. Other rules which will ensure participation, productivity and insightful meetings.
5. Manner in which violations of the said rules are enforced.

## **Article IX Amendments**

The By-laws can only be amended by a two-thirds (2/3) vote at the statewide AFH Council meeting following proper notice to the membership. Proper notice means that the AFH Council shall mail to each steward and contact person in the AFH Local 858 a copy of the proposed amendments for distribution along with the time and date of the meeting where the vote will take place. The vote will take place no sooner than 45 days of original notice to all eligible voters of Local 858 and in good standing.

## **Article X Bargaining Team Elections**

The elected President and Vice President of the AFH Council shall both be automatic Bargaining Delegates. The Financial Treasurer, Recording Secretary and Chief Steward shall also be automatic Bargaining Delegates, but may opt out of this bargaining team position in writing in advance of bargaining commencing.

Bargaining Team positions shall also be elected by District, with 1 elected Delegate and 1 Alternate per District. The highest vote getter in a District shall be the elected Delegate, the second highest vote getter shall be the elected Alternate. An Alternate will attend bargaining in the Delegate's absence. If an Alternate chooses to attend a bargaining session where the Delegate is already in attendance, it will be at the Alternate's own expense.

Additionally, the Bargaining Team will be comprised of 1 elected Delegate per each of the four licensing groups: APD, DD, AMH & Relative.

The Bargaining Team will elect a Team Chair and Vice Chair in two separate stand alone elections. The Bargaining Team shall stay elected until the contract is complete.

The election for the 2013 Bargaining Team shall be conducted by December 15<sup>th</sup> 2012. Thereafter, the election for the AFH Bargaining Team will be conducted conjointly with Local Officer elections.

## **End of the By-Laws**

- AFH- abbreviation for Adult Foster Home

Agate/Careproviders/AFH/AFH Constitution and Bylaws