

Bylaws
Homecare Local 99: SEIU Local 503, OPEU

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BYLAWS

ARTICLE I – DUTIES OF THE LOCAL

Section 1. Vision Statement. We envision a just and vibrant-membership where everyone is treated with dignity and respect, where all workers can provide for themselves and their families.

Purpose Statement. Our Union is a labor organization established to represent and work for the benefit of workers on matters of, including but not limited to, employment relations, collective bargaining and contract administration-

Our Union is committed to operating democratically, openly, and through the leadership of its members. We seek to empower our members and their communities to overcome injustice and inequity so that everyone has equal access to opportunity.

The Homecare Council serves to support, develop, and empower care providers in all our diversity and to ensure we:

- Have the tools, education and training necessary to succeed
- Have pathways for professional and economic advancement
- Know and exercise our rights
- Engage in collective actions to increase political, economic, social and cultural power.

Section 2. Duties of the Local. The duties of the local shall be to establish and maintain a system of governance whose main goal is to organize and unite bargaining unit members of Local 99, so as to bargain and maintain the collective bargaining agreement (CBA) for the benefit of those bargaining unit members. This includes, but is not limited to, developing and maintaining a multifaceted system of communications to facilitate the goals and duties of the local and inform all affected parties of all aspects of the local's work and its results, with particular emphasis on workers' rights and responsibilities as established in the CBA.

ARTICLE II – MEMBERSHIP

Active membership is open to all SEIU Local 503, OPEU bargaining unit members in good standing of Homecare Local 99.

ARTICLE III – ELECTIONS

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

Section 2. The President shall appoint a Nominations/Elections Committee of at least three (3) members who:

- (a) Certify and announce the election results,
- (b) Shall not run for any sublocal 99 office.

- Section 3.** Ample notice shall be given to the membership that the Committee is accepting names for nomination.
- Section 4.** The Chair of the Nomination/Election Committee shall cause a ballot to be prepared for election.
- Section 5.** Voting shall be by secret ballot and may be by direct mail or electronic ballot.
- Section 6.** Council Directors must live in the District they represent, or the closest adjacent district if they live out of state [see Article IV, Section 2].
- Section 7.** General Council Delegates shall be elected by a plurality where the highest vote getter shall win election based on the number of positions available. Statewide positions, Homecare Council District Directors, Bargaining Team members, and Bargaining Team alternates shall be elected using ranked choice voting. Members shall be entitled to vote ranking their first choice candidate, second choice, and onward. The total number of candidates which may be ranked may be limited by the elections committee, depending on the number of candidates filed, but shall not be limited to fewer than the top five preferred candidates if five or more candidates run for a position or fewer than the total number of positions available for election. If no candidate achieves a majority of votes necessary to win election, any candidates receiving less than 10% of first choice votes, or the candidate winning the least first choice votes if no candidate received less than 10% of first choice votes, shall be eliminated and the votes shall be recalculated considering the second choices of the voters whose first choice was eliminated. This process shall continue until a candidate has received the majority of the votes and wins election or, in the event no candidate has a majority, the highest vote getter after all rounds of ranked choices have been calculated. Reasonable rules regarding the administration of ranked choice voting may be promulgated by the independent election vendor and/or adopted by the Elections Committee.
- Section 8.** A member may only run for or accept nomination as a candidate for one (1) statewide position. Members may run for regional director positions in addition to a statewide position, but may only accept one position on the Homecare Council.
- Section 9.** No write-ins shall be permitted in any Homecare elections.
- Section 10.** In the event of a tie, the winner will be determined by the Elections Committee through the Randomized Alphabet published by the Oregon Secretary of State for the most recently held election. Winners will be chosen by last name.

ARTICLE IV – DISTRICT DESIGNATION

Section 1. The Homecare Council is composed of representatives from the districts listed below. Directors shall be elected from the specified counties in each district, but all members living within the district may vote for all Directors in that district. Bargaining team members shall be elected from the district at-large. A district map is included in Appendix 1.

District 1: Multnomah & Clackamas County

7 Directors in Multnomah County

3 Directors in Clackamas County

District 2: Washington, Columbia, Clatsop & Tillamook County

2 Directors in Washington County

2 Directors in Columbia or Clatsop County

1 Director in Tillamook County

District 3: Marion, Polk & Yamhill County

3 Directors in Marion County

1 Director in Polk or Yamhill County

District 4: Lane, Benton, Linn & Lincoln Counties

3 Directors in Lane County

1 Director in Benton County

1 Director in Linn County

1 Director in Lincoln County

District 5: Douglas, Coos & Curry Counties

2 Directors in Douglas County

2 Directors in Coos or Curry County

District 6: Jackson, Josephine, Klamath & Lake Counties

2 Directors in Jackson County

1 Director in Josephine County

1 Director in Klamath or Lake County

District 7: Hood River, Wasco, Sherman, Gilliam, Wheeler, Umatilla & Morrow Counties

1 Director in Hood River, Wasco, Sherman, Gilliam, or Wheeler County

1 Director in Umatilla or Morrow County

District 8: Deschutes, Crook & Jefferson Counties

2 Directors in Deschutes County

1 Director in Crook or Jefferson County

District 9: Baker, Grant, Harney, Malheur, Union & Wallowa Counties

1 Director in Union, Baker, or Wallowa County

1 Director in Malheur, Harney, or Grant County

Section 2. Members' districts are determined by their residential address-Members who live out of state will be represented by the nearest district to their home address

ARTICLE V – EXECUTIVE COMMITTEE

The President, Vice President, Secretary/Treasurer, shall constitute the Executive Committee, empowered to transact all Homecare Local 99 business between meetings of the Homecare Council. The Immediate Past President and Chief Stewards are non-voting members of this Committee.

ARTICLE VI – DUTIES OF OFFICERS¹

Section 1. President

- (a) Preside over all meetings of the Homecare Council and the Homecare Council Executive Committee.
- (b) Set the agenda for Council meetings and the Council Executive Committee.
- (c) Shall be the chief spokesperson for the Homecare Local.
- (d) Shall have the authority to attend and represent the Homecare Local at national and coalition meetings as deemed appropriate.
- (e) Shall assist in the development of the Local's communication system.
- (f) Shall coordinate with the Homecare Council Directors in their functions.
- (g) Shall be an automatic delegate to General Council.
- (h) Shall appoint nominations and elections committee.
- (i) Shall work on an ongoing basis to enhance skills, knowledge, and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.
- (j) Shall be an automatic member of the bargaining team.

Section 2. Immediate Past President

- (a) Shall advise the President.
- (b) Shall serve as a non-voting member of the Homecare 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 Homecare Local.
- (e) Shall serve as a non-voting member of the Homecare Council Executive Committee.

Section 3. 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 Homecare Council internal structure to support political action and organizing within the Homecare Workers Local 99.
- (d) Shall be an automatic delegate to General Council.
- (e) Shall be a member of the Homecare Council Executive Committee.

¹ Note: Where the term "officer" is used in these Bylaws, it refers to Local Representatives as defined under the SEIU Local 503, OPEU Bylaws.

- (f) Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.
- (g) Vice President shall be an automatic member of the bargaining team.

Section 4. Secretary-Treasurer

- (a) Shall keep a correct record of the meetings of Homecare Workers Local 99, Homecare Workers Executive Board and Homecare Workers Finance Committee.
- (b) Shall maintain financial records of the Homecare Workers Local 99.
- (c) Shall be responsible for disbursement of Local funds with the approval of the President or Vice President. Requests for disbursement shall be made to Union Headquarters in care of the statewide Secretary-Treasurer of the union who shall comply with such request they are in compliance with the Constitution and Bylaws of the Union.
- (d) Shall assist in the development of the Homecare Council internal structure to support political action and organizing within Homecare Workers Local 99.
- (e) Shall be an automatic delegate to General Council.
- (f) Shall be Chairperson of the Homecare Workers Local 99 Finance Committee.
- (g) Shall be a member of the Homecare Workers Local 99 Executive Committee.
- (h) Shall coordinate and keep current a list of policies and procedures of the Homecare Workers Local 99.
- (i) Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.
- (j) Shall be an automatic member of the bargaining team.

Section 5. Statewide Chief Stewards (Homecare Chief Steward and Personal Support Chief Steward)

- (a) Must be a Homecare/Personal Support Steward before seeking the position of Chief Steward.
- (b) Shall be a voting member of the Homecare Council.
- (c) Shall be elected by a vote of eligible members of Homecare Workers Local 99.
- (d) Shall Chair the Homecare/Personal Support Stewards Committee.
- (e) Shall recruit and develop stewards.
- (f) Shall track grievances (can be approved by the Homecare Executive Board to be able to travel as needed, on an individual case necessity).
- (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.
- (l) Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.

- Section 6.** Homecare Council Directors, for each of the 9 Districts within Homecare Local 99's geographic area
- (a) Shall assist members.
 - (b) Shall direct in regional Homecare Local 99 meetings.
 - (c) Shall participate in political action in the district and whenever possible at the State Capitol.
 - (d) Shall assist in recruiting Homecare workers into the Union.
 - (e) Shall assist in communications within their area of geographic representation.
 - (f) Shall be an automatic delegate to General Council.
 - (g) Is strongly encouraged to do the "Union Rap" at new employee orientations and Homecare Commission Training classes.
 - (h) Directors are required to attend Homecare Council meetings.
 - (i) Shall work on an ongoing basis to enhance skills, knowledge and abilities by attending trainings, conferences, meetings, reading mailings and educational materials.

Section 7. Filling Vacancy of Homecare Council Statewide Officer Position.
In the event of a vacancy by the President, it will be filled by the Vice President. In the event of a vacancy by the Vice President, Chief Steward, or Secretary-Treasurer, the Homecare Council will appoint someone to fill the position. Statewide Officers appointed to the Homecare Council will not serve as automatic General Council delegates or automatic bargaining team members since General Council delegates and bargaining team members must be elected by a vote of the membership. Vacancies will be filled as soon as possible barring succession.

Section 8. Filling Vacancy of Homecare Council Directors.
Vacancies in the office of Council Directors may be filled by the alternate for that District. If a position is vacated within six months of the election and there is no alternate available to fill the Council Director's vacancy, the Homecare Council will appoint a replacement after receiving a recommendation from the district in question. Vacancies will be filled as soon as possible barring succession. Homecare Council Directors appointed to the Homecare Council will not serve as automatic General Council delegates since General Council delegates must be elected by a vote of the membership.

ARTICLE VII – REMOVAL OF OFFICERS

In the event an officer 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 Local 503 Member Representation Committee who will validate the membership standing of the petitioners. The Local 503 Member Representation 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.

Members of the Homecare Council are required to attend Homecare Council meetings and shall be automatically removed from the Council if they do not meet the attendance requirements described in this section. Council members who fail to attend any Council meetings in a six-month period where at least two meetings were scheduled, unless the absences were excused by the Executive Committee or the Council, shall receive notification that an unexcused absence from the next regularly scheduled Council meeting will result in their removal from the Council. If a Homecare Council member fails to attend a meeting which would trigger their removal, they must request no later than 7 days following the absence that the Executive Committee excuse the absence and stating why they believe good cause exists for the absence to be excused, or they will be automatically removed. The Executive Committee shall excuse absences for good cause and may consider the reason and frequency of absences for the same reason in determining whether good cause exists to excuse the absence.

ARTICLE VIII – FINANCE COMMITTEE

The Homecare Local 99 Finance Committee shall consist of Executive Committee and District representatives, with the Secretary-Treasurer serving as the chairperson.

Section 1. Selection of Homecare Finance Committee.
Selection of Homecare Finance Committee shall be determined by the following process:

- (a) Interested members in good standing shall submit an application to the Homecare Executive Committee up to 60 days after sublocal 99 election.
- (b) Homecare Secretary-Treasurer shall review and present all applications at the next Homecare Council meeting with recommendations.
- (c) Homecare Council shall select by majority vote.
- (d) The Finance Committee consists of a minimum of one representative per Homecare Council District to ensure each District is equally represented.

Section 2. Homecare Finance Committee members shall:

- (a) Participate in all Finance Committee meetings.
- (b) Review the fiscal operation of the Homecare Council as measured against budget, report its findings, and make recommendations to the Homecare Council.
- (c) Perform such other functions regarding fiscal matters as directed or authorized by the Homecare Council.
- (d) Review all proposals to be made to the Homecare Council that will result in an expense to the Homecare Workers Local. The purpose of the review is as follows:
 1. To accurately determine the cost of the proposal.
 2. To determine the ability of the Homecare Workers Local to meet the cost.
 3. To judge the overall cost benefit to the Homecare Workers Local.
 4. To report to the Homecare Council their findings and recommendations.
- (e) Committee members shall serve for a two-year term.

ARTICLE IX – HOMECARE STEWARDS

- Section 1.** Selection of Homecare/Personal Support Stewards.
- (a) Interested persons shall submit an application to the Homecare or Personal Support Chief Steward.
 - (b) Chief Stewards shall review and present all applications at the next Homecare Council meeting with recommendations.
 - (c) Homecare Council shall select by majority vote.
 - (d) Stewards can be removed by majority vote of the Homecare Council.
- Section 2.** Stewards duties shall include, but not limited to:
- (a) Assist Homecare Local 99 members in their communities.
 - (b) Represent Homecare Local 99 members in resolution of issues and grievances pertaining to the Collective Bargaining Agreement (CBA).
 - (c) Attend local Regional Homecare ~~Local~~ meetings and trainings.
 - (d) Assist Statewide Officers and Homecare Council Directors in communications, political action, and organizing.
 - (e) Serve as a communication channel between Union Leaders, Staff, and Homecare Local 99 members.
 - (f) All stewards shall serve a two (2) year appointment.
 - (g) Shall attend required stewards' trainings and continuing education. Stewards failing to complete required training will be subject to removal by Council.
 - (h) Work to foster Equity, Inclusion and Belongingness.

ARTICLE X – DELEGATES TO GENERAL COUNCIL

Delegates to General Council shall be elected from the membership of the Homecare Local 99 by secret ballot in accordance with SEIU Local 503 Bylaws. Elected members of the Homecare Council are automatic delegates to General Council. Homecare Local 99 is granted more delegates than the number of Homecare Council members, delegate seats will be elected at-large. In the event that a General Council delegate is unable to attend, the next highest vote-getter shall serve as an alternate.

ARTICLE XI –BARGAINING TEAM

- Section 1.** Election of Bargaining Team.
- The Bargaining Team will be elected by a mail-in or electronic ballot which allows the Team to be seated no later than fourteen (14) months prior to the expiration of the existing contract. This election may be combined with the general Local election. One bargaining team member shall be elected from each district. Two alternates shall be elected at-large and the elected alternates shall attend all bargaining sessions. Alternates shall not be entitled to a vote unless they assume a bargaining team position if a bargaining team member is absent or vacates their position. The Bargaining Team shall serve until the end of the bargaining cycle when a complete collective bargaining agreement is reached. A statewide bargaining conference/training will be held prior to the beginning of the first scheduled bargaining session with the Homecare Commission.

- Section 2.** Duties of the Bargaining Team.
- (a) Attend all scheduled bargaining meetings.
 - (b) Select a bargaining chairperson and co-chair.
 - (c) Communicate with the bargaining delegates in their districts.
 - (d) Provide leadership and support to the membership and the bargaining team in efforts to reach a fair contract.
 - (e) Assist statewide officers, Homecare Council Directors, and staff in communication, political action, and organizing.

ARTICLE XII – FINANCE

Union Headquarters will maintain an account for the Homecare Local. Headquarters will disburse funds on behalf of the Homecare Local 99 when approved by the Secretary-Treasurer and one (1) authorized officer of the Homecare Local, so long as the Homecare Local account has funds available.

ARTICLE XIII – MEETINGS

Homecare Council shall meet at least twice a year and at least one of these meetings shall be prior to General Council to review submitted resolutions.

ARTICLE XIV – GENERAL COUNCIL RESOLUTIONS

Resolutions to General Council may be submitted by any member of the Homecare Local 99 for presentation at a Homecare Council meeting. The Homecare Council shall, by majority vote, endorse or reject the resolution. If endorsed, the resolution will be submitted to the union's Resolution Review Committee before the deadline established by this committee, by May 1st (at least ninety (90) days prior to General Council). If rejected, the author may, after obtaining the signature of fifty (50) active members, present the resolution to the Resolutions Review Committee before the deadline established by this committee, by May 1st (at least ninety (90) days prior to General Council). It shall be the duty of the Homecare Council officers to ensure that all resolutions submitted to the Resolutions Review Committee shall follow standard format.

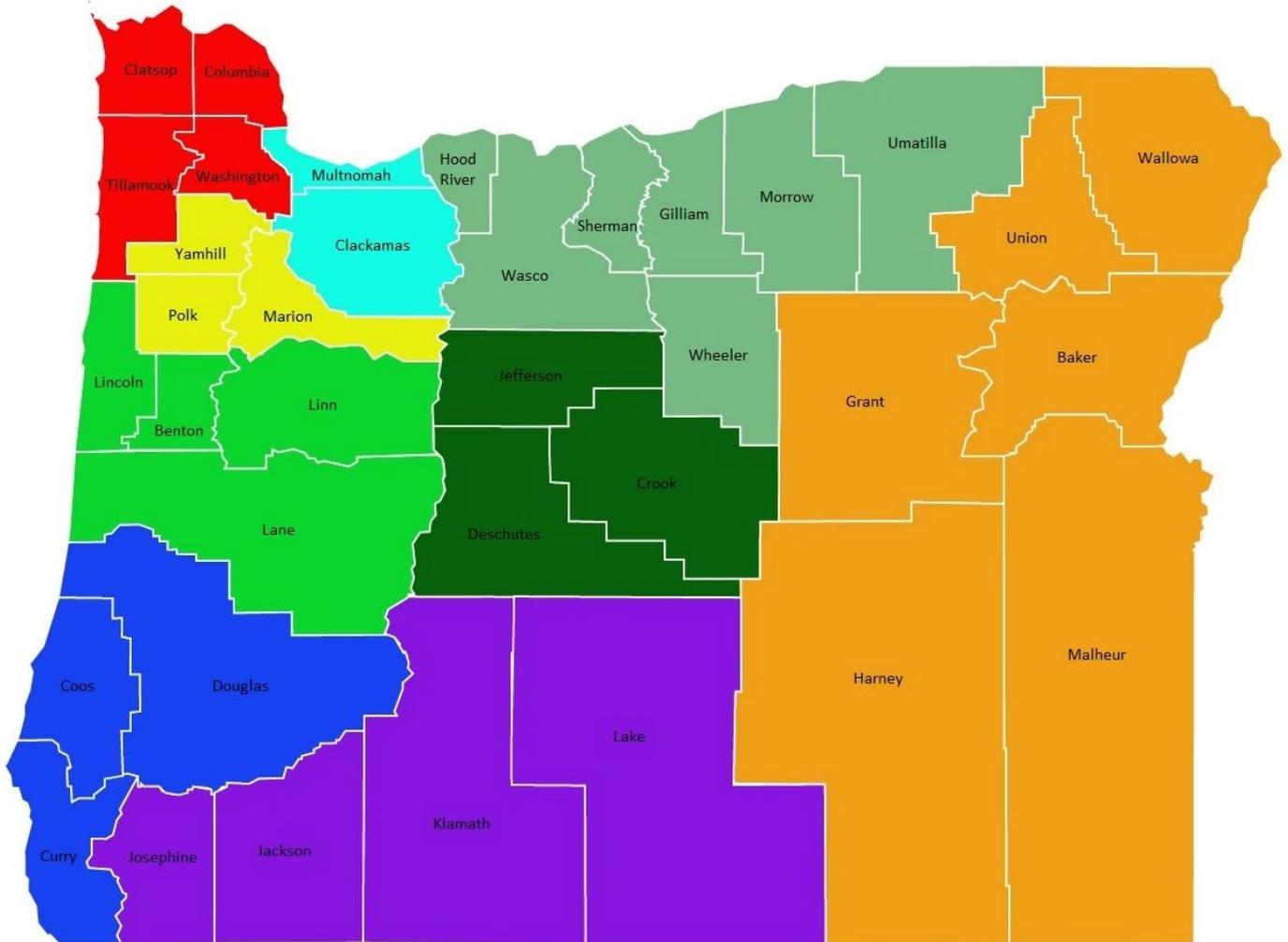
ARTICLE XV – AMENDMENTS

The Bylaws can only be amended by a two-thirds (2/3) majority vote at a regular Homecare Council meeting following proper notice to the membership. Proper notice means that the local shall notify and communicate through various mediums to members in good standing, a notice of the time and the date of the meeting where the vote on the proposed amendment(s) will occur.

ARTICLE XVI – PARLIAMENTARY AUTHORITY

The latest edition of Robert's Rules of Order is the parliamentary authority governing the proceedings of the Homecare Council, Executive Committee, so far as such rules are not in conflict with the Bylaws of Local 99 and SEIU 503.

APPENDIX 1 – DISTRICT MAP



■ District 1: Multnomah & Clackamas
10 Directors

■ District 2: Washington,
Columbia, Clatsop & Tillamook
5 Directors

■ District 3: Marion, Polk, & Yamhill
4 Directors

■ District 4: Lane, Benton, Linn & Lincoln
6 Directors

■ District 5: Douglas, Coos & Curry
4 Directors

■ District 6: Jackson, Josephine,
Klamath & Lake
4 Directors

■ District 7: Hood River, Wasco, Sherman,
Gilliam, Wheeler, Umatilla & Morrow
2 Directors

■ District 8: Deschutes, Crook & Jefferson
3 Directors

■ District 9: Baker, Grant, Harney,
Malheur, Union & Wallowa
2 Directors