

California State University Employees Union

CSEA, SEIU Local 2579, CTW, CLC



CSUEU Policy File

AS OF JANUARY 31, 2008

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DIVISION 1: POLICY-MAKING AUTHORITY

101.00 ESTABLISHMENT

101.01 CSUEU

The California State Employees Association (CSEA or Association) Board of Directors under its authority as contained in CSEA Bylaws establishes division councils or affiliates for each division within the Association to act on behalf of the Association, its officers, members, chapters, DLC's, and regions, along occupational lines in matters pertaining to the scope of representation under the State Employer-Employee Relations Act (SEERA) or Higher Education Employer-Employee Relations Act (HEERA). These divisions or affiliates are:

- (a) Union of California State Workers (UCSW) Inc. Local 1000 to represent rank and file employees in bargaining units represented by the Association within the state civil service system;
- (b) California State University Employees Union (CSUEU) Inc. to represent rank and file employees in bargaining units represented by the Association within the California State University system, the California Maritime Academy, members of the Association in the University of California system and Hastings College of the Law;
- (c) Association of California State Supervisors (ACSS) Inc. to represent active-employed members who are exempt from bargaining units by virtue of their supervisory positions or status as exempt employees;
- (d) CSEA Retired Employees Division (RED) Inc. to represent the Association members who are retired from state service and their survivors.

102.00 Policy

- (a) CSUEU policy shall not be in conflict with state Association policy or Bylaws.
- (b) CSUEU policy is subject to change by the Board of Directors.

103.00 Policy File Structure

103.01 Date of Adoption of Page

Vertical lines shall be placed along both margins on each section of Policy File which has been revised or adopted between biennial revisions prior to General Council; each page of the Policy File shall indicate the month and year that any section of the page was adopted or last revised.

103.02 Authority Citation

Each provision in the Policy File commanding a number distinction must contain a parenthesized authority citation and CSUEU Headquarters office shall provide authority citation with the date the Board of Directors approved it.

103.03 Format of Amendment

Amendments to the Bylaws or Policy File shall be in a form which indicates proposed deletions to existing language in strikeout type and proposed additions to existing language in underline type. If a proposed amendment is to delete an entire section, a statement to that effect is all that is necessary.

103.04 Review of Policy File

The Policy File shall be reviewed annually.

103.05 Deleted Policy File Sections

Any section of the Policy File that is completely eliminated by action of the Board of Directors shall be retained with the citation number to eliminate it. The eliminated section with the citation number is to be removed from the Policy File and maintained at CSUEU Headquarters.

DIVISION 2: MEMBERSHIP

201.00 ELIGIBILITY

Eligibility for membership is defined in Article 3 of the CSUEU Bylaws.

201.01 Organizing and Recruitment Objectives

It is the objective of the CSUEU membership program to organize and recruit every person eligible for membership. The CSUEU will accomplish this using any means of communication and effective organizing and recruitment campaigns.

201.02 Membership Lists

CSUEU shall provide member and non/member lists to the Chapters on a regular basis. Such lists shall be used only for organizational activities.

202.00 DUES AND FEES

Membership dues shall be set through the CSUEU budgetary process, in accordance with CSEA and CSUEU Bylaws and Policy File. Other fees may be set by the Board of Directors.

202.01 Membership Dues Committee

A member may have his/her monthly dues reduced to a base amount of \$8.00 per month based upon the following:

- (a) The member requests the reduction in writing no less than 45 days before the effective date of the reduction;
- (b) The request is based upon one of the following reasons:
 - (1) Loss of the income of another wage-earner in the household through death, illness, loss of job, or permanent separation from the member's spouse or domestic partner.
 - (2) Declaration of bankruptcy.
 - (3) Catastrophic illness of a member, dependent or elder in the care of the member.
- (c) Such a dues reduction shall be no more than six months for any single request. A member may request a new reduction after the expiration of the previous reduction. The procedure for requesting such a reduction shall be a written letter directed to the Membership Dues Committee of the CSUEU Headquarters, 1129 10th Street, ~~1129 10th Street,~~ Sacramento, California 95814. It should be accompanied by any appropriate documentation for the request but nothing in this policy shall force a member against his/her will to disclose confidential records. The Membership Dues Committee shall act

on the request within 15 days. The committee shall respond to the member in writing, stating the action of the committee, the effective date of any reduction if approved, and its duration and if the request is denied, the basis for the denial.

- (d) The actions of the committee shall be final.

203.00 CANCELLATION OF MEMBERSHIP

- (a) An individual may cancel his or her membership by sending a withdrawal letter with an original signature to CSUEU, 1129 10th Street, Sacramento, CA 95814. The following are not acceptable requests: fax, e-mail, verbal, and written requests with more than one person's name requesting cancellation.

- (b) Cancellation is possible under two (2) conditions:

- (1) Delineated in the MOU (Memorandum of Understanding Between the Board of Trustees of the California State University and the California State University Employees Union); and
- (2) Movement out of a CSUEU represented unit. In this instance, a copy of CSU personnel action form must accompany the signed letter of resignation.

203.01 Receipt of Cancellation

Immediately upon receipt of the cancellation, the CSUEU, through the CSEA Member Benefits Division, shall send a letter to the member informing him/her of the loss of benefits and requesting their reason for the cancellation. A new membership application shall be sent with each letter.

204.00 REINSTATEMENT

- (a) Members reinstated after at least one month of non-receipt of dues shall have the status of new members.
- (b) A member withdrawing notice of cancellation prior to the loss of dues to the CSUEU shall retain his/her prior membership status.

205.00 MEMBERSHIP STATUS WHILE OFF PAYROLL

When a member is off the payroll because of his/her status as an intermittent employee, layoff or involuntary termination, they are eligible for CSEA benefits and representation provided that they maintain their membership dues and/or fees.

206.00 MEMBERSHIP CARDS

206.01 Issuance

The Association shall prepare and issue membership cards. The cost of membership cards and their distribution shall be borne by the CSUEU.

206.02 Card Size

The membership card shall be a single card suitable to fit in a standard insert card holder.

206.03 Listed Information

The CSUEU membership card shall list the member's name, address, member ID number, bargaining unit, and chapter. The back of the card shall list the Weingarten Statement, important mailing and web addresses and phone numbers. The membership card shall contain the "union" bug - i.e., union made. (CSUDC 3/01/1)

207.00 ASSOCIATE MEMBER

Associate membership in the CSUEU is limited to those persons who:

- (a) Are on leave of absence from state service who elect not to be active members; and
- (b) Were members while in state service, have separated from state service, and who are recommended by a chapter for membership;
- (c) Those University employees who are not eligible for retired membership, and are not part of an existing union.

208.00 UNIVERSITY OF CALIFORNIA MEMBERS

- (a) The CSUEU recognizes a community of interest between employees in the California State University the University of California and Hastings College of the Law. The CSUEU will maintain a representation program for members in the UC and HCL, and shall through its programs endeavor to benefit those members.
- (b) The UC and HCL members shall have a statewide chapter, and may petition the Board of Directors for additional chapters.

DIVISION 3: CSUEU PURPOSE AND STRUCTURE

301.00 PURPOSE

301.01 CSUEU Members

The purpose of the CSUEU is to represent and further the interest of those employees eligible for membership.

301.02 CSUEU

The CSUEU Board of Directors shall consist of the President; the Vice President for Organizing; the Vice President for Finance; the Vice President for Representation; the Chair and Vice-chair of the Bargaining Unit Councils; and the Chapter Presidents, or their alternate. (CSUDC 5/01/1)

301.03 Duties of the CSUEU Board of Directors

The CSUEU Board of Directors is the highest policy-making body of the CSUEU. It shall set appropriate rules for the delegation of bargaining authority to the Bargaining Unit Councils and local representation to the Chapters.

301.04 CFA Liaison To The CSU Board of Directors

The California Faculty Association (CFA) may appoint one member as a liaison to the CSU Board of Directors. The CFA appointee shall be without vote on any matter.

301.05 University of California Member

CSEA members in the University of California shall elect one member as a liaison to the CSUEU Board of Directors. The UC member shall have a vote on all matters affecting the membership status of UC members. The UC member shall be without a vote on any other matter.

302.00 DUTIES OF CSUEU BOARD OF DIRECTORS OFFICERS

302.01 President

The CSUEU President is the chief executive officer of the CSUEU. The CSUEU President's duties include:

- (a) Calling and chairing all meetings of the Board of Directors;
- (b) Appointing all committees with the exception of the Executive Committee, Finance Committee, Representation Committee, Representation Appeals Committee, and Statewide Organizing Committee. Committee appointments are subject to the concurrence of the Board of Directors;

- (c) Coordinating the Board Programs of the CSUEU;
- (d) Representing the CSUEU in relations with other organizations;
- (e) Representing the CSUEU within the Association; and
- (f) Serving on the CSEA Board of Directors and Board Executive Committee.

302.02 Vice President for Organizing

The Vice President for Organizing is the second executive officer of the CSUEU. The Vice President for Organizing's duties include:

- (a) Assisting the CSUEU President in all of his/her duties;
- (b) Replacing the CSUEU President in the event of temporary or permanent vacancy;
- (c) Serving on the CSEA Board of Directors;
- (d) Developing organizing and recruitment programs;
- (e) Appointing members to the Statewide Organizing Committee; and
- (f) Chairing all meetings of the Statewide Organizing Committee.

302.03 Vice President for Finance

The Vice President for Finance is the chief financial officer of the CSUEU, and the third executive officer. The Vice President for Finance duties include:

- (a) Appointing members of the CSUEU Finance Committee;
- (b) Chairing all meetings of the Finance Committee;
- (c) Presenting the CSUEU budget at General Council;
- (d) Monitoring and making recommendations on the CSUEU budget to the President;
- (e) Monitoring and making recommendations on the chapter budgets to the President;
- (f) Reporting to the Board of Directors on all financial matters;
- (g) Replacing the Vice President for Organizing in the event of a temporary or permanent vacancy;

~~(g)~~(h) Directing the Finance Committee in development of fiscal training for chapter officers and specific training for Chapter Secretary/Treasurers or Treasurers; and

~~(h)~~(i) Attending Association meetings as requested by the CSUEU President.

302.04 Vice President for Representation

The Vice President for Representation is the fourth executive officer. The Vice President for Representation's duties include:

- (a) Responsibility for the representation training, development, and operations of the CSUEU representation program;
- (b) Coordinating the work of the Bargaining Unit Councils;
- (c) Serving as chairperson of the Representation Committee;
- ~~(e)~~ (d) Appoints stewards to the Representation Committee; (CSUDC 45/01/3)
- (e) Serving as the officer assigned to the Classification Committee;
- ~~(d)~~ (f) Attending Association meetings as requested by the CSUEU President; and
- (e) (g) Replacing the Vice President for Finance in the event of a temporary or permanent vacancy.

303.00 BARGAINING UNIT COUNCILS

303.01 Bargaining Unit Council Representation

- (a) Health Care Support Bargaining Unit Council (BUC) 2 Members

Employees in the PERB-recognized Health Care Support Bargaining Unit 2, and not designated as supervisory, management or confidential shall be represented by this council.

- (b) Operations Support Bargaining Unit Council (BUC) 5 Members

Employees in the PERB-recognized Operations Support Bargaining Unit 5 and not designated as supervisory, management or confidential shall be represented by this council.

- (c) Clerical and Administrative Support Services Bargaining Unit Council (BUC) 7 Members Employees in the PERB-recognized Clerical and Administrative Support Services Bargaining Unit 7, and not designated as supervisory, management or confidential shall be represented by this council.

(e) (d) Technical Support Bargaining Unit Council (BUC) 9 Members

Employees in the PERB-recognized Technical Support Bargaining Unit 9 and not designated as supervisory, management or confidential shall be represented by this council.

303.02 Bargaining Unit Council Structure

Each council shall consist of eight seats, elected at-large by the elected Chapter Campus Bargaining Unit Representatives of their respective bargaining units. Two seats shall be designated for election of the Chair and the Vice-chair of the Bargaining Unit Council.

303.03 Responsibilities Of The Bargaining Unit Councils

- (a) The Bargaining Unit Councils are solely responsible for the formulation of initial Bargaining proposals and the selection of the bargaining committee for full contract negotiations and scheduled re-openers of the contract.
- (b) Between negotiations, the council shall advise and work with the chair in the performance of his/her duties.

303.04 Bargaining Committee and Meet and Confer Committee

Bargain Committees and Meet and Confer Committees shall be chaired by the Vice President for Representation or his/her designee. A Bargaining Committee shall be composed of eight members selected by the Bargaining Unit Council, or collectively Councils that are to be involved in the bargaining.

- (a) State wide meet and confers shall have a committee of a similar composition as a Bargaining Committee.

Campus meet and confers shall allow for the chapter president and chief steward or their designee to be on the committee with a corresponding reduction of bargaining unit representatives.

304.00 DUTIES OF BARGAINING UNIT COUNCIL CHAIRS AND VICE-CHAIRS

304.01 Bargaining Unit Chair

The Bargaining Unit Chair shall be responsible for all matters affecting his/her membership concerning wages, hours and working conditions, and shall consult with the Bargaining Unit Council. The duties of the Chair shall include:

- (a) Chairing all meeting of the Bargaining Unit Council;

- (b) Appointing and heading bargaining committee between full contract negotiations and re-openers, when meet and confers are called for;
- (c) Supervising the training of Bargaining committees;
- (d) Development of policies and procedures in matters concerning wages, hours and working conditions, including discussions with the employer on such subjects, including the review of classifications; and
- (e) Serving on the Board of Directors.

304.02 Bargaining Unit Vice-Chair

The duties of the Bargaining Unit Vice-Chair shall include:

- (a) Assisting the Chair in the performance of his/her duties;
- ~~(a)~~(b) Replacing the Chair in the event of a temporary or permanent vacancy; and
- ~~(b)~~(c) Serving on the Board of Directors.

305.00 BOARD OF DIRECTORS ORIENTATION

At the first Board of Directors meeting after the election of a new Board of Directors, the President shall convene an orientation meeting of all Board of Directors members, to review the following:

- (a) Duties and Fiduciary responsibilities of Board of Directors;
- ~~(a)~~ (b) Procedures for travel expenses and union leave;
- ~~(b)~~ (c) Status of programs within the CSUEU; and
- (d) A calendar of meetings.

306.00 CHAPTERS

306.01 Description

The basic membership group of the CSUEU is the chapter.

306.02 Definition of Chapter

- (a) A chapter is an autonomous organization of members with a community of interest, which holds an un-revoked charter signed by the President and the Vice President for Finance, issued by authority of the Board of Directors.

- (b) All chapter actions and policies in conflict with CSUEU or Association Bylaws or Policy Files shall be void.

306.03 Charter

A charter is an instrument issued at the discretion of the Board of Directors officially establishing a Chapter, establishing parameters of membership by community of interests to be served, designating its location and authorizing it to operate as a lawful agent of the CSUEU.

306.04 Petition for Charter

Persons who are eligible to or hold active membership in the CSUEU may petition the Board of Directors for the issuance of a charter declaring in their petition the community of interests to be served, their acceptance of the CSUEU Bylaws and Policy File, and their desire to function as a lawful agent of the Association.

306.05 Filing of Bylaws

A chapter shall file with the Chair of the Policy File Committee a duly authenticated copy of their Bylaws, and each amendment when adopted.

306.06 Conflict with CSUEU Policy File

A chapter's Bylaws may not conflict with Association or CSUEU Policy or Bylaws. To the extent that any such provision is in conflict, the Policy File Committee shall propose the necessary amendments to bring them into conformance, and shall file them with the President, and the Chapter President for action.

306.07 Revocation of Charter

The charter of any chapter may for good cause, after notice and with the opportunity to be heard, be revoked by the Board of Directors. Revocation is appealable to the CSUEU President.

306.08 Discipline of Elected Chapter Officers and Representatives

Each chapter is required to have a procedure for the discipline and/or removal of their elected officers and representatives, subject to appeal to the Board of Directors.

306.09 Chapter Duties

Each chapter shall endeavor to accomplish the following goals:

- (a) Attain a membership goal of 67 percent.
- (b) Educate the membership on the history and accomplishments of CSUEU.

- (c) Faithfully hold in stewardship the dues and other interests of the membership.
- (d) Participate in CSUEU Board of Directors meetings, and all appropriate training meetings.
- (e) Support the bargaining programs of the Bargaining Unit Councils.
- (f) Communicate regularly with its membership.
- (g) Adopt and maintain Chapter Bylaws.

307.00 STAFF

- (a) CSEA staff are not eligible for office in the Association or the CSUEU. Staff shall assist officers in the performance of their duties and contribute their knowledge and expertise (as requested) during policy discussions.
- (b) The CSUEU Administrator is defined as the chief management staff assigned to direct the staff operations of the CSUEU.

DIVISION 4: MEETINGS

401.00 APPROVAL OF MEETINGS

- (a) All meetings shall be called at the direction of the President.
- (b) All meetings of the Board of Directors, Committees, and Bargaining Unit Councils at CSUEU expense require the prior approval of the President. Each request for a meeting must be accompanied by an agenda in order to be approved. Any denial shall be in writing and appealable to the Board of Directors. Such appeal shall be voted on by the Board of Directors within five (5) days.

401.01 Meetings

- (a) Except as noted below, meetings or hearings at which official actions are taken, including but not limited to, meetings or hearings of the Board of Directors, Executive Officer Committee, committees, units, councils, and sub-groups thereof shall be open to all members of the Association.
- (b) CSUEU shall publish an annual calendar of statewide meetings on its website, which shall be updated regularly.
- (c) Bodies of the CSUEU may conduct business by telephone conference call, video conferencing, e-mail and fax, and may conduct meetings by conference call or video conferencing. Meetings via conference call or video conferencing shall meet the same standards of this Policy File.

401.02 Closed Session Mandatory

Bodies of the CSUEU must meet in closed session to consider the following:

- (a) Litigation matters;
- (b) Matters involving privileged relations such as attorney-client or doctor-patient; and
- (c) The employment, suspension or dismissal of a CSUEU employee.

401.03 Closed Session Optional

Bodies of the CSUEU may meet in closed session to consider the following:

- (a) Discussion of bargaining strategy;
- (b) Personnel matters, including grievance appeals and member disciplinary actions;
- (c) Representation appeals; and

- (d) Legislative matters.

401.04 Holding Closed Sessions

- (a) Attendance at closed sessions shall be limited to: the elected or appointed member(s) of the appropriate CSUEU body holding the meeting; members of the Board of Directors; and staff and other individuals who have pertinent information and whose presence is determined to be necessary by the presiding officer, subject to disaffirmation by the body.
- (b) Closed sessions, when held as a part of regular meetings, should be scheduled for an announced time certain. Announcement of the closed session and its purpose must be made to the members in attendance, if held during a regular meeting. All Board of Directors and Bargaining Unit Council closed sessions must be reported in the minutes of the next regular meeting, and shall include a list of actions taken.
- (c) A meeting, except a Chapter's Steward Council, shall conduct business in closed session or return to open session only by motion passed by a majority of the body. The body may not suspend this rule.
- (d) A Chapter's Steward Council shall always meet in closed session, and shall discuss only items listed in sections 401.02 and 401.03, above.

401.05 Reporting and Minutes Of Closed Sessions

- (a) All closed sessions must be reported in the minutes of the next regular meeting and shall include a list of actions taken.
- (b) The minutes or record of closed sessions shall indicate when and for what purpose the closed sessions were held, and shall further state that no other matters were considered.

402.00 AGENDAS

- (a) All meetings of the CSUEU shall have an agenda. For Board of Directors and Bargaining Unit Council meetings, the agendas and supporting documents shall be transmitted to the members of that body not less than thirty (30) days prior to that meeting. For all other statewide meetings, the agendas and supporting documents shall be transmitted to the members of that body not less than fourteen (14) days prior to that meeting. All matters appearing on the agenda that are not disposed of shall appear on the next agenda as items of unfinished business.
- (b) Supporting documents that are delayed shall be identified in the agenda, and in any case shall be distributed at least ten (10) days prior to the meeting.

402.01 Staff Assistance

The Board of Directors, Bargaining Unit Councils, or CSUEU committees may utilize staff assigned by the Administrator in order to implement their responsibilities.

402.02 Parliamentary Authority

The CSUEU Bylaws, Policy File, and Roberts Rules of Order, in that order, shall govern the conduct of the meetings.

403.00 EMERGENCY ACTIONS

403.01 Executive Officer Committee

- (a) In a situation deemed an emergency by the President the Executive Officer Committee may take action by two thirds (2/3) written consent. This may be done by electronic mail or fax, with a signed hard copy follow up. Action by written consent shall meet the requirements set forth in applicable law. Written consent and electronic mail can be used under the following circumstances:
 - (1) Meetings shall be of an emergency nature that could not be handled in a timely fashion by a regular meeting;
 - (2) All members of the committee have been notified of the meeting;
 - (3) Any actions are reported at the next regularly scheduled meeting of the Board of Directors; and
 - (4) Written minutes are created to document the emergency action, and are made available to any member upon request.
- (b) Electronic communication may be used in order to compile and share information, create reports, and provide consensus as a committee to accomplish a task in a timely manner when expense and coordination of a meeting is prohibitive.

404.00 FREQUENCY OF MEETINGS

- (a) CSUEU Board of Directors, Bargaining Unit Councils, and Standing Committees shall meet no less than semiannually.
- (b) Chapter Executive Committees shall meet monthly.
- (c) Meetings of the entire chapter membership shall be held no less than once quarterly, on an annual basis.

405.00 CHAPTER PARTICIPATION IN BOARD OF DIRECTORS

- (a) Chapter Presidents shall be responsible for attending meetings of the Board of Directors. In the absence of the President, an Alternate Director shall attend in accordance with the CSUEU Bylaws. The CSUEU shall reimburse the Chapter for the attendance of at least one representative.
- (b) If the Board of Directors conducts mandatory training for a chapter officer or representative, attendance shall be reimbursed.

406.00 TRAVEL ACCIDENT INSURANCE

When on official CSUEU business, members of the CSUEU Board of Directors, Statewide Committee Members, Council Members, Stewards, Chapter Officers, Delegates to the General Council and CSUEU staff shall be covered by a master travel accident policy. The face amount, terms and conditions shall be determined by the CSEA Board of Directors and shall be the same for all persons covered.

DIVISION 5: FINANCES

501.00 VICE PRESIDENT FOR FINANCE

- (a) The Vice President for Finance shall be the chief financial officer of the CSUEU. The Vice President for Finance shall be responsible for the CSUEU budget and the review of Standing Committee, and chapter budgets.
- (b) In the performance of his/her duties, the Vice President for Finance may have the assistance of the Association Controller.
- (c) The Vice President for Finance shall have the authority to order copies of all appropriate financial documents from the Association and from CSUEU Chapters.
- (d) The Vice President for Finance shall have the authority to enforce collection of funds and/or property owed to the Corporation.

502.00 FINANCE COMMITTEE

The Vice President for Finance shall appoint a Finance Committee to assist in the preparation, review, and revision of the CSUEU budget.

503.00 BUDGET

The CSUEU budget shall determine the revenue and expenditures of the CSUEU. It shall reflect the actual dues and/or fee rate for all members and fee payers, as well as the travel reimbursement rate. All CSUEU expenditures shall be assigned to an appropriate category in the CSUEU budget.

503.01 Review

The Board of Directors shall review the status of the CSUEU budget at every regular meeting, including emergency changes made to the budget by the Executive Officer Committee, and make amendments to the budget as necessary.

~~(a)~~ The Vice President for Finance shall make the report including revenues and expenditures to-date, and shall propose necessary amendments.

504.00 DUES

- (a) At the regular session of each General Council, the CSUEU Delegates shall adopt the CSUEU dues and fees. The dues and fees shall include all per capita payments. Dues and fees shall be adopted before the CSUEU budget. In between sessions of the General Council the dues and fees established in the prior budget shall remain in effect unless changed by a two-thirds (2/3) vote of CSUEU General Council delegates present and voting.

- (b) The Board of Directors and/or Bargaining Unit Councils may augment the dues and fees established in the CSUEU budget, subject to the following conditions:
 - (1) Bargaining Unit Councils may modify the dues and fees of their members only;
 - (2) The augmentation shall be for a stated purpose, with a specified duration of not more than one (1) year;
 - (3) All affected members shall be notified at least thirty (30) days before the effective date of the augmentation;
 - (4) Such augmentation shall be by two-thirds (2/3) vote of the Board of Directors or Bargaining Unit Council; and
 - (5) The dues and fees established by the CSUEU are not refundable.

505.00 LOCAL REPRESENTATION

- (a) The CSUEU Budget shall contain a line item specifying the amount of money rebated to the Chapters for local representation; the formula for determining this amount of money shall be adopted as part of the Budget. Chapter funds must be used for purposes consistent with the goals of CSUEU.
- (b) The rate of rebate from the CSUEU Treasury to the Chapters will be one dollar (\$1.00) per member and fee payer each month, but no less than \$400.00 as a base as of July 30, 2006. (CSUDC 41/01/03)

506.00 CHAPTER BUDGETS

506.01 Responsibilities and Reporting

The Chapter Treasurer shall be responsible for submitting a chapter budget on an annual basis, due thirty (30) days from the beginning of the calendar year. Chapter Treasurers are responsible for submitting quarterly reports and an annual, independent audit.

506.02 Chapter Audits

- (a) An annual financial audit/review will be required to be filed with CSUEU Headquarters by March 15, following the close of the year by each chapter. At least once every three years a financial audit will be conducted of each chapter by CSUEU Headquarters staff or by an independent certified public accounting firm approved by the Vice President for Finance.

- (1) Chapters may be scheduled for an audit using the following criteria:
 - (A) At the request of a member of the chapter with concurrence of the Vice President for Finance; or
 - (B) For cause as determined by the Vice President for Finance, Association Secretary/ Treasurer; or
 - (C) Routinely by geographic area or on a random basis.
 - (2) A Chapter may be audited based on matters identified in past audit reports.
 - (3) The CSUEU may require, at its discretion, additional audits/reviews of chapters at any time.
 - (4) All chapter officers shall cooperate and provide full disclosure of all financial transactions to the auditor.
 - (5) Chapters may elect to have all routine audits/reviews performed by CSEA ~~CSUEU~~ Headquarters.
- (b) Chapter Audit Reporting
- (1) Audit/review reports shall state whether the financial statements are consistent with CSUEU policies and guidelines and the Chapter Bylaws.
 - (2) The audit/review report shall contain an expression of opinion concerning actions taken by the chapter regarding exceptions noted in previous audit/review reports.
 - (3) Explanatory notation of variations or discrepancies from CSUEU policies shall be noted in the audit/review report. Additional notes may be appropriate for clarifying audit/review findings.
 - (4) The audit report shall also comment on the adequacy of financial internal controls, such as:
 - (A) All checks shall require two authorized signatures.
 - (B) Separation of duties requires that the person authorizing the expenditures be a different person from the one who disburses funds.
 - (C) Checks shall not be pre-signed.
 - (D) Checks shall never be made payable to “cash.”

- (E) All cash advances shall be supported by written requests stating the reason(s) for the advance and identified as an advance for which the proper supporting documents are thereafter to be submitted and accounted for within 30 days of the event necessitating the advance.
 - (F) Chapters are responsible for instituting and maintaining adequate internal control procedures to provide reasonable assurance against irregularities and improprieties and adherence to the CSUEU's Bylaws and Policies (auditing is not a substitution for an internal control system).
- (5) Copies of the audit/review report shall be provided to both the Vice President for Finance and to the Association Secretary/Treasurer in accordance with the date specified above.
 - (6) The audit/review reports, along with the auditor's working papers, shall be retained by the Chapter until the subsequent CSUEU Headquarters' audit/review is completed.
- (c) Qualifications of Chapter Auditors/Reviewers
- (1) The auditor shall be a licensed CPA.
 - (2) The auditor shall possess an understanding of the CSUEU's policies and guidelines and the chapter Bylaws.
 - (3) The audit shall be conducted by persons other than Chapter Officers or any member of the Chapter who has control of the chapter funds.
 - (4) The auditor shall maintain an independent attitude and appearance and shall be objective and remain impartial in the conduct of the audit.
 - (5) The Vice President for Finance or his/her designee may review potential auditors and develop a list of auditors who can be used by chapters. Names of additional prospective auditors may be submitted by members or chapters to Vice President for Finance for consideration.
 - (A) Association Headquarters staff may be made available on a limited basis.
 - (B) Use of a member auditor shall not preclude audits conducted by the staff or a CPA firm, at the direction of the Vice President for Finance.
- (d) Disposition of Chapter Audit Funds

In addition to any other actions taken by the Vice President for Finance, if the auditor gives a qualified or negative opinion regarding the chapter's financial operations and records and if immediate corrective action is not taken, the Vice President for Finance may direct that the

chapter's financial operation be placed in trusteeship for a period up to one year. He/she may further direct that the chapter's financial operations be under the supervision for a second year.

506.03 Chapter Financial Records

- (a) Mandatory training shall be provided jointly to all Chapter Presidents, Vice-presidents, Secretary/Treasurers, and Treasurers within six months of their election.
- (b) All financial records of the chapters shall be retained for a period of five (5) years from the close of the fiscal year.
- (c) Chapter records shall consist of:
 - (1) Bank statements/canceled checks for all accounts;
 - (2) All supporting documents (i.e., invoices, expenditure requests forms, receipts) for checks issued and deposits made for all accounts;
 - (3) All minutes of chapter meetings and executive committee meetings;
 - (4) Copies of chapter budgets;
 - (5) Copies of financial quarterly reports;
 - (6) Check stubs and check registers;
 - (7) Bank reconciliations;
 - (8) Form 990 or 990T - federal tax exemption forms, if filed;
 - (9) List of all outstanding unpaid bills at the end of the audit period;
 - (10) Cash receipts and disbursement register (CSEA forms) or similar records.
- (d) Security and custody of the financial records and all assets of the chapter shall be the responsibility of the Chapter Secretary/Treasurer or Treasurer and shall be placed in a secure environment and shall be made available for immediate inspection by Chapter Officers of the respective chapter or by CSUEU Officers or their designee ten days from a written inspection request.
- (e) Chapter financial records maintained by CSEA or CSUEU shall be made available for immediate inspection by Chapter Officers of the respective chapter or by CSUEU Officers or their designee within ten days from a written inspection request.
- (f) All communications to a chapter from CSEA or CSUEU regarding their finances shall be sent concurrently to the Chapter Treasurer and Chapter President.

506.04 Forfeitures

- (a) Chapters shall be notified by the Vice President for Finance or designee at least one month prior to forfeiture of any funds.
- (b) Failure to comply with the budget rules set forth in the Chapter Treasurer's Handbook of the CSUEU shall result in forfeiture of monthly dues until the deficiency is corrected. Such forfeitures may be refundable upon review and recommendation of the Finance Committee.
- (c) A chapter treasury, including all reserve accounts, shall not exceed five-thousand dollars (\$5,000.00) in cash assets. If a chapter treasury exceeds this amount, monthly dues shall be forfeited until the treasury balance is below this limit.
- (d) A chapter with cause for exceeding the maximum cash assets may apply for an exemption, in writing, to the Vice President for Finance.

507.00 CSUEU GRANTS

- (a) The CSUEU shall provide funding for chapter grants.
- (b) The amounts of each grant shall depend upon substantiated need and availability of funds in the CSUEU budget.
- (c) Grant funds must be used for purposes consistent with the goals of the CSUEU.

507.01 Administration

Chapter requests for grants shall be submitted to the Vice President for Finance on a standard form that shall be supplied by the CSUEU. The Vice President for Finance will consult with the CSUEU Finance Committee and shall approve, amend, or deny the grant request. The decision of the CSUEU Finance Committee shall be reported at the next Board of Directors meeting as part of their report.

- (a) Failure to adhere to 507.00 (c) or the expenditure of grant funds on anything not authorized under the grant may result in revocation of all or part of the grant. The Board of Directors acting to revoke all or part of a grant may authorize the CSEA controller to recover grant money through deductions from the monthly chapter disbursement.

507.02 Procedures

Requests for chapter grants shall include:

- (a) An explanation of the need for the grant;
- (b) An itemized list of proposed expenditures for which the grant funds will be used;

- (c) A copy of the chapter's budget, including projected income;
- (d) A copy of the chapter's latest financial statement including chapter reserves, savings account and assets; and
- (e) Campus activities directly benefiting CSUEU represented employees.

508.00 REIMBURSEMENT

The following persons shall be eligible for expenses in connection with official business of the CSUEU:

- (a) Members of the General Council;
- (b) Members of the Board of Directors and the Bargaining Unit Councils;
- (c) Members of Statewide Committees;
- (d) Other members of the CSUEU assigned by the President to perform duties for the CSUEU;
- (e) Invited guests of the Board of Directors.

509.00 REIMBURSEMENT FOR CHAPTER PARTICIPATION AT BOARD OF DIRECTORS MEETINGS

Individuals required by the CSUEU Policy File to attend Board of Directors meetings as chapter representatives shall be required to file expense claims for necessary expenses within thirty (30) days of the event. The Vice President for Finance shall make provisions for travel advances and/or direct billing of expenses based upon request and hardship.

510.00 PROCESSING OF EXPENSE CLAIMS

510.01 Necessary Expenses

The most economical use of CSUEU funds, consistent with the convenience of the claimant and the schedule for the meeting, is the standard to be used in determining whether expenses claimed are necessary. Expenses may include travel, lodging, and meals and other expenses as authorized by the CSUEU Administrator.

510.02 Expense Reimbursement Rate

- (a) The Board of Directors shall establish the travel reimbursement rates and policies and review them annually. The policy shall be printed and attached to the reimbursement claim form.

- (b) Reimbursement for expenses over the established rate shall be paid only with the approval of the CSUEU Administrator.

510.03 Administration of Travel Advances

Travel advances may be requested on a form provided by CSUEU. Requests must be in writing and authorized by the CSUEU Administrator. All advances must be repaid. Expense claims may be submitted at any time, but no later than the calendar month following the date the expenditures were made.

510.04 Eligibility

- ~~(1)~~(a) Travel advances will only be authorized to members in good standing.
- ~~(2)~~(b) Members funded to attend events must remain for the duration of the event unless prior arrangements have been made with the president.

511.00 INVESTMENT POLICY

511.01 General Portfolio Parameters

The Executive Officer Committee of the CSUEU Board of Directors shall determine the amount of cash that each acceptable bank will manage for CSUEU. In general, the portfolio parameters will apply to all cash managers, however, the bank that manages the excess cash used in daily operations will maintain liquidity parameters specified by CSUEU.

- (a) No single issuer or guarantor (other than the United States Treasury and Federal agencies) may represent more than 10% of the total value of holdings of each cash manager's portfolio.
- (b) The total portfolio will be invested to provide, in the form of maturity proceeds, of a minimum of 10% of the portfolio on 24-hours notice.
- (c) The Executive Officer Committee of the CSUEU Board of Directors shall coordinate with each portfolio manager.

511.02 Acceptable Investments

- (a) U.S. Government and Government-sponsored Securities that are direct obligations of the U.S. Government;
- (b) Government-sponsored Agency securities as follows: Government National Mortgage Association (GNMA) and /or Federal National Mortgage Association (FNMA);
- (c) Obligations of Major U.S. Bankers limited to Certificates of Deposit and/or Time Deposits; and

(d) Money Market Funds limited to one (1) year until maturity.

DIVISION 6: CSUEU PROCEDURES

601.00 ELECTIONS

601.01 Electorate

- (a) Chapter Officers and Chapter Bargaining Unit Representative
 - (1) Chapter Officers, General Council Delegates and Alternates, are elected by the active members within their chapter.
 - (2) Chapter Bargaining Unit Representatives (CBUR) are elected by the active members of their chapter from their respective bargaining unit.
- (b) CSUEU

The President, Vice President for Organizing, Vice President for Finance, and Vice President for Representation shall be elected in accordance with CSUEU bylaws.

- (c) Statewide Bargaining Unit Councils (BUC)

Statewide Bargaining Unit Council (BUC) officers and members are elected by the Chapter Bargaining Unit Representatives (CBUR) of their respective units.

601.02 Eligibility for Office

- (a) CSUEU and Chapter

Any active member in good standing shall be eligible for the offices of President, Vice President for Organizing, Vice President for Finance, Vice President for Representation, Chapter President/General Council Delegate, Chapter Vice-president, Chapter Secretary, Chapter Treasurer, Chapter Organizing Chair, Chapter Bargaining Unit Representative (CBUR), Chapter General Council Delegate/Alternates.

- (1) Bargaining Unit Council
 - Chapter Bargaining Unit Representatives (CBUR) are eligible for election as officers or members of their respective statewide Bargaining Unit Council (BUC).
- (2) Chapter Chief Stewards shall be certified stewards and elected by the certified stewards in the Chapter.

601.03 Terms of Office

The term of office of all Board of Directors, Bargaining Unit Council, and Chapter Officers, General Council Delegates/Alternates, and Chapter Bargaining Unit Representatives (CBUR) shall be for two (2) years. Such terms shall commence upon installation and end upon installation of their successors.

601.04 Time of Election

Board of Directors, Bargaining Unit Council, Chapter, and General Council Delegate elections shall be held in odd-numbered years. When the last day for performance of any act required by this election code falls on a Saturday, Sunday or holiday, such act may be performed on the next business day with the same effect as if it had been performed on the day appointed.

601.05 Nominations

(a) Chapter

- (1) By December 15 in even numbered years, each Chapter President shall activate a Chapter Nominations Committee that shall serve for nominations to the offices of Chapter President/General Council Delegate, Chapter Vice President, Chapter Secretary, Chapter Treasurer, Chapter Organizing Chair, and Chapter Bargaining Unit Representatives (CBUR).
- (2) By December 20 in even numbered years, Chapter Presidents shall transmit Chapter Nominating Committee member names to CSUEU headquarters.
- (3) During January in odd-numbered years, the Chapter President shall notify the chapter memberships of the date, time, and place of the open chapter meeting to accept nominations. Such meeting must be held by February 15.
- (4) To be included on the ballot, all candidates must submit a signed Candidate Consent Form.

(b) CSUEU

By April 30 of odd-numbered years the President shall notify all active members in good standing of open nominations for CSUEU office. A nomination form and consent statement shall be included. Candidate statements shall be 100 words or less. CSUEU shall receive, publish, and distribute with reasonable editing, all nominations and candidate statements to the CSUEU electorate prior to elections. Nominations may also be made on the floor of the meeting called for the purpose of CSUEU elections. A signed consent form is required.

(c) Bargaining Unit Councils

By April 30 of odd-numbered years, each Bargaining Unit Council (BUC) Chair shall notify all Chapter Bargaining Unit Representatives of open nominations for election to the Bargaining Unit Council (BUC), BUC Chair, and BUC Vice-chair. A nominations form and candidate statement shall be included. The candidate statement shall be no more than 100 words. The CSUEU shall receive, publish, and distribute with reasonable editing, all nominations and candidate statements to Chapter Bargaining Unit Representatives prior to elections. Nominations may also be made on the floor of the special meeting called for the purpose of BUC elections. A signed consent form is required.

601.06 Election

(a) Chapter

- (1) Elections for Chapter Officers and Chapter Bargaining Unit Representatives shall be by either: mail ballot, conducted by CSUEU Headquarters, or open chapter meeting. All contested elections shall be conducted by secret ballot. (CSUDC 15/01/1)
- (2) If the CSUEU is to conduct the election, the CSUEU Headquarters must be informed no later than February 16.
- (3) If conducted by a chapter, the Chapter President shall inform the chapter electorate and the CSUEU President of the time, date, and place of elections, no later than February 16.
- (4) Chapter elections shall be concluded and results reported to CSUEU Headquarters no later than March 31st of odd-numbered years.
- (5) Procedures for elections by open chapter meeting shall be included in the Chapter Bylaws.
- (6) A majority of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot.

(b) CSUEU

- (1) By May 30 the President will schedule the election for Board of Directors and Bargaining Unit Council (BUC) offices. Notification for this meeting shall be included in the election package sent to the appropriate electorate no later than June 30. This package will include candidate information and their statements as noted in 601.05.

(2) Election shall be by a simple majority of members voting, ignoring blanks and proxy votes. Each voter shall have a single vote. A majority of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot.

(c) Bargaining Unit Councils (BUC)

(1) Election shall be by a simple majority of members voting, ignoring blanks and write-in votes. A majority of votes cast shall determine the winner for each office. In case of a tie, the winner shall be determined by lot.

(2) Election for the offices of Chair, and Vice-chair shall be held first, followed by the remainder of the BUC seats.

(d) General Council Delegates

The membership role of Delegates to General Council, limited to active members of the Association, is determined at each session, and consists of Delegates and alternates elected by a Chapter. The Delegates referred to herein shall be known as Chapter Delegates.

(1) Each Chapter shall be entitled to elect one Chapter Delegate for each 100 members then belonging to such Chapter or major fractions thereof, or the number specified by the Association Policy File, except that no Chapter shall have less than one Delegate. Those candidates who are not elected as Chapter Delegates shall be placed on a list of Alternate Chapter Delegates in order of votes received.

(2) A Chapter President shall always be one of the Chapter's Delegates. Chapter election ballots and voter statements for Chapter President shall indicate the person elected will serve in both capacities; however, a candidate for Chapter President who is not elected will not be placed on a list of Alternate Chapter Delegates. Chapter President elections shall be conducted in accordance with section 601.06(a), above.

(3) General Council delegate elections shall be conducted by CSUEU headquarters using mail balloting. No later than December 15, a General Council delegate nomination form shall be mailed to each eligible CSUEU member. The nomination form shall be returned to CSUEU headquarters by January 16. Ballots will be mailed to chapter members by March 1. Ballots must be received at CSUEU Headquarters, 1129 10th Street, Sacramento, California 95814 no later than 5:00 p.m. on March 25. Results shall be announced no later than March 31. When the last day for performance of any act required by this election code falls upon a Saturday, Sunday or holiday, such act may be performed upon the next business day with the same effect as if it had been performed upon the day appointed.

601.07 Protest Procedures

- (a) Any active chapter member may protest the election of any Chapter Officer or General Council Delegate in his/her Chapter. To be considered, a protest shall be:
- (1) In writing specifically setting forth the irregularity and procedure(s) violated; and
 - (2) Postmarked to the CSUEU President at CSUEU Headquarters, 1129 10th Street, Sacramento, California 95814, within five (5) calendar days after the results of the chapter election is announced.
- ~~(e)~~(b) The incumbent in the protested office shall remain in office until the protest is decided. If there is no incumbent, the office shall remain vacant.
- ~~(d)~~(c) If the criteria in 601.07 (a) are satisfied, the CSUEU President, within ten (10) days of receipt of an election protest(s), shall appoint a Protest Committee of three (3) non-candidate members to investigate the protest and shall notify all candidates for the protested position of the protest.
- ~~(e)~~(d) The Protest Committee must hold a hearing within thirty (30) days of appointment.
- ~~(f)~~(e) The President shall return all protests that fail to meet the criteria listed in 601.07(a) to the protester within ten (10) days, specifically setting forth why the election protest was rejected.
- ~~(g)~~ (f) In hearing an election protest the Committee will:
- (1) Contact the Chapter President and all other persons known to be involved and request all information pertaining to the protested election;
 - (2) Review all materials used in the election procedure relevant to the protest;
 - (3) When necessary or requested by any chapter member, hold an open hearing at the chapter. The chapter membership, protester, and all other persons known to be involved shall receive timely notice of the open meeting, and shall be afforded an opportunity to present information in person or in writing;
 - (4) In evaluating the protest, the committee will consider:
 - (A) Evidence of irregularities or procedural violations; and
 - (B) If said irregularities or procedural violations affected the outcome of the election.

(5) Within ten (10) days of the close of the hearing, report its finding and recommendations in writing to the President with copies to the affected individuals for action.

~~(h)~~(g) The President shall issue his/her decision within ten (10) days based on the Protest Committee's findings and report.

~~(h)~~ (h) Affected parties may file a written appeal within fourteen (14) days to the Board of Directors. Such appeal must clearly state why an appeal should be considered.

(1) The Board of Directors, at its first meeting after the appeal request, shall make a final decision concerning election protests, and shall:

(A) Review the proposed recommendations under the principles of substantial evidence and not treat the matter as a new hearing; and

(B) Judge all issues involved in the protest and determine if a re-election is called for.

(2) The decision of the Board of Directors shall be final and binding on all parties.

602.00 CONCURRENT OFFICE

(a) The CSUEU President, Vice Presidents, BUC Chairs and Vice-chairs and all elected chapter officers shall not hold any other elective office concurrent with their term of office.

(b) Exceptions to 602.00(a) above are:

(1) Any elected officer of the chapter may be General Council Delegate/Alternate, but may hold only one vote on a chapter board regardless of concurrent office;

(1) (2) BUC Chairs and Vice-chairs shall also be Chapter Bargaining Unit Representatives (CBUR); and

(2) (3) Chief Stewards may hold only one vote on a chapter board regardless of concurrent offices.

603.00 VACANCIES

603.01 CSUEU

(a) In the event of a temporary or permanent vacancy in the office of President, the Vice President for Organizing shall serve.

- (b) In the event of a temporary or permanent vacancy in the offices of Vice President for Organizing, Vice President for Finance, or Vice President for Representation, the President shall appoint a replacement, with the concurrence of the Board of Directors.

603.02 Bargaining Unit Council

- (a) In the event of a temporary or permanent vacancy in the office of BUC Chair, the alternate Vice-chair shall serve.
- (b) In the event of a temporary or permanent vacancy in the office of either BUC Vice-chair or a member of the BUC, the Chair shall appoint a replacement, with the concurrence of the Bargaining Unit Council.

603.03 Chapter

Chapters shall make provisions for vacancies, temporary and permanent, in the offices of President, Vice President, Secretary, Treasurer and shall include these provisions in the Chapter Bylaws.

A permanent vacancy in a chapter bargaining unit representative (CBUR) position may be filled as the Chapter Bylaws provide. (CSUDC 46/01/3)

604.00 RECALL

604.01 CSUEU

- (a) A recall meeting for any CSUEU officer shall be held upon petition of fifty-percent (50%) of the electorate, to be held no later than thirty (30) days after receipt of such petition in the Association Headquarters.
- (b) The recall meeting shall include the electorate for CSUEU office.
- (c) Recall shall be effected upon a vote of fifty-percent (50%) plus one (1) of all votes cast.
- (d) In the event of recall of a CSUEU officer, the electorate shall elect a new CSUEU officer immediately following the recall vote.

604.02 Bargaining Unit Councils

- (a) A recall meeting for any Bargaining Unit Council officer or member shall be held upon petition of fifty-percent (50%) of the Bargaining Unit Council, to be held no later than thirty (30) days after receipt of such petition in the Association Headquarters.
- (b) The recall meeting shall include a quorum of 2/3 of the members of the Bargaining Unit Council.

- (c) Recall shall be effected upon a vote of fifty-percent (50%) plus one (1) of all votes cast.
- (d) In the event of recall of a Bargaining Unit Council Officer, the Bargaining Unit Council shall elect a new officer immediately following the recall vote. In the event of a recall of a Bargaining Unit Council member, the chair shall fill the vacancy through the normal appointment process.

604.03 Chapter

Chapters shall make provisions for recall of chapter officers and chapter bargaining unit representatives in the Chapter Bylaws.

- (a) A recall meeting for any chapter officer shall be held upon petition of fifty-percent (50%) of the electorate, to be held no later than thirty (30) days after receipt of such petition in the Association Headquarters.
- (b) The recall meeting shall include the electorate for chapter office.
- (c) Recall shall be effected upon a vote of fifty-percent (50%) plus one (1) of all votes cast.
- (d) In the event of recall of a chapter officer, the electorate shall elect a new chapter officer immediately following the recall vote.

605.00 CONTRACT RATIFICATION PROCEDURES

- (a) Upon reaching tentative agreement with the CSU Board of Trustees, the CSUEU Bargaining Committee shall prepare said Tentative Agreement (TA) to the membership and an unbiased summary of the TA, including a list of pros and cons.
- (b) CSUEU headquarters shall notify chapters of the anticipated ratification time frame and distribute the TA and the summary to members and fee-payers.
- (c) Chapters shall conduct ratification information meetings for a period of three weeks beginning one week after the TA is mailed.
- ~~(e)~~(d) Ratification voting shall be by secret ballot. Ballots shall be printed for each unit on different colored paper and clearly identify the unit by name and number. A double envelope system shall be used for return of all ballots. Members shall place their ballot in a plain envelope and then place the plain unmarked envelope into a postage prepaid envelope. Said prepaid envelope shall be printed and signed by the employee and sent to the CSUEU.
- ~~(d)~~(e) Ballots sent to fee-payers shall include a membership card to be completed and returned with the ballot for the ballot to be valid.

- ~~(e)~~(f) Members may request replacement ballots from CSUEU headquarters or their Chapter President. Replacement ballots shall be clearly marked. The outer envelope of replacement ballots shall advise the voter that receipt of two ballots will nullify their vote.
- ~~(f)~~(g) The President shall appoint teller(s) who shall oversee the counting of ballots and rule on all disputed ballots.
- ~~(g)~~(h) Ballots shall be deemed valid and are to be counted if the intent of the voter is clear and unmistakable.
- ~~(h)~~(i) Unsigned and otherwise unidentifiable returned ballots shall not be counted. Signing the inner envelope shall be considered as valid identification.
- ~~(i)~~(j) Ratification time frame:
 - (1) Monday of week one: mailing of TA and summary;
 - (2) Week two through four: Chapter ratification meetings;
 - (3) Monday of week four: mail ballots;
 - (4) Week four through six: voting;
 - (5) Friday of week six at 5 p.m.: deadline for receipt of ballots.

605.01 Appeals

- (a) The decision of the teller(s) is final except that an appeal may be made by any member to the President within five (5) days challenging decisions of the teller(s).
- (b) Such appeal shall be in writing stating the specific grounds for the appeal.
- (c) Such appeal shall be heard only if the disputed ballots are sufficient to have an affect on the outcome of the ratification.
- (d) In such cases the President shall issue a written decision within five (5) calendar days of receipt.

606.00 CONCERTED ACTIONS WITHIN THE CSUEU

In order to obtain improvements in salaries, benefits and working conditions, concerted action(s) of members may be required.

606.01 CSUEU Initiated Actions

The Board of Directors may initiate concerted action(s) against an employer whenever it deems necessary to support the bargaining process. Prior to implementation of any concerted action, the Board of Directors shall meet in closed session and determine the appropriate group(s), type(s) of action, timing of actions and the method of polling the affected group(s).

606.02 Sanction Petitioning by Groups of Members

Any clearly identifiable group of members can petition for sanction of a job action. Examples include:

- (a) Members of the Union;
- (b) Members of a bargaining unit;
- (c) Members of a sub-group of a bargaining unit; and
- (d) Members at specific work locations.

606.03 Initiation of Petition

Members may petition the Board of Directors for sanction of a job action. Every petition for a job action must be signed by at least ten (10%) percent of the affected group of members and one member of the Bargaining Unit Council. The petition shall contain:

- (a) The nature of the grievance;
- (b) Action taken to resolve the grievance;
- (c) The nature of the action requested; and
- (d) The number and identity of the affected group.

606.04 Transmittal of a Petition

The transmittal of a petition shall be as follows:

- (a) The Bargaining Unit Council member(s) who signed the petition shall submit it to the Bargaining Unit Chair within twenty-four (24) hours;
- (b) The Bargaining Unit Council shall review the petition, arrive at a recommendation and forward it to the President within five (5) calendar days of receipt of the petition;
- (c) The President shall:

- (1) Submit an information copy of the petition to the Board of Directors; and
 - (2) Refer the petition to an investigating committee which shall report their findings within five (5) calendar days.
- (d) If the committee investigation results in a positive finding, the President shall call a special meeting of the Board of Directors within ten (10) calendar days;
 - (e) If the investigation results in a negative finding, the petition shall be transmitted to the chair of the Bargaining Unit Council within ten (10) calendar days for the purpose of reviewing the petition and their report of the investigation committee;
 - (f) If the Bargaining Unit Council concurs with the findings of the investigating committee, the Bargaining Unit Council chair shall notify the President and the negative decision shall be final; and
 - (g) If the Bargaining Unit Council disagrees with the investigating committee, the Bargaining Unit Council chair shall notify the President who shall call a meeting of the Board of Directors to take place within ten (10) days.

606.05 Investigating Committee

The investigating committee shall include:

- (a) One member from the affected group of members;
- (b) The Chair of the affected Bargaining Unit Council;
- (c) Any other member of the Board of Directors; and
- (d) The CSUEU Administrator or designee.

606.06 Board of Directors Meeting

The Board of Directors shall review the petition, the investigating committee report, and Bargaining Unit Council recommendations and any other available information.

- (a) A two thirds (2/3) vote of the Board of Directors shall be required to sanction a job action.
- (b) The Board of Directors shall establish any and all conditions relating to the sanctioned job action.

606.07 Ratification of Sanction

- (a) The action sanctioned by the Board of Directors shall be subject to ratification by secret ballot of the affected members.
- (b) A majority (50% plus 1) of ballots cast shall be indicative of the pleasure of the affected group.
- (c) The ballot shall clearly indicate that a non-cast ballot shall be interpreted as a YES vote.

606.08 Results of Ratification Vote

The Board of Directors shall consider the results of the vote in closed session and take such action as may be appropriate.

606.09 Termination of Sanction

A sanction shall be automatically terminated seventy-five (75) days after it is granted unless, by a two thirds (2/3) vote, the Board of Directors votes to terminate it sooner. The Board of Directors may extend the life of a sanction for additional periods of no longer than seventy-five (75) days by two-thirds (2/3) vote.

606.10 Sanction Directives

In sanctioning actions, the Board of Directors urges all members to observe all directives arising from such sanction and guarantees representation to all members with respect to their full legal rights in any disciplinary and legal actions resulting from observance of such directive.

606.11 Status of Petitions

The Board of Directors shall keep the President of the Association informed of the status of all petitions and actions taken.

607.00 DISCIPLINARY ACTIONS

Subject to the Bylaws of the Association and CSUEU, disciplinary action may be taken against an individual member.

607.01 Criteria and Procedures for Disciplinary Action

Disciplinary action may be taken against a member for the following reasons:

- (a) Gross neglect of duty by a member holding an elected or appointed office;
- (b) Intentional breach of confidence in matters appropriately designated confidential when said breach could harm CSUEU and the Association;

- (c) Improper distribution or other misuse of material designed for use within CSUEU and the Association;
- (d) Violation of the Association or Chapter Bylaws, or the CSUEU Bylaws and Policy File;
- (e) Taking an active part in promoting another organization which is undermining the objectives or the existence of CSUEU and the Association, is seeking its decertification, or which directly competes with the CSUEU in areas where the CSUEU is the exclusive bargaining agent;
- (f) Unexcused absences from Board of Directors or committee meetings, or failure to participate in activities as assigned;
- (g) Taking a public position, in the name of CSUEU or the Association, which is contrary to the adopted policy of the Association or purporting to act on behalf of the Association, CSUEU, Committee, or a Chapter when not so authorized. An individual retains the right of free expression regarding Association matters provided s/he clearly indicates she/he is doing so as an individual and disclaims any intent to represent the position of the Association or CSUEU;
- (h) Misuse of or failure to account for CSUEU or Chapter funds, equipment, or supplies; and
- (i) Intentionally disrupting the orderly conduct of an official meeting.

607.02 Procedure for Institution of Discipline

The procedures shall be as follows:

- (a) Institution of the action shall occur when a member files specific charges in writing with the President, unless such charges are filed against the President, in which case charges shall be filed with the Vice President for Organizing. The member filing the charges must agree to be present when the action is heard, to substantiate the charges, and present the facts supporting the charges;
- (b) The President, upon receipt of such written charges and agreement to be present, shall forward the appropriate charging form to the member to be filled out and returned within fifteen (15) days. If the appropriate charging form is not returned within fifteen (15) days, the charges shall be considered withdrawn and the matter closed. Upon receipt of the appropriate charging form, the President shall order a hearing to be held within thirty (30) days before a hearing officer. The hearing officer shall not be a party to the dispute nor from the same chapter as any of the charging or charged parties;
- (c) The hearing officer shall determine the validity of the charges. The hearing shall be open unless a request for a closed meeting is made by the member so charged. The findings of the hearing officer shall be confidential pending final action of the Board of Directors;

- (d) The hearing officer shall have the authority to grant extensions and continuances;
- (e) The individuals involved in the hearing shall be personally notified in writing at least ten (10) days prior to the hearing. Such notice shall include the date, time, and place of the hearing and a list of charges to be heard. New charges may not be introduced without an additional five (5) days notice to the member so charged;
- (f) The parties to the hearing shall have the right to be represented, to introduce evidence supporting or refuting the charges and to cross-examine witnesses. Strict rules of evidence are not applicable;
- (g) A failure to personally appear in response to the notice of hearing by the member so charged may be deemed sufficient cause for the disciplinary action upon which the charges are made;
- (h) The hearing officer shall report to the President no later than ten (10) days after the completion of the hearing. Such report shall include recommendation for action including, but not limited to, the following:
 - (1) Rejection of the charges;
 - (2) Reprimand;
 - (3) Suspension from office;
 - (4) Removal from office; ~~and~~
 - (5) Suspension from privileges of membership except those required by law; and
 - (6) Suspension of membership.
- (i) The Board of Directors shall act on the report no later than its next regularly scheduled meeting. Disciplinary action requires a three quarters (3/4) vote. The Board of Directors must take immediate disposition of the case by motion;
- (j) When there are more than thirty (30) days between the time the hearing officers report is delivered to the President and the convening of the next Board of Directors, the President shall appoint a three (3) member Review Committee, consisting of two (2) members of the Board of Directors and one (1) member-at-large, appointed by the President. Within ten (10) days of their appointment this committee shall review the report of the hearing officer and supporting documentation, to determine whether or not the record supports summary adoption of the hearing officers report;
- (k) If the Review Committee summarily adopts a hearing officer's recommendation, the adopted action will take immediate effect. The member shall retain the right of appeal to the full Board of Directors;

(l) The Board of Directors may adopt, reject, or modify the recommendation of the hearing officer or the action of the Review Committee. In deliberating its action, the council shall restrict its discussion to the report of the hearing officer, procedural matters, and the appropriate disciplinary action to be imposed, if any. The chair shall rule out of order all discussion which attempts to introduce or argue the facts at issue, whether or not presented at the original hearing;

~~(m)~~(m) If the charged member believes that any procedural irregularity has prevented a fair and impartial hearing of the charges, the member may request to make a presentation to the Board of Directors prior to its final action. Such presentation is restricted solely to procedural issues and may not be used to argue the facts of the case; and

~~(n)~~(n) Nothing in these procedures is intended to deny a member any other rights or appeal of grievances available within the Association Bylaws.

607.03 Reimbursement of Costs to Member

In the event the charges against the member are not sustained, the CSUEU shall provide reimbursement of reasonable costs to the member.

608.00 GRIEVANCE PROCESS

Subject to the Bylaws of the Association, a member or group of members may file a grievance against an officer or an official body of the CSUEU for official acts or omissions.

608.01 Criteria and Procedures for a Grievance

A grievance may be filed against an officer or an official body of the CSUEU for the following reasons:

- (a) Gross neglect of duty;
- (b) Intentional breach of confidence in matters appropriately designated confidential when said breach could harm the Association;
- (c) Improper distribution or other misuse of material designed for use within the Association;
- (d) Violation of the Association or Chapter Bylaws, or the CSUEU Policy File; and
- (e) Misuse of CSUEU or chapter funds, equipment, or supplies.

608.02 Procedure of Initiation of Grievances to the Board of Directors

When a grievance is filed with the Board of Directors, the President shall institute the following procedures:

- (a) The grievant shall submit to CSUEU, in writing, a list of the acts or omissions which constitute the cause for the grievance. The grievant must agree to be present when the grievance is heard, to substantiate the grievance and to present evidence to support it;
- (b) The President upon receipt of such written charges and agreement to be present, shall forward the appropriate grievance form to the member to be filled out and returned within fifteen (15) days. If the appropriate grievance form is not returned within fifteen (15) days, the charges shall be considered withdrawn and the matter closed. Upon receipt of the appropriate grievance form, the President shall order a hearing to be held within thirty (30) days before a hearing officer. The hearing officer shall not be a party to the dispute nor from the same chapter as any of the charging or charged parties;
- (c) The hearing officer shall determine the validity of the charges. The hearing shall be open unless a request for a closed meeting is made by the member so charged. The findings of the hearing officer shall be confidential pending final action of the Board of Directors;
- (d) The hearing officer shall have the authority to grant extensions and continuances;
- (e) The individuals involved in the hearing shall be personally notified in writing at least ten (10) days prior to the hearing. Such notice shall include the date, time, and place of the hearing and a list of charges to be heard. New charges may not be introduced without an additional five (5) days notice to the member so charged;
- (f) The parties to the hearing shall have the right to be represented, to introduce evidence supporting or refuting the charges and to cross-examine witnesses. Strict rules of evidence are not applicable;
- (g) A failure to personally appear in response to the notice of hearing by the member so charged may be deemed sufficient cause for the charges;
- (h) The hearing officer shall report to the President no later than ten (10) days after the completion of the hearing. Such report shall include recommendation for action including, but not limited to, the following:
 - (1) Rejection of the charges;
 - (2) Reprimand;
 - (3) Nullification of the action; or
 - (4) Such other actions as shall correct the act or omission.
- (i) The Board of Directors shall act on the report no later than its next regularly scheduled meeting. Grievance action requires a three quarters (3/4) vote. The Board of Directors must take immediate disposition of the case by motion;

- (j) When there are more than thirty (30) days between the time the hearing officers report is delivered to the President and the convening of the next Board of Directors, the President shall appoint a three (3) member Review Committee, consisting of two (2) members of the Board of Directors and one (1) member-at-large, appointed by the President. Within ten (10) days of their appointment this committee shall review the report of the hearing officer and supporting documentation, to determine whether or not the record supports summary adoption of the hearing officers report;
- (k) If the Review Committee summarily adopts a hearing officers recommendation, the adopted action will take immediate effect. The member shall retain the right of appeal to the full Board of Directors;
- (l) The Board of Directors may adopt, reject, or modify the recommendation of the hearing officer or the action of the Review Committee. In deliberating its action, the council shall restrict its discussion to the report of the hearing officer, procedural matters, and the appropriate disciplinary action to be imposed, if any. The Chair shall rule out of order all discussion which attempts to introduce or argue the facts at issue, whether or not presented at the original hearing;
- (m) If the charged member believes that any procedural irregularity has prevented a fair and impartial hearing of the charges, the member may request to make a presentation to the Board of Directors prior to its final action. Such presentation is restricted solely to procedural issues and may not be used to argue the facts of the case;
- (n) Nothing in these procedures is intended to deny a member any other rights or appeal of grievances available within the Association Bylaws; and
- (o) When a grievance is filed against the President individually, the Vice President for Organizing shall take his/her place for the procedures listed in the grievance procedure. When a grievance is filed against the Board of Directors, the President shall forward the charge to the CSEA Board of Directors for appropriate action.

608.03 Reimbursement of Costs

The CSUEU shall determine, upon request of any party, whether or not to reimburse reasonable costs to any involved individuals.

609.00 CHAPTER TRUSTEESHIP

609.01 Purpose

- (a) The purpose of this article is to set forth the terms for a trusteeship of a chapter which may be imposed for the following purposes:
 - (1) Correcting malfeasance;

- (2) Correcting financial malfeasance; or
 - (3) Restoring democratic principles and procedures.
- (b) Whenever the Executive Committee has reason to determine the risk to the CSUEU is such that action is required, a trusteeship must be created in compliance with the procedures listed in this article.

609.02 Imposition of Trusteeship

- (a) The President shall issue a notice which shall be mailed to all members of the chapter at least fifteen (15) days prior to the hearing date, setting a time and place for hearing for the purpose of determining whether a trusteeship should be imposed upon the chapter. The President shall appoint a hearing panel of three (3) members at large, exclusive of the Board of Directors and the chapter in question.
- (b) The hearing committee shall hold a hearing at the affected campus. All interested parties will be given the opportunity to provide all pertinent written and verbal information in accordance with Robert's Rules of Order.
- (c) The hearing committee will report their findings and recommendation to the CSUEU Executive Committee within fourteen (14) days of the hearing, for action.
- (d) Within five (5) days of receipt of the hearing committee report, the Executive Committee must determine if a Trustee should be appointed and report their decision in writing to the Chapter.

609.03 Appointment of Trustee

In the event that the Executive Committee decides to appoint a Trustee, such Trustee must act in the best interest of the Chapter that is in trusteeship.

609.04 Authority of Trustee

- (a) The Trustee shall be authorized and empowered to take full charge of the affairs of the chapter and its funds including:
 - (1) Remove officers and appoint temporary officers;
 - (2) Hold an election in compliance with CSUEU policy; and
 - (3) Take other action as he/she deems necessary for the preservation of the chapter.
- (b) The Trustee shall also have the discretion to:
 - (1) Require the chapter to turn over all financial records and property; and

- (2) Request the Vice President for Finance to close all accounts in financial institutions, transfer funds to CSUEU Headquarters for separate accounting, and authorize disbursement to pay all outstanding claims, properly proven, if funds are sufficient. The Vice President for Finance must comply with this request in a timely fashion.

609.05 Emergency Trusteeship

In the case of an emergency, the President may place the chapter into immediate trusteeship with the consent of the Executive Committee. The process described in 609.02 shall then be followed immediately.

609.06 Ratification of Trusteeship

- (a) The hearing committee's report shall be provided and the decision of the Executive Committee to impose Trusteeship ratified by a three-quarters (3/4) vote in a closed session of the Board of Directors at the first Board of Directors meeting following imposition of Trusteeship.
- (b) In deliberating its action, the Board of Directors shall restrict its discussion to the report of the hearing officer and procedural matters. The Chair shall rule out of order all discussion which attempts to introduce or argue the facts at issue, whether or not presented at the original hearing.
- (c) One Chapter Officer shall be permitted to make a report to the Board of Directors prior to a vote to ratify trusteeship. This one representative shall be chosen by a majority vote of the chapters executive board. He/she shall have his/her travel expenses paid to make this report. (CSUDC 17/01/1)
- (d) If the trusteeship is not ratified by the Board of Directors, self governance of the chapter shall be restored. The trustee shall return all funds, books, paper and other property to the Chapter.
- (e) The Trustee shall report to the Board of Directors at each subsequent Board of Directors meeting, the status of the trusteeship and make a recommendation to continue or terminate the trusteeship. The trusteeship can only be terminated by motion of the Board of Directors.

DIVISION 7: RELATIONS WITH OTHER ORGANIZATIONS

701.00 SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU)

701.01 Affiliation

CSUEU is Local 2579 of SEIU. Any amendments to such affiliation shall be made with the authorization of the CSUEU Board of Directors.

701.02 Participation in SEIU

- (a) CSUEU shall participate in SEIU boards, committees, regional bodies, and other sponsored activities that are available to it, and which shall not economically or otherwise harm the interests of the CSUEU.
- (b) CSUEU shall seek individual participation, distinct from and equal with other bodies of the Association.

702.00 CALIFORNIA FACULTY ASSOCIATION (CFA)

The California Faculty Association is an affiliate of CSEA. CSUEU recognizes a special community of interest with the CFA by their common employer and affiliation history.

702.01 Cooperative Programs

CSUEU and the CFA shall regularly consult on joint programs and positions. The CSEA- CFA Affiliation agreement and whatever reciprocal services are available to each party shall be regularly reviewed.

703.00 OTHER ORGANIZATIONS

CSUEU encourages participation in Central Labor Councils on the part of its chapters. CSUEU shall also seek to participate in coalitions and other organizations that will advance the interests of the CSUEU's membership, as long as that participation does not violate the Association's affiliation agreements.

703.01 The CSU Labor Council

The CSUEU shall participate in the CSU Labor Council, and shall encourage the formation of campus labor councils. Any participation in joint negotiations shall be at the discretion of the Board of Directors, and shall require the unanimous consent of the Bargaining Unit Chairs.

DIVISION 8: UNION LEAVE/LOST-TIME POLICY & PROCEDURES

801.00 DEFINITIONS

801.01 Union Leave

Union leave shall be defined, as noted in MOU Article 5.13, as a member's reimbursed absence from his/her state workplace, whether such reimbursement is through the state or direct to the employee, and is for the purpose of assigned governance or committee duties.

801.02 Lost-Time

Lost-time shall be defined as a members reimbursed absence from his/her state workplace, whether such reimbursement is through the state or direct to the employee, and is for the purpose of performing work within the normal range of duties of staff.

801.03 Release Time

Release time shall be defined, as noted in MOU Article 5.11, as a member's non-reimbursed absence from his/her state workplace.

802.00 UNION LEAVE

(a) Authorization

Union leave shall be authorized by the President, or his/her designee. Such authorization shall be in writing and state the purpose of the leave and its duration.

(b) Procedures

- (1) Individual forms for union leave shall be available from CSUEU Headquarters office, 1129 10th Street, Sacramento, California 95814. Any member wishing to take leave shall make such request in writing to the President, stating the type of leave, its purpose and duration.
- (2) The President shall notify the member within thirty (30) days of the status of such a request. If a leave is denied, the reason for denial shall be included in the notification. Notification of a granted request will include a copy of the authorization, and shall also state the guidelines for supervision of the leave.
- (3) Such leave may be revoked at the discretion of the President, after proper notice to the member on leave. In no case shall a member be adversely affected by the revocation of such leave.
- (4) Copies of all requests, authorizations, and associated costs shall be reported to the Board of Directors and maintained by CSUEU.

(c) Supervision

Union leave shall be supervised by the President.

(d) Limitations

Union Leave shall not be used for the purpose of running for or supporting a candidate for Association Office.

803.00 LOST-TIME

(a) Authorization

- (1) Lost-time shall be authorized by the Association General Manager, or his/her designee. Such authorization shall be in writing and also state the purpose of the leave and its duration.
- (2) Members must sign a lost-time agreement.

(b) Procedures

- (1) Individual forms for lost-time shall be available from CSUEU Headquarters office, 1129 10th Street, Sacramento, California 95814. Any member wishing lost-timer status shall make such request in writing to the CSUEU Administrator, stating the type of leave, its purpose and duration.
- (2) The CSUEU Administrator shall notify the member within thirty (30) days of the status of such a request. If leave is denied, the reason for denial shall be included in the notification. Notification of a granted request will include a copy of the authorization, and shall also state the guidelines for supervision of the leave.
- (3) Such leave may be revoked at the discretion of the CSUEU Administrator, after proper notice to the member on leave. In no case shall a member be adversely affected by the revocation of such leave.
- (4) Copies of all requests, authorizations, and associated costs shall be reported to the Board of Directors and maintained by CSUEU.

(c) Supervision

Lost-time shall be supervised by the CSUEU Administrator.

(d) Limitations

An employee serving in a lost-time status shall be restricted from CSEA and CSUEU politics in the same manner as the CSEA staff, with the exception that the employee shall be free to engage in political activity when not on time reimbursed by the CSUEU.

- (1) Lost-time shall not violate the written terms of any agreement between the CSEA and the exclusive bargaining agent of CSEA staff.
- (2) Lost-time leave shall not be used for the purpose of running for or supporting a candidate for any elected Chapter, CSUEU or CSEA office.

804.00 RELEASE TIME

804.01 Principles

- (a) The leave should be used to accomplish important work of the organization such as training, organizing, and governance.
- (b) The leave shall not be substituted for representation release time.

804.02 Distribution (Total 576 days)

The California State University provides release time each fiscal year, which shall be distributed as follows:

- (a) Each chapter receives 14 days per year (336 days for 24 campuses);
- (b) 96 days reserved for use of the Board of Directors for CSUEU business;
- (c) The balance or 144 days shall be set aside for statewide use.

804.03 Administration

- (a) Overall responsibility for administration of 5.11(d) leave rests with the CSUEU Administrator.
- (b) The CSUEU President and Administrator must approve use of days from the statewide pool.
- (c) The Chapter President must approve the use of days from the chapter pool.
- (d) Chapters shall report use on the appropriate form.

- (e) The CSUEU Administrator shall report 5.11(d) usage, in writing, at each Board of Directors meeting. The report shall include usage of both the statewide and the chapter pools.

DIVISION 9: REPRESENTATION

901.00 SCOPE OF REPRESENTATION

- (a) Representation is the means by which the CSUEU makes its resources available ~~in order~~ to insure a fair and full review of any infringement of CSU employees' rights and to obtain for them the full realization of any and all benefits to which they may be entitled by reason of being a CSU employee.
- (b) Representation in court is not automatically afforded but shall be provided only when in those cases determined by the CSUEU Representation Committee determines the matter has to have merit and approves such representation pursuant to 902 (c).

902.00 RIGHTS AND LIMITATIONS

- (a) The CSUEU shall provide representation within the limitations set forth in this Policy File, to CSU employees based upon their status as follows:
 - (1) ~~Association M~~members within a unit for which the CSUEU is the bargaining agent, have the full right to good faith representation in any collective bargaining employment related matter by the CSUEU's Association's designated representative, ~~or legal counsel~~, without charge therefore;
 - (2) Members of affiliate organizations have such rights to representation as set forth in their affiliation agreement with the CSUEU Association as permitted by law;
 - (3) CSU employees who are not members within a unit for which the CSUEU is the bargaining agent shall be required to pay a reasonable fee for individual representation, outside of the grievance procedure; ~~then~~
 - (4) Active CSUEU members who are in units for which the CSUEU is not the bargaining agent shall be entitled to representation to the extent authorized by law.
- (b) Representation shall not be provided to members in matters beyond the scope of the CSUEU's Association's duty of ~~to~~ fair representation under HEERA; in matters resulting from events which occurred prior to the date of their application for membership in the Association unless required by law.
- (c) The CSUEU has the right to make fair and impartial decisions as to the merits of a particular request for representation, including but not limited to decisions to:
 - (1) ~~Whether to~~ Undertake representation;
 - (2) ~~Whether to~~ Discontinue representation at any time;

- (3) ~~Whether to R~~ecommend that a matter be settled prior to exhaustion of the applicable administrative procedures;
- (4) ~~Whether to R~~efuse to continue representation in the event that its recommendation is not satisfactory to the employee;
- (5) ~~Whether to S~~eek judicial relief and redress for a particular matter in addition to or in lieu of representation through any or all of the available administrative procedures; and
- (6) ~~Whether to D~~iscontinue its representation in judicial proceedings at any point prior to their exhaustion.

902.01 Types of Representation

Representation consists of either services or indemnity, or both.

- (a) Services consist of advice, counsel and assistance rendered by competent and qualified persons, and may include investigation, negotiation and settlement as well as appearances before administrative, judicial or legislative tribunals. These services will be provided primarily by CSUEU Certified Stewards, then secondarily by Labor Relations Representatives, and finally, when deemed appropriate, by CSEA legal staff.
- (b) Indemnity consists of money payment in reimbursement of either a portion or all of actual and necessary representation costs. The CSUEU shall not indemnify anyone for costs or expenses incurred without prior authorization of the Vice President for Finance.

902.02 Requests for Formal Representation

At the time of the request for formal representation, the employee shall be given a form listing the employee's rights and responsibilities. Continued representation may be contingent upon the employee's good faith effort to comply with these responsibilities from the inception through the conclusion of the representation process. This statement shall include a statement of the employee's appeal rights. These forms shall be available at www.csueu.org.

- (a) CSUEU shall maintain a record of all requests for representation.

903.00 NONMEMBER REPRESENTATION

~~Member representation is the first priority of the CSUEU.~~ The Nonmember Representation Policy shall be distributed to all Chapters and staff, shall be presented to any nonmember requesting representation, and shall be available at www.csueu.org.

903.01 Representation for Fee Payers

Representation for fee payers shall be as required by the provisions of HEERA. Fair share fee payers shall only be entitled to representation on grievable matters covered by an MOU entered into between the CSUEU Association and the CSU Board of Trustees and not for any procedures that would fall under Article 8 Complaint Procedure.

904.00 DENIAL OF REPRESENTATION

- (a) It is the CSUEU's general policy to deny representation on the following grounds:
- (1) **Unapproved Actions:** The CSUEU shall not provide representation with respect to disciplinary action arising from unapproved job actions;
 - (2) **Best Interests of the Association:** The CSUEU shall not provide representation that would conflict with the best interests of the Association or require the Association or its staff to take a position in any manner inconsistent with established positions or policies of the Association;
 - (3) **Conflict of Interest:** The CSUEU shall not provide representation services that would result in any conflict of interest for the Association staff. Indemnity for representation costs may be authorized if prior approval is obtained from the Vice President for Finance;
 - (4) **Lack of Merit:** The CSUEU may deny representation in matters that appear to lack factual or legal merit;
 - (5) **Lack of Cooperation:** CSUEU may deny representation if the individual fails to cooperate in the matter; and
 - (6) **Other Representation:** The CSUEU may deny representation when it determines that an individual has another representative in the same matter.
- (b) Denials of representation shall be ~~communicated, with proof of service,~~ in writing and delivered with proof of service to the employee in a timely manner and ~~which~~ shall not compromise the employee's right to continuance of his/her case or to appeal.

904.01 Appeals of Denial of Representation

- (a) Any member of a bargaining unit represented by the CSUEU or member's designee may appeal a decision to deny a request for representation or submission of a matter to mediation or arbitration.
- (b) An appeal must be filed within ten (10) days of proof of service of the denial.

- (c) The appeal must be in writing stating the reason(s) for the appeal. The appeal shall be addressed to the CSUEU Administrator in care of CSUEU, ~~1129 10th Street,~~ headquarters office in Sacramento, California 95814.
- (d) Upon receipt of the appeal, ~~The Representation Appeals Committee, upon receipt of the appeal~~ shall meet within thirty (30) days to hear the appeal. This time limit may be extended at the request of the appellant. However, for appeals of denial of arbitration or mediation, such meeting shall be held no later than five (5) days prior to the expiration of the arbitration or mediation appeal period in the MOU, if applicable.
- (e) The Representation Appeals Committee decision shall be in writing.
- (f) Upon reaching a decision on the appealed denial, the Chair of the Representation Appeals Committee shall forward the written decision to the grievant with a copy to the CSUEU Administrator or their designee. If applicable, such decision shall be issued prior to the expiration of the arbitration or mediation appeals period contained in the MOU. If the appeal is sustained by the committee, the CSUEU Administrator or designee shall notify the Union Representative assigned to the matter.
- (g) Decisions of the Representation Appeals Committee shall be final. There shall be no further review or appeal of the action taken by the committee.
- (h) The Representation Appeals Committee shall maintain accurate records of matters brought before it and submit periodic reports to the CSUEU Board of Directors.

904.03 Attorney-Client Relationship

The CSUEU does not practice law nor solicit matters requiring legal services. It does employ staff attorneys whose services are made available in accordance with representation policy. The CSUEU may authorize representation, but having given such authorization will not thereafter interfere in the attorney-client relationship so established unless authorized by the client.

905.00 ARBITRATION SETTLEMENTS

No arbitration settlement shall be entered into regarding a grievance filed under a Memorandum of Understanding covering CSU employees on an issue that impacts the CSUEU's bargaining unit(s) without the proposed settlement having first been provided, in writing, to the Chairperson of the Bargaining Unit(s), and any or all agreeing to the terms of the proposed settlement of the arbitrator. Should any Chairperson of affected Bargaining Unit disagree with the terms of the proposed settlement, the proposed settlement shall not be entered into. The Chairperson(s) of the affected Bargaining Unit(s) shall put his/her decision on the matter in writing and submit same to the person proposing the settlement and the grievant(s).

906.00 STEWARDS

- (a) It is the policy of the CSUEU to encourage local representation through a network of qualified job stewards. Chapters shall maintain an active representation program.
- (b) Stewards shall work under the guidance of the assigned Labor Relations Representative and the Chief Steward.
- (c) Stewards shall be responsible for monthly reporting of active cases to the Labor Relations Representative and the Chief Steward. (CSUDC/23/03/02)

906.01 Stewards Training and Certification

- (a) The CSUEU shall establish a steward training program for basic, advanced, and chief stewardship, with regular updates after changes in the Memorandum of Understanding.
- (b) Completion of the training program shall entitle a member to certification as a job steward. Completion shall include:
 - (1) Attendance during the entire course;
 - (2) Passing a written examination; and
 - (3) Affirmative recommendation of the Trainer, Labor Relations Representative, and Chief Steward, in the absence of a Chief Steward the Chapter President can affirm the recommendation.
- (c) Recertification of existing stewards shall be required within one year of ratification of a new full contract. (CSUDC 20/01/1)

906.02 Chief Stewards

- (a) Chief Stewards will complete basic steward training, advanced steward training and, chief steward training and will be certified by the Labor Relations Representative, and Vice President for Representation. (CSUDC/21/01/1).
- (b) Duties of Chief Stewards
 - (1) Call and chair chapter steward committee.
 - (2) Ensure all grievances are tracked and records maintained utilizing the CSUEU tracking system. (CSUDC/23/03/02)
 - (3) Chief Stewards shall be responsible for maintaining a list of certified stewards for their campus, and providing a monthly report of all active cases on their respective campus to the assigned Labor Relations Representative. (CSUDC/23/03/02)

- (c) CSUEU shall provide to the Chief Steward, monthly reports on the status on all active cases on his/her campus ~~to the Chief Steward~~, that have been forwarded to the Labor Relations Representative and are either at level ~~IV~~ III or IV. (CSUDC/23/03/02)

906.03 Steward Directory

A directory of all certified stewards shall be maintained by the CSUEU.

- (a) The directory shall include:
- (1) Name and work location;
 - (2) Work phone number; and
 - (3) E-mail address.
- (b) The directory shall be distributed to all Stewards and Chapter Presidents.

907.00 STEWARD DISCIPLINE

907.01 Criteria and procedures for disciplinary action

- (a) Stewards may be disciplined for the following causes:
- (1) Failure to provide proper representation;
 - (2) Breach of confidentiality;
 - (3) Dishonesty; or
 - (4) Behaving in a manner inconsistent with the goals and objectives of the CSUEU and/or the Association.
- (b) If the Chief Steward, Chapter President or Vice President of Representation reasonably believes ~~questions~~ if the performance of a Steward is not satisfactory, he/she may file a complaint with the CSUEU President.
- (c) Charges must be specific and any evidence must be submitted in writing at the time of filing. A copy of the entire complaint and the evidence shall be forwarded to the Steward within ten (10) days of the receipt of the complaint.
- (d) The President may temporarily place the Steward on suspended status. Such suspension shall be for no longer than the time necessary for the hearing panel to meet and render its decision. The Steward shall be notified in writing of any suspension.

907.02 Hearing Panel

A Hearing Officer or Panel as appropriate shall be drawn from the CSUEU Hearing Officers Panel Pool, to adjudicate the charges. The President shall appoint one of the members of a panel to be the Chair of the Panel. The CSUEU Administrator shall assign staff support as appropriate. (CSUDC/23/03/02)

907.03 Procedure

- (a) The hearing panel shall meet within fourteen (14) days from the receipt of the complaint to determine the validity of the complaint. The hearing shall be open unless a request for a closed meeting is made by the charged steward ~~so charged~~. (CSUDC/23/03/02)
- (b) The hearing officer/panel shall have the authority to grant extensions and continuances. (CSUDC/23/03/020)
- (c) The individuals involved in the hearing shall be personally notified in writing at least ten (10) days prior to the hearing. Such notice shall include the date, time, and place of the hearing and a list of charges to be heard. New charges may not be introduced without an additional five (5) days notice to the charged steward ~~so charged~~; (CSUDC/23/03/02)
- (d) The parties to the hearing shall have the right to be represented, to introduce evidence supporting or refuting the charges and cross examine witnesses. Strict rules of evidence ~~are do not apply~~; (CSUDC/23/03/02)
- (e) ~~The charged steward's failure to personally appear after receiving A failure to personally appear in response to the notice of hearing by the steward so charged~~ may be deemed sufficient cause for the disciplinary action upon which the charges are made; (CSUDC/23/03/02)
- (f) The hearing officer/panel shall report to the President no later than ten (10) days after the completion of the hearing. Such report shall include recommendation for action including, but not limited to, the following: (CSUDC/23/03/02)
 - (1) Rejection of the complaint;
 - (2) Corrective action;
 - (3) Suspension; or
 - (4) Decertification.
- (g) The Board of Directors shall act on the report no later than its next regularly scheduled meeting. Disciplinary action requires a three quarters (3/4) vote. The Board of Directors must take immediate disposition of the case by motion. (CSUDC/23/03/03)

- ~~(g)~~ (h) When there are more than thirty (30) days between the time the hearing officer/panels report is delivered to the President and the convening of the next Board of Directors, the President shall appoint a three (3) member Review Committee, consisting of two (2) members of the Board of Directors and one (1) member-at-large, appointed by the President. Within ten (10) days of their appointment this committee shall review the report of the hearing officer/panel and supporting documentation, to determine whether or not the records supports the summary adoption of the hearing officer/panel report. (CSUDC/23/03/02)
- ~~(h)~~ (i) If the Review Committee summarily adopts a hearing officer/panels recommendation, the adopted action will take immediate effect. The steward shall retain the right of appeal to the full Board of Directors; (CSUDC/32/03/02)
- ~~(i)~~ (j) The Board of Directors may adopt, reject, or modify the recommendation of the hearing officer/panel or the action of the Review Committee. In deliberating its action, the council shall restrict its discussion to the report of the hearing officer/panel, procedural matters, and the appropriate disciplinary action to be imposed, if any. The chair shall rule out of order all discussion which attempts to introduce or argue the facts of the issue, whether or not presented at the original hearing; (CSUDC/23/03/02)
- ~~(j)~~ (k) If the charged steward believes that any procedural irregularity has prevented a fair and impartial hearing of the charges, the steward may request to make a presentation to the Board of Directors prior to its final action. Such presentation is restricted solely to procedural issues and may not be used to argue the facts of the case; and
- ~~(k)~~ (l) Nothing in these procedures is intended to deny a steward any other rights or appeal of grievances available within the CSUEU Association Bylaws. (CSUDC/23/03/02)

907.04 Actions to be Taken

- (a) Corrective action shall be progressive, and shall include:
- ~~(2)~~(1) Mandatory counseling with a letter to confirm the counseling session and to provide assistance, counseling, and/or training as needed.
- ~~(3)~~(2) Written instructions shall be given to the Steward if previous counseling has not corrected the problem(s).
- ~~(4)~~(3) Suspension shall be for a period not to exceed the time necessary to accomplish needed training and/or counseling.
- ~~(5)~~(4) Decertification shall remove all rights of stewardship for a specified period of time.
- ~~(6)~~(5) All decisions of the hearing panel shall be in writing. The hearing panel shall render a decision no later than ten (10) days from the conclusion of the hearing.

907.05 Appeal

The Steward shall be notified ~~of~~ with the hearing panel's decision ~~of~~ and his/her right to appeal. Such appeal shall be to the Board of Directors, ~~and shall be final~~. Appeals must be made in writing and submitted no later than ten (10) days after receipt of the hearing officer/panel's decision. The decision of the Board of Directors shall be final. (CSUDC/23/03/02)

907.06 Reimbursement of Costs to Steward (CSUDC/23/03/02)

In the event the charges against the steward are not sustained, the CSUEU shall provide reimbursement of reasonable costs to the steward. (CSUDC/23/03/02)

DIVISION 10: FAIR SHARE FEE PROVISION

Effective June 30, 2000

1001.00 IMPLEMENTATION

1001.01 Coverage and Amount

The CSUEU shall determine which bargaining units will be covered by a Fair Share Fee Agreement and the amounts of the fair share fee ("fee"). The fee shall be a percentage of annual dues. Fees, like dues, shall be paid in advance.

1002.00 EXCLUDED FROM FEE

1002.01 Member Only Benefit Fee Exclusion

The fee shall not include the pro rata share of the costs of any benefits available only to CSUEU members.

1003.00 POLITICAL ACTION CONTRIBUTIONS

1003.01 Rate Of Political Action Contribution and Fee Reduction Method

The fee shall include an amount equal to that set by the CSUEU as the amount of each member's monthly dues to be contributed for political action purposes; provided, however, that any fee payer who wishes not to make the political action contribution will receive a reduction in the fee for that amount upon receipt by the Association's Accounting Department of that fee payer's written request for a reduction of the fee in the amount of the political action contribution. Such fee reduction will continue in effect unless and until written notice to the contrary is received from the fee payer.

1004.00 RIGHTS OF OBJECTING FEE PAYERS

1004.01 Chargeable Expenditures

1004.02 Non-Germane Fee Reduction

In accordance with the procedures set forth in this section, Any fee payer shall have the right to demand and receive ~~in accordance with the procedures set forth in this section~~ a reduction of the fee. This in any amount shall be equal to the pro rata portion of the CSUEU's expenditures for which the CSUEU may not under the applicable law collect and expend fees over a fee payer's objection.

1005.00 AUDIT OF ASSOCIATION BOOKS

1005.01 Audit Cycle

During January, February, and March of each year the CSUEU Finance Committee will close out its financial books and records for the previous calendar year and have these books and records audited by an independent accountant. The auditor will provide the CSUEU with a report verifying the amount spent in each of the CSUEU's major categories of expenditures.

1006.00 FINANCIAL REPORT

Within 60 days after the end of its fiscal year, the CSEA Accounting Department shall prepare a written 2202.03 financial report of its financial transactions pursuant to Government Code Section 3584.

1007.00 DETERMINATION OF REDUCED FEES

1007.01 Schedule For Establishing Fee Rates

During April, the CSUEU shall determine the amount by which it intends to reduce the fee for objecting fee payers below the rate of member dues for the upcoming "fee payer year," which is defined as the period from July 1 of the current calendar year through June 30 of the next year. The CSUEU shall also determine whether fee payers are entitled to any rebate or additional reduction of the fee for the current fee payer year. The reduced amount of the fee for objecting fee payers for the upcoming fee payer year is to take effect on July 1. Any additional reduction or rebate for the current fee payer year is to be provided to eligible objecting fee payers promptly after a determination that such reduction or rebate is warranted.

1008.00 NOTICE TO FEE PAYERS

1008.01 Schedule For Notifying Fee Payers

By May 15, the CSUEU shall publish to all fee payers a notice which sets forth the determinations made pursuant to this policy, including the reduction in the amount of the fee to be paid by objecting fee payers during the upcoming fee payer year and any rebate or additional reduction for the current fee payer year. The notice shall also include the following information: a description of the CSUEU's major categories of expenditures in the prior calendar year as set forth in the auditor's report; the fee that will be charged to fee payers if they do not notify the CSUEU of an objection under this section; the CSUEU's categories of expenditures that objecting fee payers will not be required to support; the CSUEU's calculation of the amount of the reduction or rebate available to objecting fee payers; the availability of a copy of the independent audit upon which calculations were based; and the rights of objecting fee payers under this CSUEU of the Policy File, including the procedures for making objections.

1009.00 SUBSEQUENT NOTICE TO FEE PAYERS

1009.01 Notification Of Employees Entering Bargaining Units After Initial Notice Date

Individuals who become subject to the fair share fee after the above-referenced notice is published on or before May 15, including newly hired employees in bargaining units represented by the CSUEU, shall receive a copy of the notice promptly after the CSUEU has received notification from the state controller's office of the name, home address and job classification of any such individuals.

1010.00 NOTIFICATION OF OBJECTION

1010.01 Method Of Notification Of Objection

- (a) To obtain for a given fee payer year the reduction or rebate determined by the CSUEU pursuant to this policy or by an impartial decision-maker pursuant to this policy, a fee payer must advise the Association's controller in writing that he/she does not wish to support any of its activities that are not germane to collective bargaining.
- (b) The letter shall indicate the objecting fee payer's name, current address, social security number, name of employer and bargaining unit. Except for new employees hired after May 15, objection letters to the CSEA Controller must be postmarked no later than July 1. Fee payers hired after May 15 must send to the CSEA Controller letters of objection postmarked within 45 days of the dissemination of the subsequent notice specified in this policy in order to be eligible to have their fees partially reduced or rebated to the chargeable amount determined for all other objecting fee payers for the applicable fee payer year. Timely notification of an objection pursuant to this section shall entitle the fee payer to a reduction or rebate only for the fee payer year to which the objection applies.

1011.00 CHALLENGES TO THE CSUEU'S DETERMINATIONS

1011.01 Right to Challenge

In addition to their right to object and thereby obtain a reduction or rebate of the fee pursuant to this policy, fee payers shall have the right to challenge the CSUEU's determination of the reduction or rebate in a reasonably prompt hearing before an impartial decision-maker. To be eligible to participate in such hearing pertaining to the upcoming fee payer year, written notice to the CSEA Controller of a fee payer's desire to participate must be postmarked no later than July 1.

1012.00 NATURE OF HEARING

1012.01 Arbitration and PERB Hearings

- (a) Objectors shall have the right to have their challenges to the amount of the reduction or rebate heard in a reasonably prompt impartial hearing before an arbitrator pursuant to the procedures set forth in this policy, or by the California Public Employment Relations Board (PERB) pursuant to procedures developed by that body.
- (b) Objectors who so challenge the amount of the fee in such a hearing are hereinafter referred to as “challengers.” Notwithstanding the provisions of this policy, challengers who wish to proceed before the PERB shall not be required to notify the Association of such intentions in advance of filing with the PERB.

1013.00 RESULT OF CHALLENGE

1013.01 Fee Reductions As a Result Of a Challenge

If any fee payer timely challenges under this section the amount of reduction determined by the CSUEU for the upcoming fee payer year pursuant to this policy, or the amount of any additional reduction or rebate provided by the CSUEU for the current fee payer year, the CSUEU will consider the basis provided for any such challenges and will make any further reduction it believes warranted by July 15, with prompt notice to the individuals who have challenged the fee. If any such challenge proceeds to a hearing pursuant to this policy, all eligible objecting fee payers shall have their fees reduced or refunded in the amount determined at the hearing for the applicable fee payer year. If no fee payer timely challenges the amount of reduction or rebate determined by the CSUEU, all eligible objecting fee payers shall have their fees reduced or refunded only in that amount.

1014.00 ESCROW PROVISIONS

1014.01 Escrow Accounts

During the period while any challenge is pending to the amount of reduction for a given fee payer year pursuant to this policy, the CSUEU will place each month in an interest-bearing escrow account an amount equal to 100 percent (100%) of those fees paid by objectors during the pendency of a review of those fees in a reasonably prompt American Arbitration Association (AAA) proceeding. The amount shall be distributed to fee payers and/or the CSUEU or a portion thereof retained in escrow in accordance with the decision at the hearing. In those years where there is no AAA arbitration and the only challenge to the amount of the fee is filed with the Public Employment Relations Board (PERB) or in a civil action, the CSUEU will place in escrow during the pendency of such proceedings an amount equal to the most recent arbitrator’s decision on the appropriate escrow percentage pursuant to this policy plus ten percent (10%) of

the fee as an added cushion (not to exceed 100 percent (100%)). In such instances, the amounts held in escrow shall be distributed in accordance with the terms upon which the PERB or civil action is resolved.

1015.00 ARBITRATION PROCEDURES

1015.01 Application of AAA Rules

The American Arbitration Association Rules for Impartial Determination of Union Fees (AAA Rules) shall govern all aspects of the arbitration referenced in this policy, except to the extent that said rules are inconsistent with the provisions of this policy or may be deemed to be inconsistent with the requirements of the applicable law. In those respects, the provisions of this policy and/or of the applicable law shall govern.

1016.00 REQUEST FOR ARBITRATOR

1016.01 List Of AAA Arbitrators

As soon as possible, after the close of the objection period, the Association will provide a list to the AAA of those fee payers who have timely indicated a desire to challenge the amount of their fee or rebate pursuant to this policy, together with relevant identifying information.

1017.00 CONSOLIDATION AND LOCATION OF HEARING

All requests for a hearing shall be consolidated into a single hearing. Subject to the provisions of this policy, the hearing shall be held in Sacramento unless all participants agree to conduct the hearing in another location.

1018.00 SELECTION OF THE ARBITRATOR

Pursuant to the AAA Rules, the AAA will select an arbitrator from a panel of arbitrators it will maintain for agency fee or fair share fee arbitrations. The arbitrator shall have extensive experience in labor arbitration. In addition, the arbitrator selected shall be available to preside over the hearing and to comply with the requirements of this procedure, including time requirements.

1019.00 NOTIFICATION AND REPRESENTATION OF CHALLENGERS

Upon selection of the arbitrator, the AAA shall notify the CSUEU and the challengers of the identity of the arbitrator, who shall be subject to a challenge for cause by any party participating in the arbitration pursuant to AAA procedures. The AAA shall also notify each challenger that he/she has a right to be represented in the arbitration by counsel or other representative selected by the challenger at his or her own cost, and shall send each challenger a copy of the AAA Rules and of this policy. The AAA shall notify all participants of the time and place of the arbitration hearing, as determined by the arbitrator.

1020.00 ARBITRATION PROCEDURES

1020.01 Arbitration Hearings

The arbitration hearing shall begin no later than August 31. The AAA Rules shall apply to the conduct of the arbitration with the following modifications:

- (a) The participants or their designated representatives (collectively referred to as the “participants”) may contact the arbitrator by telephone conference call to discuss scheduling or procedural matters, provided that all participants are involved in the call, and they may also communicate directly with the arbitrator in writing, provided that copies of the written communication are sent to all participants.
- (b) Absent objection, the CSUEU shall pay the expenses and costs of the arbitrator pursuant to the AAA Rules.
- (c) The participants, at their option, may waive any oral hearings, including the presentation of live testimony by witnesses, and may submit the matter on affidavits and briefs.
- (d) Testimony at any hearing held pursuant to this section shall be transcribed or videotaped at ~~CSUEU~~CSEA’s expense and made available to the challengers participating in the hearing upon request, along with copies of exhibits. Challengers who so desire may submit written comment or evidence to the arbitrator (or do so orally by telephone conference call) prior to the close of hearing, but in any event, not later than 20 days after receipt of the transcription or video.
- (e) Alternatively, upon a showing of good cause, defined as a reasonable showing that one or more challengers would be otherwise denied a fair opportunity to present relevant evidence and argument, the arbitrator may require that an additional hearing be held for the presentation of evidence or argument in person by challengers in the Los Angeles metropolitan area, San Diego and/or one other location in Northern California. These hearings would be in addition to the principal hearing site which would be in Sacramento at the Association’s CSUEU Headquarters, unless otherwise agreed to by all participants in the arbitration.

1021.00 DECISION BY THE ARBITRATOR

The arbitrator shall decide within 30 days after the close of the hearing, whether the CSUEU properly determined the amount of reduction or rebate for objecting fee payers applicable to the fee payer year(s) in question and, if not, what those amounts should be. The arbitrator shall also decide whether any portion of the fees escrowed for the fee payer year recently begun should continue to be escrowed pending any hearing pursuant to this policy on challenges to the amount of reduction or rebate for that fee payer year at or near the end of that year. In making these

determinations, the arbitrator shall apply the pertinent federal and state law, and shall have no authority to order any rebate or reduction unless required by law. The arbitrator shall set forth in the decision the legal and arithmetic basis for his or her decision.

1022.00 DUTY OF FAIR REPRESENTATION

1022.01 HEERA Requirements

Each fee payer is entitled to representation as required under the provisions of the Higher Education Employer/Employee Relations Act (HEERA).

1023.00 RELIGIOUS OBJECTIONS

Charitable Contribution Alternative

Any employee who is a member of a religious body described in Government Code section 3584 or whose religious practices or beliefs include objections to joining or financially supporting an employee organization may have a sum equal to the fair share fee paid to a charitable fund. If an employee who holds religious objections pursuant to Government Code section 3584 requests individual representation in a grievance arbitration or administrative hearing from the CSUEU, the CSUEU is authorized to charge the employee for the reasonable cost of the representation.

1024.00 INTERPRETATION

1024.01 Legal Compliance

These procedures are to be interpreted and applied in accordance with the decisions of the United States Supreme Court and any other controlling decisions of a court of law.

DIVISION 11: COMMUNICATION

1101.00 AGENDAS

1101.01 Distribution of agendas and backup material

Except as provided for in Division 4:

- (a) Agendas and backup material for all Board of Directors meetings shall be sent to all members of the body that have ~~has~~ scheduled the meeting, plus all Chapter Presidents, Chapter Vice Presidents, Chapter Secretaries, and Chapter Treasurers at least thirty (30) days prior to the date of the meeting.
- (b) Agendas and backup material for all Bargaining Unit Council meetings shall be sent to all members of the body, plus all Chapter Presidents and all Chapter Bargaining Unit Representatives of the unit scheduling the Council meeting at least thirty (30) days prior to the date of the meeting.
- (c) Agendas and backup material for all other statewide meetings shall be sent to all members of the body that has scheduled the meeting, plus all Chapter Presidents at least fourteen (14) days prior to the meeting.

1101.02 Agendas available

Agendas and backup materials to any meeting shall be available to any member upon written request to the CSUEU Administrator.

1102.00 MINUTES

All meetings of the CSUEU shall have minutes taken.

1102.01 Distribution of minutes and motions

Within thirty (30) days of a statewide meeting:

- (a) The minutes and text of all motions considered at all Board of Directors, meetings shall be sent to members of the Board and all Chapter Vice Presidents, Chapter Secretaries, and Chapter Treasurers;
- (b) The minutes and text of all motions considered at all Bargaining Unit Council meetings shall be sent to all Chapter Bargaining Unit Representatives and Chapter Presidents;
- (c) The minutes and text of all motions considered at all other statewide meetings shall be sent to all members of the body and all Chapter Presidents.

1102.02 Minutes and motions available upon request

Minutes and the text of all motions shall be available to any member upon written request to the CSUEU Administrator.

1103.00 COMMITTEE ASSIGNMENTS

Solicitation of volunteers for statewide and CSUEU committees shall be sent to all active members annually.

1104.00 CSUEU PUBLICATIONS

CSUEU publications shall be distributed no less than quarterly and shall include the calendar of events. A copy shall be printed for every member, and the Board of Directors shall determine appropriate means of distribution.

1105.00 CSUEU WEB PAGE

CSUEU shall maintain a web page. This shall constitute the official CSUEU web page. Information of interest to the members shall be posted and updated on a regular basis.

DIVISION 12: COMMITTEES

1201.00 COMMITTEES

1201.01 Establishment

The Board of Directors shall establish such committees as it shall deem necessary to carry out the business of the CSUEU. The President shall establish ad hoc committees as necessary, subject to confirmation at the next regular Board of Directors meeting after the committee's establishment. Committees should reflect the diversity of the CSUEU in bargaining units and geography. Members should not serve on more than one committee unless mandated by their office or authorized by the President.

1201.02 Charges to Ad Hoc Committees

It shall be the responsibility of the President to write all ad hoc committee charges, outlining duties and responsibilities, appointment process, and duration. A copy shall be forwarded to the Committee Chair and Board of Directors.

1201.03 Committee Reports

Each Committee Chair shall make a report at each regularly scheduled meeting of the Board of Directors. Such report may be made in writing. Committee reports shall be available to all members, except those deemed confidential by the President under the same rules as those governing closed meetings.

1201.04 Ex Officio Membership

- (a) The President and Vice President for Organizing shall be ex-officio members of all committees.
- ~~(a)~~ (b) The Vice President for Finance shall be the chair of the Finance Committee.
- ~~(b)~~ (c) The Vice President for Representation shall be the chair of the Representation Committee.
- ~~(c)~~ (d) The Vice President for Organizing shall be the Chair of the Statewide Organizing Committee.

1201.05 Committee Communication

Committees of the CSUEU may utilize electronic mail to communicate in order to compile and share information, create reports, and provide consensus as a committee to accomplish tasks in a timely manner when the expense and coordination of a meeting is prohibitive.

1201.06 Standing Committees

The following are standing committees of the CSUEU:

- (a) Executive Officer Committee;
- (b) Finance Committee;
- (c) Bylaws and Policy File Committee;
- (d) Representation Committee;
- (e) Representation Appeals Committee;
- (f) Legislative Committee;
- (g) Membership Dues Committee;
- (h) Communication Committee;
- (i) Statewide Organizing Committee; and
- (j) Classification Committee.

1202.00 EXECUTIVE OFFICER COMMITTEE (Standing Committee)

1202.01 Charge

The Executive Officer Committee of the CSUEU, as a body is vested with authority to manage the affairs, policies, and activities of the CSUEU between meetings of the Board of Directors. Programs or actions without provision in existing policy shall not be implemented by the Executive Officer Committee unless the committee declares that an emergency situation exists and then secures a majority vote of the Board of Directors, by any communication means necessary.

- (a) The Executive Officer Committee:
 - (1) Is authorized to make emergency line item adjustments to the CSUEU budget sub-categories between sessions of the Board of Directors. Any revisions shall be ratified by the Board of Directors at its next meeting; and
 - (2) The Executive Officer Committee is responsible for developing chapter and CSUEU executive officer training policy.

1202.02 Composition

The Executive Officer Committee shall be composed of the CSUEU Officers. The CSUEU Administrator shall be assigned to the committee.

1202.03 Meetings

The Executive Officer Committee will meet at least twice a year.

1202.04 Funding

The Executive Officer Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1202.05 Duration

The Executive Officer Committee shall serve for the term between CSUEU Elections.

1203.00 FINANCE COMMITTEE (Standing Committee)

1203.01 Charge

The primary responsibility of the committee is to advise the Executive Committee and Board of Directors on all matters relating to the ability of the CSUEU to fund programs and objectives recommended and/or approved by the Executive Committee or Board of Directors. Between sessions of the Board of Directors the Finance Committee shall prepare the proposed budget for the CSUEU and provide ongoing fiscal oversight.

The Finance Committee shall be responsible for:

- (a) Preparing and presenting the CSUEU budget;
- (b) On-going review of the CSUEU budget and making recommendations as appropriate;
- (c) Aiding the Vice President for Finance in the performance of his/her duties;
- (d) Recommending deferral of specific programs and objectives;
- (e) Makeing recommendations to the Board of Directors on financial matters referred to the committee;
- (f) Makeing recommendations to the Executive Officer Committee and Board of Directors on policy sections which relate to the financial operation of the CSUEU; and

- (g) ~~Development and implementation~~ menting and implementation of training for Chapter Officers and Treasurers.

1203.02 Composition

The Finance Committee shall be appointed by the Vice President for Finance. The Vice President for Finance shall serve as the chair of the committee. The CSUEU Administrator shall assign staff to assist the committee.

1203.03 Meetings

The Finance Committee will meet at least twice a year.

1203.04 Funding

The Finance Committee and the Vice President for Finance shall submit a budget to the Board of Directors. (CSUDC 23/01/1)

1203.05 Duration

The Finance committee shall serve for the term of the Board of Directors.

1204.00 BYLAWS and POLICY FILE COMMITTEE (Standing Committee)

1204.01 Charge

The basic responsibility of the Policy File Committee is to protect the integrity of the CSUEU by serving as a forum for discussion of all matters that relate to the governing principles of the CSUEU.

- (a) Between sessions of the Board of Directors, the Bylaws and Policy File Committee shall serve the Executive Officer Committee and shall be responsible for the review of and recommending action on Bylaws, Policy File and procedures of the CSUEU.
- (b) Independently reviews all actions of the Board of Directors, the Executive Officer Committee, and the Chapters for conformance with the Policy File, and bring to the attention of the appropriate body any actions found not to be in conformance therewith.
- (c) Upon request of the Executive Officer Committee or the President, interprets unclear or ambiguous portions of the Policy File and, along with any such interpretation, makes recommendations as appropriate.
- (d) Review recommendations for changes to the CSUEU Bylaws and Policy File.
 - (1) Place them in appropriate language and format;

- (2) Submit recommendations as an agenda item, at the next Board of Directors meeting;
- (3) Review the CSUEU corporate documents for accuracy and making recommendations for their useful revision;
- (4) Take the actions of the Board of Directors and write them in appropriate Bylaws and Policy File form; and
- (5) Review Chapter Bylaws.

1204.02 Composition

The Bylaws and Policy File Committee and Chair shall be appointed by the President with the concurrence of the Board of Directors. The CSUEU Administrator shall assign staff to assist the committee.

1204.03 Meetings

The Bylaws and Policy File Committee will meet at least twice a year.

1204.04 Funding

The Bylaws and Policy File Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1204.05 Duration

The Bylaws and Policy File Committee shall serve for the term of the Board of Directors.

1205.00 REPRESENTATION COMMITTEE (Standing Committee)

1205.01 Charge

The Committee will review grievances after Level IV for suitability of submission for mediation or arbitration, commit CSUEU resources as required to support representation at the highest levels, and will review stewards' performance as required.

- (a) The Representation Committee is responsible for:
- ~~(a)~~ (1) Reviewing and deciding on the submission of grievances to arbitration or mediation;
 - ~~(b)~~ (2) Reviewing and recommending to the CSUEU Administrator statewide issues within the scope of representation for legal action;

~~(d)(3) Producing an annual analytical and statistical report to the Board of Directors on all cases filed and processed for the previous calendar year. (CSUDC/23/03/02)~~

~~(e)~~ (b) The Vice President for Representation and the Representation Committee are responsible for developing representation training policy; and

~~(d) — Produce an annual analytical and statistical report to the Board of Directors on all cases filed and processed for the previous calendar year. (CSUDC/23/03/02)~~

1205.02 Composition

The Representation Committee will consist of the Bargaining Unit Council Chairs or their designee, and four at large members (such at large members shall be certified stewards) appointed by the Vice President for Representation, with the concurrence of the Board of Directors. The Vice President for Representation shall serve as the Chair of the Committee. The CSUEU Administrator shall assign staff to assist the committee. (CSUDC 24/01/1) (CSUDC 44/01/3)

1205.03 Meetings

The Representation Committee shall meet not less than quarterly.

1205.04 Funding

The Representation Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1205.05 Duration

The Representation Committee shall serve for the term of the Board of Directors.

1206.00 REPRESENTATION APPEALS COMMITTEE (Standing Committee)

1206.01 Charge

Matters for which the staff, Stewards or Representation Committee have recommended denial of representation, arbitration or mediation may be reviewed by the Appeals Committee. The Appeals Committee may sustain, modify or set aside the denial of representation. Such recommendations shall be made in a timely manner that shall not compromise the employee's legal rights.

1206.02 Composition

The Appeals Committee shall be composed of the President, the CSUEU Administrator, and the Bargaining Unit Chair of the affected Bargaining Unit. The CSUEU Administrator shall assign staff to assist the committee.

1206.03 Meetings

The Representation Appeals Committee will meet as required.

1206.04 Funding

The Representation Appeals Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1206.05 Duration

The Representation Appeals Committee shall serve for the term of the Board of Directors.

1207.00 LEGISLATIVE COMMITTEE (Standing Committee)

1207.01 Charge

The Committee is established to develop the legislative program of the CSUEU. The CSUEU's legislative program must include items mandated by the General Council, the Board of Directors, and the Executive Committee on matters within their jurisdiction. The CSUEU's legislative program may contain other items recommended by the Board of Directors or Executive Committee.

The Legislative Committee shall be responsible for:

- (a) Recommending appropriate legislation to the Board of Directors that will advance the interests of the CSUEU;
- (b) Receiving actions of the Board of Directors and preparing them in appropriate legislative form;
- (c) Submitting the CSUEU's legislative agenda to the Association's Governmental Affairs Committee for action;
- (d) Monitoring other legislation that has potential impact on the CSUEU;
- (e) Supporting the legislative stance adopted by the Association; and

(f) ~~de~~Developing legislative and political action training policy.

1207.02 Composition

The Legislative Committee shall be appointed by the President with the concurrence of the Board of Directors. The chair shall be elected from among the members of the Committee. The CSUEU Administrator shall assign staff to assist the Committee.

1207.03 Meetings

The Legislative Committee will meet at least twice a year.

1207.04 Funding

The Legislative Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1207.05 Duration

The Legislative Committee shall serve for the term of the Board of Directors.

1207.06 Appointment for Association Legislative Committee

The President shall appoint member(s) of the Committee to the Association's Legislative Committee.

1208.00 MEMBERSHIP DUES COMMITTEE (Standing Committee)

1208.01 Charge

The Membership Dues Committee shall review and act upon requests for temporary dues reduction according to provisions of the CSUEU Policy File.

1208.02 Composition

The President shall appoint one member from each represented bargaining unit to serve on the Committee and shall appoint one of these members to serve as the chair of the Committee. The President may appoint alternates to the Committee to serve in the absence of a regular member. The alternates shall be appointed from each of the bargaining units and shall serve in the place of the regular member from his/her same bargaining unit. The CSUEU Administrator shall assign staff to assist the Committee.

1208.03 Meetings

The Membership Dues Committee will meet at least twice a year.

1208.04 Funding

The Membership Dues Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1208.05 Duration

The Committee shall serve for the term of the Board of Directors.

1209.00 COMMUNICATIONS COMMITTEE (Standing Committee)

1209.01 Charge

The CSUEU Communications Committee will oversee mass communications to all represented employees.

- (a) The Committee will produce at least two statewide newsletters to represented employees each year.
- (b) The Committee will oversee the periodic distribution of mass electronic communications to all represented employees.
- (c) The Committee will maintain control of editorial supervision and content for mass communication to all represented members.
- (d) The Communication Committee is responsible for developing communications training policy.

1209.02 Composition

The President will appoint the Committee members, encouraging members with communications skills to serve on the Committee. The CSUEU Administrator shall assign staff to assist the Committee.

1209.03 Meetings

The Communications Committee will meet at least twice a year.

1209.04 Funding

The Communications Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1209.05 Duration

The Committee shall serve for the term of the Board of Directors.

1210.00 STATEWIDE ORGANIZING COMMITTEE

(Standing Committee)

1210.01 CHARGE

- (a) The Statewide Organizing Committee will oversee the organizing programs for all employees in the CSUEU. It will provide assistance and counseling to each campus in the development of a campus organizing committee.
- (b) The Committee shall develop, implement and evaluate an annual organizing program to increase and maintain membership in all bargaining units for the CSUEU.
- (c) The Committee shall seek input from the Chapters and Bargaining Unit Councils as to specific needs or issues.
- (d) Vice President for Organizing and the Statewide Organizing Committee are responsible for developing organizing training policy.

1210.02 Composition

The Vice President for Organizing shall Chair the Committee. The Committee shall consist of three members of the Board of Directors and five at-large members, all appointed by the Vice President for Organizing. The CSUEU Administrator shall assign staff to assist the Committee.

1210.03 Meetings

The Statewide Organizing Committee will meet at least twice a year.

1210.04 Funding

The Statewide Organizing Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1210.05 Duration

The Committee shall serve for the term of the Board of Directors.

1210.06 Campus Organizing Committee

- (a) The Campus Organizing Committee will receive assistance from the Statewide Organizing Committee.
- (b) The Campus Organizing Committee shall: ~~ensure that a new employee orientation exists.~~
 - (1) Ensure that a new employee orientation exists.
 - ~~(1)~~(2) Enforce contractual obligation that new employees packets are distributed.
 - ~~(2)~~(3) Ensure the distribution of fair share notices to new employees.
- ~~(c)~~ (4) Develop campus programs to promote membership recruitment and fair share fee payer conversion.
- ~~(d)~~ (5) Coordinate the implementation of Association-approved statewide organizing programs on the campus.

1211.00 CLASSIFICATION COMMITTEE (Standing Committee)

1211.01 Charge

The Classification Committee shall be responsible for:

- (a) Reviewing CSU classification revisions, new or old;
- (b) Surveying employees regarding classification needs or impacts;
- (c) Coordinating pre-bargaining research efforts among affected classifications in preparation for meet and discuss, and meet and confer sessions relating to classification standards, and/or changes to existing standards; and
- (d) Reporting back to the Bargaining Unit Councils in preparation for bargaining and coordinating bargaining unit efforts with the Vice President for Representation.

1211.02 Composition

The Classification Committee shall be composed of the Bargaining Unit Council Chairs or their designees. Three at-large members appointed by the President with the concurrence of the Board of Directors. The Vice President for Representation shall serve as an ex-officio member. The Chair shall be elected by the members of the Committee. The CSUEU Administrator shall assign staff to assist the Committee.

1211.03 Meetings

The Classification Committee will meet at least twice a year.

1211.04 Funding

The Classification Committee shall submit a budget to the Vice President for Finance and Finance Committee.

1211.05 Duration

The Committee shall serve for the term of the Board of Directors.

1212.00 HEARING OFFICERS PANEL POOL (Standing Committee)

1212.01 Charge

The panel shall conduct investigations and hearings and make recommendations to the Board of Directors pursuant to applicable CSUEU Policy.

- (4) This panel functions under the guidance of a chairperson appointed by the President. The chairperson shall have administrative authority to assign grievances, disciplinary actions or protests to specific panels.

1212.02 Composition

The President will endeavor to select at least eight pool members representing chapters in Northern and Southern geographical regions and Bargaining Units. The President may request written qualifications from interested members.

1212.03 Meetings

The Hearing Officer Panels will meet as necessary to discharge their duties or to receive training.

1212.04 Funding

The Hearing Officer Panel Pool will submit a budget to the Vice President for Finance.

1212.05 Duration

The President shall select active members to the pool to serve four-year staggered terms on the basis of career expertise, prior training, availability, and willingness to serve. Every two years, all eligible candidates for the pool will be mailed a consent form to serve on hearing panels.

Hearing panel pool members will be selected by the President from those members who have returned written consent forms.

Pool members may disqualify themselves for specific periods of time by written notification to the President.

DIVISION 13: TRAINING

1301.00 TRAINING RESPONSIBILITIES

1302.00 Fiscal Training

Vice President for Finance and the Finance Committee are responsible for developing fiscal training policies.

1303.00 Organizing Training

Vice President for Organizing and the Statewide Organizing Committee are responsible for developing organizing training policy.

1304.00 Communications Training

The Communication Committee is responsible for developing communications training policy.

1305.00 Political Action Training

Legislative Committee is responsible for developing legislative and political action training policy.

1306.00 Officer Training

The Executive Officer Committee is responsible for developing Chapter and CSUEU Executive Officer training policy.

1307.00 Representation Training

Vice President for Representation and the Representation Committee are responsible for developing representation training policy and training for hearing panel officers.

1308.00 Hearing Officer Training

Prior to serving on specific hearing officer panels, Hearing Officer Panel Pool members shall be certified as hearing officers by receiving formal training from the CSEA ~~Legal Division~~ staff and/or an educational institution. If a person appointed to the panel does not receive the necessary training within six months of appointment, he/she shall be removed unless the President determines that additional time may be given to that person to receive the training.

~~(+)~~(a) The training shall include, but not be limited to, the following:

~~(a)~~ (1) Procedures for conducting hearings;

~~(b)~~ (2) Rules of evidence;

- (c) (3) Evidence of evaluation;
- (d) (4) Decision making;
- (e) (5) Report preparation; and
- (f) (6) Presentation of findings and recommended decision to the Board of Directors.

APPENDIX A: Definitions

Ad Hoc Committee: A committee created to deal with subjects not under the jurisdiction of standing committee.

Day: Calendar day.

DFR: See Duty of Fair Representation.

Duty of Fair Representation: The statutory obligation to provide representation under HEERA.

Ex Officio: Non-voting committee member.

General Council: The governing body of CSEA composed of delegates elected by each Division and affiliate.

Higher Education Employee Relations Act (HEERA): The statutes governing collective bargaining for CSU and UC employees.

Public Employment Relations Board (PERB): The state agency charged with administration and enforcement of HEERA.

Public Employee Retirement System (PERS): The state agency responsible for administration of public employee retirement and health plans.

Quorum: The minimum number of members necessary for a CSUEU body to conduct business.

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