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##  ***CONSTITUTION & BYLAWS***

of the

Sacramento Central Labor

Council, AFL-CIO

### *Amended and Approved*

AFL-CIO Approved July 2023

**Preamble**

The establishment of the Sacramento Central Labor Council as a subordinate unit of the American Federation of Labor and Congress of Industrial Organizations is an expression of the desire of the Unions in this community to participate fully in the achievement of the objectives of the parent Federation as it seeks to fulfill the hopes and aspirations of the working people of all America.

We seek the fulfillment of these hopes and aspirations through democratic processes within the framework of our constitutional government and consistent with our institutions and traditions.

At the collective bargaining table, in the community, in the exercise of the rights and responsibilities of citizenship, we shall responsibly serve the interests of all American people.

We pledge ourselves to the more effective organization of working men and women; to the securing to them of full recognition and enjoyment of the rights which they are justly entitled; to the achievement of ever higher standards of living and working conditions; to the attainment of security for all the people; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

We shall combat resolutely the forces which seek to undermine the democratic institutions of our nation and to enslave the human soul. We shall strive always to win full respect for the dignity of the human individual whom our unions serve.

With Divine guidance, confidence and trust in the inherent power and goodness of our people and in the virtue and promise of unionism, we proclaim this Constitution.

# ARTICLE I

# NAME AND AFFILIATION

This organization known as the Sacramento Central Labor Council, AFL-CIO, is hereinafter referred to as the council. It shall at all times maintain affiliation with the American Federation of Labor and Congress of Industrial Organizations in accordance with the Constitution and Rules of the AFL-CIO. As a chartered organization of the AFL-CIO this council shall conform its activities on state matters to the policies of the California Labor Federation; and, on national affairs, to the policies of the AFL-CIO. The jurisdiction of this Council shall lie within the boundary lines of the counties of Amador, El Dorado, Nevada, Placer, Yolo and Sacramento.

**ARTICLE II**

# OBJECTS AND PRINCIPLES

The object of this Council shall be to promote, through appropriate activities in the geographical area covered by the Charter of this Council***,*** the principles of the American Federation of Labor and Congress of Industrial Organizations, to:

(a) Assist in furthering the appropriate objects and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO (provided such objects or policies are not inconsistent with the objects or policies of the AFL-CIO);

(b) Serve as a means of exchanging information among affiliated bodies on matters of common interest;

(c) Provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors;

(d) Propose, support and promote legislation favorable to and to oppose legislation detrimental to the interest of workers and organized labor;

(e) Encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities; and,

(f) Engage in such other activities as are consistent with the objects and principles set forth in this Constitution and the Constitution and policies of the AFL-CIO.

**ARTICLE III**

# COMPOSITION AND DELEGATES

Section 1. This Council shall be composed exclusively of the following organizations within the geographical limits covered by the Council’s Charter and shall conform to this Constitution and the rules and regulations adopted pursuant thereto:

(a) Local Unions of National and International Unions and organizing committees affiliated with the AFL-CIO, and Local Unions chartered directly by the AFL-CIO;

(b) Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO; and,

(c) Joint Boards, District Councils and similar subordinate organizations, which are duly chartered by an affiliate of the AFL-CIO.

(d) A union retiree club/chapter. Where two or more retiree clubs/chapters exist, affiliation shall be through a Union Retiree Council.

(e) Constituency groups that are approved and recognized by the AFL-CIO, including the Alliance for Retired Americans.

 (f) Local Unions with Solidarity Charters authorized by the Executive Council of the AFL-CIO, for so long as it remains in effect.

**Section 2.**  Affiliated local unions in good standing (that is, not more than two months in arrears, unless exonerated as hereinafter provided) shall be entitled to representation based on per capita tax paid according to the following schedule:

50 members or less: 1 delegate

51-100 members: 2 delegates

101-200 members: 3 delegates

201-300 members: 4 delegates

301-500 members: 5 delegates

501-700 members: 6 delegates

701-1,000 members: 7 delegates

1,001-1,300 members: 8 delegates

One additional delegate for each additional 400 members above 1300.

The number of delegates that a local union is entitled to must be calculated every six (6) months.

**Section 3.** (a) Affiliated subordinate bodies other than local unions, as defined in Sections 1b to 1e and 2 of this Article, shall be entitled to one delegate and one vote each.

(b) A union retiree club, if only one (1) exists, shall be entitled to one (1) delegate and one (1) vote. A union retiree council shall be entitled to three (3) delegates with one vote per delegate.

(c) No AFL-CIO constituency group, or its delegate may be present for or have voice or vote in any meeting proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elective office by this central labor council, nor may any AFL-CIO constituency group, or its delegates, be present for or have voice or vote in any meeting or decision of this Central Labor Council’s Committee on Political Education (COPE).

(d) Alliance for Retired American delegates may not be present for or have voice or vote in any meeting or proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elective office by this central labor council, nor may any Alliance for Retired Americans, or its delegate, be present for or have voice or vote in any meeting or decision of this Central Labor Council’s Committee on Political Education (COPE).

**Section 4.** No person shall be eligible to serve as a delegate unless a member in good standing of a local union affiliated with this Council, with the exception of international representatives and similar persons who represent an affiliated local union, or the delegate was selected to represent local bodies chartered by the trade and industrial departments of the AFL-CIO, or state or local chapters of the AFL-CIO constituency groups within the geographical limits of the council that are chartered by a national AFL-CIO constituency group. No person shall be eligible to serve as a delegate who holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union, which has been suspended from, unaffiliated with or has disaffiliated from the AFL-CIO**.**

**Section 5.**  No delegate shall be seated except upon presentation of a proper credential from an affiliated organization in good standing, which credential shall be examined and attested to by the Credential's Committee as to the eligibility of the delegate and the standing of the organization sending the delegate. The report of the Credential's Committee shall not be made until the Committee shall have had adequate opportunity to examine the credential and to ascertain its validity, but in no case shall the report be delayed beyond the meeting following the meeting at which the credential was first presented.

**Section 6**. Upon acceptance of a delegate's credential, the presiding officer shall administer the following obligation: "I, (name of delegate), do solemnly pledge my honor that I will obey the rules and regulations of this *Council* and, to the best of my ability, perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union products and unionized businesses when they are available, honor all boycotts and picket lines, and that I will qualify myself to vote in all local, state and federal elections, if eligible to do so. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this council."

**Section 7**. The Council will undertake all reasonable efforts to ensure diversity of representation at every level.

# ARTICLE IV

# VOTING

Section 1. Except on roll call votes, each delegate shall be entitled to one vote. Voting shall be by voice vote or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided for in Section 2 of this Article. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one organization.

Section 2. A roll call vote and/or division of the room shall be held on any pending question upon demand of thirty (30%)or more of the delegates present. Only delegates will be allowed to remain in the room, and no delegates shall be allowed to enter or exit the room until the vote is complete.

Section 3. Elections shall be conducted by written or printed ballots.

Section 4. The number of votes to which a local union is entitled on roll call votes shall be the average number of members as determined in accordance with Section 5 of this article.

Section 5. The average membership of a local union shall be determined on the basis of payments to the council for the two preceding calendar quarters. The average membership of a local union affiliated for less than this prescribed period shall be computed from the month of affiliation and shall be determined by dividing the total per capita tax paid for all months affiliated by the months in the prescribed period.

Section 6. On a roll call vote, the votes of a local union shall be divided equally among all its accredited delegates present and each delegate shall be entitled to cast only their assigned number of votes, except that to facilitate the calling of the roll one delegate may be designated to cast all of the votes of the delegates representing the local union, provided that if any delegate shall challenge the correctness of the votes so cast the individual delegates of that local union shall be polled.

Section 7. The Executive Director shall maintain, on a current basis, the official roll of delegates, showing the average membership of each local union as established under the provisions of Article IV, Section 3 and 4.

Section 8. The presiding officer, with the exception of voice votes, shall appoint two (2) or more tellers to assure that all votes are properly counted and recorded.

# ARTICLE V

# MEETINGS

Section 1. Officers of national, state or central labor councils shall be allowed to attend any session. Only accredited delegates shall have the right to voice or vote in the transaction of the business of the Council.

Section 2. Closed meetings may be called at any time by the President, or declared by a majority vote of the Council, after which all except duly accredited delegates must withdraw. The President of the AFL-CIO and their designees shall have the right to participate, and have a voice, in all Council activities, meetings and deliberations.

Section 3. Regular meetings of the Council shall be held on the second Wednesday of each month at 6:00 PM at a location that is predetermined by the Council. Due notice shall be given all affiliated organizations and/or delegates of any change of the meeting time and/or place. The Council shall advise the President of the AFL-CIO of the day and place of its regular delegate meetings, annual and quarterly meetings.

Section 4. Special meetings for consideration of specified matters shall be held when ordered by a regular meeting of the Council or by vote of the Executive Board. Written notice (fax or e-mail is acceptable) of the special meeting shall be given to all affiliated organizations and/or to each delegate at least five (5) days in advance of the meeting. The matter, or matters, for consideration of the special meeting shall be stated in the notice and no other business shall be transacted.

Section 5. **Delegates equalling fifty percent (50%) plus one of the size of the Council’s Executive Board and** representing seven (7) different unions shall constitute a quorum for transaction of business.

Section 6. All meetings shall be governed by the Council Constitution and Bylaws, the Constitution of the AFL-CIO and its *Rules Governing Area Labor Councils and Central Labor Councils; and, Robert’s Rules of Order, Revised.*

### **ARTICLE VI**

# OFFICERS, EXECUTIVE BOARD AND ELECTIONS

Section 1. The Council Executive Board shall be comprised of the President, Vice-President, Recording Secretary, and sixteen (16) elected members, with 1 board position designated for a Union Retiree Council delegate. The term of office shall be thirty-six (36) months and each officer/board member shall hold office until a successor has been elected and installed. Only members of the Board of Publishers may be elected to serve concurrently in another elective position.  **Additionally, in areas with one or more viable AFL-CIO constituency groups, the combined constituency groups affiliated with the Council shall be entitled to one voting seat (or more, if the Council’s constitution so provides) on the labor council’s governing board.**

There shall also be an Executive Director, who will be hired by, and serve at the pleasure of the Executive Board, subject to Article VII, Section 4. The Executive Director does not have to be a delegate to the Council.

Section 2. For a delegate to be eligible to vote at any regular or special election, their union must have been affiliated with this Council and in good standing at least six (6) months previous to the month in which such regular or special election is held. Provided this section shall not apply to newly organized unions and/or newly affiliated unions. The Executive Director shall notify all unions that are not eligible to vote at least two (2) weeks prior to any election, setting forth the reason. No credentials shall be received or any delegate seated at election and/or nomination meetings, provided that the delegates can be seated and obligated upon the completion of the election.

Section 3. Nominations for elected positions shall be opened at the February meeting.

Section 4.

(a) Not more than one (1) delegate from the same local union, nor more than two (2) delegates from different locals of the same National or International Union, shall be eligible to hold office at the same time, provided the foregoing regulations shall apply only to the following offices: President, Vice-President, Recording Secretary and Executive Board.

(b) Of the top officers (President, Vice-President, and Recording Secretary) no more than one shall be from the same National or International Union.

 **(c) Not more than 2 retirees, with the exception of the Union Retiree Council executive board position, shall serve on the Executive Board effective with the term beginning March 2026. Board members who retire during their term are allowed to serve the remainder of that term.**

Section 5.

(a) Elections shall be conducted by written or printed ballots. Election by roll call shall be held in accordance with the provisions of Rule 9 (b) of the Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils, or as this Rule may be subsequently amended. Each ballot shall clearly show the local union, name of delegate and the number of votes being cast in the election. Such ballots shall become part of the records of the Council and shall be preserved and available for examination by any delegate or officer of an affiliated organization for a period of not less than six months. Any such examination shall be conducted during regular business hours of the Council. It shall require a majority to elect. The three (3) Trustee candidates, **sixteen (16)** Executive Board Members, and three (3) members of the Board of Publishers receiving the greatest number of votes shall be declared elected, subject to the restriction in Section 4 of this Article, provided, each has received a majority of the votes cast.

(b) In cases where no candidate for a particular office receives a majority on the first vote all but the two candidates for that office receiving the greatest number of votes shall be eliminated and a second vote shall be taken.

(c) In the event an election results in a violation of Section 4 of this Article the person involved who is elected to the office with highest rank shall be declared elected and another election shall be held for the other office or offices so affected. For purposes of this subsection, the rank of the offices shall be determined by the order named in Section 1 of this Article. In case the violation involves candidates for the office of Trustee, the number of votes received for that office shall determine the rank for the affected candidates. The same rule shall apply to the office of Executive Board Member and member of the Board of Publishers.

(d) Run-off elections under subsection (b) or subsection (c) or which are made necessary by a tie vote may be deferred until the next regular meeting by majority vote of the Council.

Section 6. Prior to the meeting at which nominations take place, the president shall appoint, with approval of the delegate body, an election committee to oversee the election. No person seeking office shall serve on said committee.

**The Election Committee shall be responsible for making election decisions in accordance with, and within the confines of, the AFL-CIO constitution, the Rules Governing Area and Central Labor Councils and the council’s constitution. The Committee:**

* **Will work with the Treasurer to verify all affiliates’ eligibility to participate in the election and cast ballots under the provisions of this constitution;**
* **Will confirm that each nominated candidate is a member in good-standing of an affiliated local union in good-standing with the council, and that the candidate is an official credentialed delegate to the council;**
* **Will serve as the first level of deciding authority on procedural issues;**
* **Will confirm that each candidate accepts the nomination for office, either in person or in writing to the Election Committee;**
* **Will confirm with the Credentials Committee that each delegate is duly credentialed and eligible to cast ballots;**
* **Cannot be overruled by the Executive Board during the election process, but their decisions and actions may be appealed to the board after the election, in accordance with this constitution;**
* **Will cooperate with the national AFL-CIO in any review, investigation, or appeal of the election.**

No less than 45 nor more than 120 days prior to an election of labor council officers, the Council’s Executive Director shall compile and notify each affiliate organization of the availability of a list containing the following information:

(i) the name and address of each of the elected council’s officers (including Executive Board members);

(ii) the name and mailing address of each of the organizations affiliated with the council;

(iii) the name of each of the affiliated organization’s principal officers;

(iv) each organization’s projected per capita voting strength and delegate entitlement at the election; and,

(v) to the extent available, the names and mailing addresses of the delegates. Officers of organizations affiliated with the local central body shall also be entitled to inspect, at the place where the records are kept, and make their own notes concerning the most current underlying records relating to the information included in the list provided above.

Delegates eligible to vote shall be cross checked with an up-to-date delegate roster prior to receiving a ballot and checked off upon deposit of the completed ballot in a locked box provided for that purpose. All ballots will clearly indicate the number of authorized votes allotted to the delegate. In the event a delegate wishes to cast a bloc vote, the delegate must have authorizing signatures by all other delegates of the affiliated union. An affiliated body or union may designate a sole elector to cast all of that organization’s ballots by certifying said elector to the Election Committee in writing at least twenty-four (24) hours prior to the commencement of the election. Upon announcement of closing of the polls by the President of the Council, the Election Committee will immediately sequester themselves to tally the ballots. On candidate elections, each candidate shall be allowed to appoint one person as an observer to witness the counting of the ballots. The Election Committee and authorized observers shall be the only persons allowed during the counting process. Immediately upon tallying the final results, the Chair of the Election Committee shall report the results to the delegate body, which shall not be adjourned until after the results are announced. **This report and all ballots and election materials shall be retained by the committee until any appeal period and any appeals have been exhausted, and then presented to the secretary, who shall preserve the materials for no less than six (6) months from the date of the election or the conclusion of all appeals, whichever is later. The Election Committee shall review election appeals in accordance with Article VII, Section 12**

Section 7. The election shall be held at the regular meeting in the month of March. The election shall not be postponed except for absence of a quorum or by order of the AFL-CIO. A postponed election shall be held at the first succeeding regular meeting with due notice being given to all affiliated organizations, or as may be directed by the AFL-CIO. Where no contest exists for any office, the sole candidate will be declared elected by white ballot at the close of nominations.

Section 8. No individual shall be eligible to serve as an officer, member of the executive board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of this Council who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association. No person shall be eligible to serve in any of the aforementioned capacities who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, that is suspended from, unaffiliated with, or disaffiliated from the AFL-CIO.

In accordance with the AFL-CIO Ethical Practices Code, no person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty or any crime involving abuse or misuse of such person’s position or employment in a labor organization or an employee benefit fund shall serve as an officer or managerial employee of the Central Labor Council.

Section 9. Each Officer and Executive Board member, at the time of the election and at all times during the term of office, shall be a member in good standing and a duly accredited delegate from an affiliated organization. If an officer and/or board member cease to be a member or delegate, the office held shall thereby become vacant and a special election as elsewhere provided for in this constitution shall be held to fill the vacancy.

Section 10. Installation of Officers and Executive Board members shall take place at the regular meeting in April following the election, provided that an officer/executive board member-elect who is unavoidably absent shall be installed at the earliest possible meeting following the election, or they may be given the obligation at a meeting of the Executive Board.

Each officer-elect, before assuming her/his assigned duties, shall takethe following obligation*: “I, (give name), hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability; and, to uphold the Constitution and Bylaws of this Council and the Constitution of the AFL-CIO. I further promise to deliver all property in my possession, belonging to the Council, to my successor in office; and, to surrender such property to the President of the AFL-CIO upon their official demand. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this council.”*

Section 11. In the event of a vacancy in any office, the position shall be filled by a special election. Nominations shall be opened at the first meeting following the declared vacancy and the election shall be held at the subsequent meeting following the nominations. Written notification regarding the pending nomination(s) shall be given to all locals at least seven (7) days prior to the nominations.

**Section 12. (a) A candidate for office and/or any delegate or principal officer of an affiliated organization may protest the election of any elected position of the council.**

**Such protest must:**

* **Be filed with the Election Committee;**
* **Be in writing and signed by the protesting party;**
* **Be filed within 30 days of the election, or the election certification, whichever is later;**
* **Contain any information that the filing party wishes the Election Committee to consider regarding the conduct of the election and any procedural requirements that are alleged to have been violated.**

**(b) The Election Committee shall familiarize themselves with the issues raised in the protest, take into consideration any pertinent facts and procedural requirements, solicit information from interested parties, and review the conduct of the election for compliance with this constitution, the AFL-CIO constitution, and other applicable AFL-CIO rules and policies. Within thirty (30) days of their receipt of the protest, the Committee will deliver their report to the executive board at its next meeting and the executive board shall determine by majority vote whether the protest merits a hearing.**

**( c) If a hearing is warranted, all parties to the dispute shall be given adequate notification of not less than thirty (30) days of the hearing date, along with a copy of the protest and a record of action taken by the Election Committee to date. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.**

**(d) Following a hearing, the executive board, by a two-thirds (2/3) vote, may order appropriate remedies up to and including the rerun of the election.**

**(e) The executive board shall notify all parties of its decision within thirty (30) days after the hearing. Said notification shall be sent by certified mail.**

**(f) The decision of the executive board shall be reported to the next Delegate Body meeting and shall be final and binding unless appealed as hereinafter provided.**

**(g) The decision of the executive board may be appealed to the Delegate Body by any delegate or principal officer of an affiliated organization. Notice of such appeal shall be filed in writing with the president (or acting president) or secretary (or acting secretary) within ten (10) days of the Executive Board’s report to the Delegate Body. The appeal shall be heard expeditiously at a regular meeting of the Delegate Body, at which time the party appealing to the Delegate Body, each candidate in the challenged race(s), and the Executive Board, through its selected spokesperson, in that order, shall be allowed fifteen (15) minutes each to present statements of the case, following which the delegates shall have up to ten (10) minutes to ask questions of each of the parties. The delegates shall then vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.**

**(h) The decision of the delegate body may be appealed to the president of the AFL-CIO within thirty (30) days of receipt of notification. The decision of the delegate body shall remain in effect during the appeal unless reversed, modified or temporarily stayed by the president of the AFL-CIO.**

**(i) No organization or individual subject to this Constitution shall resort to any court until redress to the AFL-CIO has been exhausted.**

# ARTICLE VII

# DUTIES OF OFFICERS

President

Section 1. The President shall be the presiding officer of all meetings of the Council and of the Executive Board. They shall countersign all orders (vouchers) on the treasury authorized by the Council, countersign all checks issued by the Executive Director against accounts of the Council, exercise general supervision over the affairs and activities of the Council; and, shall perform such other duties as usually appertain to the office and/or directed by the Council or the Executive Board. The President shall enforce the provisions of the Constitution and appoint committees not otherwise provided for. They shall be a member ex-officio of all committees.

Vice-President

Section 2. The Vice-President shall assist the President in the discharge of their duties and shall attend all sessions of the Council. In case of the absence or incapacity of the President, the Vice-President shall perform the President’s duties. They shall be a member of all committees.

Executive Director

Section 3. The Executive Director shall be the executive officer of the Council, serve as official spokesperson and carry on all correspondence connected with the business of the Council. They shall have charge of and keep in a secure place, the seal and all important documents; make out all checks and keep an accurate account of all receipts and disbursements and of all other business transacted. They shall represent the Council in all matters that are entrusted to him/her by the Council to the best of his/her ability. They shall give a report of all monies that are paid to him/her for dues by affiliated unions and all other monies that are collected by them that belong to the Council. Before the regular meeting each month, they shall report all delinquent local unions to the Executive Board. When the Executive Director is not attending to the office or other business of the Council, they shall spend their time assisting unions in the building up of their organizations and in furthering the organization of new unions. In consideration of his/her services, they shall receive such compensation as the Council may from time to time determine which shall be payable weekly. They shall be a member of all committees. They can refer directly to the Executive Board anything of importance between meetings that they may report to the Council at the next meeting. The Executive Director shall not engage in any significant employment other than their duties associated with the Council.

Section 4.

1. The Executive Board will be responsible for the hiring process, supervising and managing the work of the Executive Director.
2. Upon notification of vacancy of the position of Executive Director, the President shall appoint a committee as per Article XI Section 3 of no less than five (5) Executive Board members to serve as the hiring committee. The hiring committee shall be charged with dispersing the job description and posting and shall interview qualified candidates. The hiring committee shall recommend at least one final candidate to the Executive Board. The hiring committee is required to report their activity at each Executive Board and delegates meeting.
3. The Executive Board shall have the authority to interview any and all applicants for the position of Executive Director. Any member of the Executive Board may request an interview for any Executive Director candidate in front of the full Executive Board.
4. The Executive Board shall nominate at least one candidate to serve as the Executive Director. The candidate or candidates selected shall be confirmed at the next delegates meeting following the Executive Board meeting when candidate(s) were nominated. The delegates must approve the selection of the Executive Director by a majority vote of delegates voting. A per capita vote may be called for and is subject to the provisions in Article IV of this Constitution.
5. If **five (**5**)** officers of the Executive Board, in writing, register an official complaint with the President of the Labor Council regarding the Executive Director’s practices, behaviors, or programs, the President shall constitute an ‘Executive Director Review Committee.’ The complaint must identify the specific deficiencies in the Executive Director’s work. The ‘Executive Director Review Committee’ must be comprised of at least 5 members of the Executive Board that do not include the original charging officers.
6. If the charges are upheld by a majority vote of the ‘Executive Director Review Committee,’ the full Executive Board shall (discuss) take up the matter. The Executive Board by majority vote can recommend appropriate discipline, up to and including termination for cause of the Executive Director or dismissal of the charges.
7. The final authority to terminate an Executive Director or dismiss charges rests with delegates of the Labor Council. Termination of an Executive Director can only occur through a two thirds **(⅔)** vote of the delegates present at a regular delegates meeting.

Recording Secretary

Section 5. The Recording Secretary of the Council shall be a member of the Executive Board and shall take proper minutes of all Executive Board and general delegate meetings and furnish same to the President of the Council for review. The Board minutes shall be approved by the Board at its next meeting. The Council minutes shall be approved by the council at its next meeting. The Recording Secretary shall further, at general delegate meetings, read all communications and call the roll.

Upon ratification, the original minutes shall be kept in the Council office under the stewardship of the Executive Director.

Sergeant-at-Arms

Section 6. The Sergeant-at-Arms shall take charge of the door, secure delegate signatures on the official roster of the Council and notify the presiding officer when a quorum is present. They shall introduce all new delegates and visitors and assist the President, or presiding officer, in preserving order when called upon to do so. In addition, the Sergeant-at-Arms shall take charge of all property of the Council not otherwise provided for and perform such other duties as may be assigned to them from time to time.

Trustees

Section 7. The Board of Trustees shall be the custodians of the physical properties of the Council and shall prepare and maintain an inventory of all such properties showing the date of purchase, the cost and estimated current value. The Trustees shall, before every monthly delegate meeting, examine the financial books and records of the Executive Director and report their findings to the Council at the next regular meeting following the completed examination. In addition, the Trustees shall **quarterly** audit or cause to be audited by a Certified Public Accountant selected by the Executive Board, the financial records of the Executive Director and promptly report the audit findings to the Executive Board and Council.

# Executive Board

Section 8. The Executive Board shall consist of the President, Vice-President, Recording Secretary, and sixteen (16) elected members. The Executive Board shall be the governing body of the Council between meetings. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Council and as may be necessary and appropriate to safeguard and promote the best interests of the Council and its affiliated unions. In no case, however, shall the Executive Board transact any business that may affect the vital interests of the Council until the approval of the Council is secured. All decisions of the Executive Board must be reported for approval at the next meeting of the Council. The Executive Board shall have the authority to hire an Executive Director and approve other staff that may be hired by the Executive Director, and to determine the wages and salary for them. The Executive Board shall usually meet two (2) hours before the scheduled regular meetings of the Council and it shall meet on call of the President when a special meeting is necessary. A special meeting of the Executive Board may also be convened by a written reason, signed by three (3) or more Executive Board Members, or by action of the delegates taken at a regular or special meeting of the Council. A quorum for transaction of the business of the Executive Board shall consist of fifty percent (50%) plus one of its members.

The Executive Board shall have the power to make a temporary appointment, to any office not otherwise provided for in this Constitution, for the period of a temporary disability or absence of an officer or, in case of a permanent vacancy, until a special election has been held to fill the permanent vacancy. If a vacancy occurs one year or less prior to the regular election, a special election will not be necessary.

# Board of Publishers

Section 9. A committee of three (3) members shall be elected to represent the Council on the Board of Publishers of the Sacramento Valley Union Labor Bulletin.

Section 10. When a committee member or an elected officer of this Council fails to attend to the duties of their office without good cause, unless granted leave of absence by the Council, the position may be declared vacant under the procedures established in Article IX.

Section 11. Officers absent from six (6) meetings within a twelve (12) month period, without prior excuse, will result in that office being declared vacant. For purposes of this section, meetings will be deemed to be both Executive Board and General meetings.

Section 12. All officers and managerial employees of this Council must certify that they have read the AFL-CIO’s Ethical Practices Code, that they are in compliance with it, and, if not, state the steps that will be taken to comply with it. All officers and staff must pledge to abide by the anti-harassment and anti-discrimination policy and code of conduct of this council.

# ARTICLE VIII

# CHARGES AND HEARING

Section 1. Any affiliated organization by vote of its membership, or any officer, board member or delegate to the Council shall have the right to file charges:

(a) against any delegate to the Council for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Council or contrary to its constitution;

(b) against any officer or board member of the Council for violating the Constitution or Rules of the AFL-CIO or the Constitution of this Council, or for conduct unbecoming an officer or board member, misappropriation of funds, malfeasance in office or neglect of duty;

(c) against any organization affiliated with the Council for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Council or contrary to this Constitution.

Section 2. All charges shall be in writing, specifying the particular act or acts charged; shall be signed by the charging party or by its officers, if an affiliated organization; and, shall be filed with the President or the Recording Secretary of the Council, or with any other officer of the Council, if both the President and Recording Secretary are charged. Two (2) or more members may be jointly charged with having participated in the same act or acts charged as an offense or with having acted jointly in commission of such an offense and may be jointly tried.

Section 3. Upon receipt of the charges properly filed the officer receiving the charges shall present them to the Executive Board at its next meeting and the Executive Board shall determine by majority vote whether or not the charges merit a hearing.

Section 4. If a hearing is determined to be appropriate, the accused shall be notified, by receipted registered or certified mail within seven (7) days after the charge(s) have been reviewed by the Executive Board. The accused shall be provided a copy of the charge(s) not less than thirty days in advance of the scheduled hearing date. The Executive Board, by two-thirds (2/3) vote may suspend or expel any delegate or affiliated organization or remove any officer or board member found guilty of the charge(s). By majority vote, the Executive Board may initiate appropriate disciplinary action short of suspension or expulsion. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.

Section 5. The decision of the Executive Board under Section 3 or Section 4 shall be reported to the next meeting of the Council and shall be final and binding unless appealed as hereinafter provided.

Section 6. The decision of the Executive Board may be appealed to the Council by either the charging party or defendant. Notice of such appeal shall be filed in writing with the President (or acting President) or Recording Secretary (or acting Recording Secretary) within ten (10) days of the Executive Board's report to the Council. The appeal shall be heard expeditiously at a regular meeting of the Council, at which time the charging party, the defendant and the Executive Board, through its selected spokesperson, in that order, shall be allowed to present statements of the case, following which the delegates shall vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.

Section 7. The final decision of the Council may be appealed to the AFL-CIO as provided in the *Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils*. The decision of the Council shall remain in effect during appeal unless reversed, modified or temporarily stayed by the AFL-CIO.

Section 8. No organization or individual subject to this Constitution shall resort to any court until redress to the AFL-CIO has been exhausted.

# ARTICLE IX

# PER CAPITA TAXES AND FEES

Section 1. Affiliated local unions shall pay a monthly per capita tax of fifty-five cents ($0.55) on all its members regularly employed within the jurisdiction of this Council, with one cent ($0.01) designated for the Committee on Political Education and fifty-four cents ($0.54) designated for the General Fund of the Council. A local union desiring to affiliate shall pay one month’s per capita tax at the time of affiliation. Per capita tax for the succeeding month shall be due on the first of each month thereafter. Per capita tax in each case shall be based on the number of dues-paying members for the preceding month. If per capita tax for any month is not paid by the first of the following month the local union shall be deemed in arrears.

Section 2. Other affiliated organizations (as defined in Article III, Sections 1 and 2), shall pay an annual fee of *twenty-five dollars ($25)* and itshall pay one year's fee at the time of affiliation. The annual fee for succeeding years shall be due on the first of the anniversary month thereafter and, if not paid by the first of the succeeding month, the organization shall be deemed in arrears.

Section 3. Any affiliated organization, which becomes two (2) months in arrears shall be so notified in writing by the Executive Director and shall be suspended automatically from the Council and can be reinstated only after such arrearages are paid in compliance with Section 4, below.

Section 4. Any organization which has been suspended, or which has withdrawn from membership, may be reinstated by payment of all amounts due at the time of suspension or withdrawal and the current per capita tax or annual fee. However, the average membership of a reinstated local union for purposes of roll call voting shall be computed from the date of reinstatement as if it were a newly affiliated local union. A union that has been suspended for nonpayment of per capita tax may pay only the amount in arrears, but cannot pay for additional months to increase voting strength.

Section 5. A local union paying per capita tax on less than its full, dues-paying membership shall be subject to suspension by the Executive Board. The Executive Board may require a local union to produce proof of membership where reason exists to believe such local union is violating this provision. If the local union shall fail or refuse to produce such proof on request, the Executive Board may base its determination on such evidence as may be available. The provisions of this Section 5, if invoked, must be uniformly applied to all affiliates.

Section 6. The Executive Board may recommend exoneration for any affiliate from payment of per capita tax for any month upon proper showing that, in the opinion of the Executive Board, good cause exists. The Council must ratify the exoneration recommendation, however, delegates from the exonerated affiliate may not vote on the question of exoneration. Exonerated affiliates shall be regarded, for purposes of this Constitution, as paid-up affiliates in good standing for the period of exoneration.

Section 7. A membership committee composed of a maximum of five (5) members of the Executive Board, and appointed by the President, shall be empowered to periodically review the per capita status of affiliated unions and report on the same to the General Labor Council. This Committee may suggest revision of the per capita tax, in conjunction with the Trustees, and submit the same to the Council in the form of a proposed amendment to the Constitution.

**ARTICLE X**

# FINANCIAL PRACTICES AND AUDITS

Section 1. All funds of this Council shall be placed on deposit in a bank or banks (or other federally insured financial institutions) designated by the Executive Board; and, such funds shall be paid out by check bearing the manual signatures of the Council President and Executive Director (the Vice President may be added as an alternate signatory in the absence of either the president or Executive Director). No funds shall be expended unless they have been approved by the Council to defray necessary expenses for the advancement of the objects and principles of the Council and the AFL-CIO.

Section 2. As stipulated in Article VII, Section 6, if the council brings in over $200,000 in annual revenue, the AFL-CIO’s agreed-upon procedures shall be performed by a Certified Public Accountant selected by the Executive Board and that the Treasurer promptly report the CPA’s findings to the Executive Board and Council. The audit shall cover the immediate preceding fiscal year. All relevant invoices, receipts and other supporting documents shall be attached to the original, signed, expense voucher. The voucher shall bear the signature of the Recording Secretary, countersigned by the President (in the absence of either officer, the Vice President may be an alternate signatory) authorizing the expenditure as being in compliance with Section 1, above. The annual audit shall be submitted to the Council and a copy sent to the AFL-CIO. The Executive Board, at its discretion, may require more frequent audits or examination of the financial records of the Executive Director.

Section 4. Officers, delegates and other authorized persons shall be reimbursed for necessary and legitimate expenses, including actual loss of salary, which may be incurred in the performance of authorized activities for the Council. An itemized accounting of such expenses shall be submitted to the Executive Board.

Section 5. All officers and agents of this Council having a financial responsibility shall be covered by a fidelity bond in an amount equal to no less than ten percent (10%) of its revenue in the prior fiscal year. Should the amount of this bond exceed the $2500 amount of the bond furnished without cost by the AFL-CIO, the Council shall pay the additional cost of such bond.

Section 7. The Council shallapprovean annual budget and adopt a written expense policy. Expenses shall be reimbursed only upon submission of original receipts. The use of the Council’s credit card for personal use and **the use of debit cards** are prohibited.

Section 8. The Fiscal Year of the Council shall begin on the first day of January of each year and end on the last day of December.

**ARTICLE XI**

**COMMITTEES**

Section 1. The President, Vice President and Executive Director shall be ex-officio members of all committees.

Section 2. Committees shall be appointed by the President with the advice and consent of the Executive Board. **The Ethical Practices Committee shall be a standing committee.**

Section 3. The President, with Council approval, may create such other committees, as necessary or advisable, to pursue the objectives of the Council and to develop and implement policies of the Council. Committees shall be composed of Executive Board members, Council delegates and such other members from affiliated organizations as the President appoints.

Section 4. Committee members, with the exception of the Committee on Political Education (COPE), shall be appointed by the President, subject to the approval of the Executive Board. Any unresolved appointment dispute between the President and Executive Board shall be resolved by the Council delegates at the next regularly scheduled meeting.

Section 5. Committee chairs and members shall make regular reports to the Council. Committees that fail to function shall be dismissed and reconstituted.

**ARTICLE XII**

**LEGISLATIVE AND POLITICAL ACTION**

Section 1. All matters of a political or legal nature coming before the Council for endorsement or concurrence must first be referred to the Law and Legislative Committee for investigation (unless provided for elsewhere). The Committee shall make its recommendation to the Council at the next regular meeting or at a special meeting called for that purpose. The legislative and political activities of the Council shall be under the direction of the Executive Board and implemented by the Executive Director. These activities shall conform to the policies adopted by the Council and the decisions of the Executive Board on local matters.

Section 2. The Council shall advance the political mobilization program under the direction of the Committee on Political Education.

Section 3. All legislative and political activities shall conform to the policies of the State AFL-CIO on state matters and to the policies of the National AFL-CIO on national affairs.

Section 4. The Executive Board shall constitute the Council’s Committee on Political Education. Additional members may be added to the Committee in accordance with properly approved By Laws. Any financial contributions to candidates or ballot measures requires approval of the Executive Board.

Section 5. The COPE shall operate in conformity with the policies of the AFL-CIO including **“Rules Governing Committees on Political Education of Area and Local Central Bodies”**, and State COPE.

Section 6. The Council’s Committee on Political Education shall have power to formulate By Laws to govern COPE.

Section 7. The Council’s Committee on Political Education recommendations and endorsements shall be limited to races that do not fall under the jurisdiction of a state federation & the National AFL-CIO. The endorsement process shall include a pledge of candidates to support an Employees Right to Organize.

Section 8. C.O.P.E. subcommittees shall constitute one (1) representative appointed by each affiliated local union expressing an interest in the office under the purview of that subcommittee. Each subcommittee shall make endorsement recommendations to the full C.O.P.E. committee, which in turn shall make recommendations to the delegates of the Council. Recommendations made by the C.O.P.E. subcommittee can only be overturned by two-thirds (2/3) vote of those C.O.P.E. Committee members present.

Section 9. All endorsements by the Council must be approved by two-thirds (2/3) of the delegates present in accordance with Article XII, Section 3 of the Constitution and Bylaws. Provided that if a roll call vote is demanded in accordance with Article VII, Section 2, two-thirds (2/3) of the roll call votes shall be required to approve an endorsement.

**ARTICLE XIII**

**RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS**

Section1. This labor council is a chartered, subordinate Central Labor Council of the AFL-CIO that is governed by this Constitution and the Constitution and Rules Governing Area Labor Councils and Central Labor Councils**,** or as may hereafter be amended. These Rules establish policies and regulations with regard to Strikes, Collective Bargaining, Boycotts and Unfair Lists, and Publications and Advertising, as well as other central labor council administrative activities that the Council must comply with; and, moreover, if any conflict should arise between this Constitution and/or actions of the Council and the Constitution of the AFL-CIO and/or its Rules Governing, the latter shall prevail. If this Council’s charter is revoked, the Council will surrender the charter to the President of the AFL-CIO.

Section 2. When and if a circumstance or action causes the Council to be in non-compliance with the AFL-CIO, the Executive Board shall initiate corrective action to bring the Council into conformity with the Constitution of the AFL-CIO and its Rules Governing. The President of the AFL-CIO may order revisions to the constitution if it is not in compliance with the Rules Governing or the AFL-CIO Constitution and, if this occurs, the Council must give written notice that this has occurred and a copy of the revised constitution.

Section 3. The parliamentary rules contained in Robert's Rules of Order, Revised, shall govern this Council in all cases to which they are applicable and are not inconsistent with the Constitution and Bylaws or special rules of order adopted by the Council.

Section 4. This Constitution may be amended by submitting the proposed amendment(s), in writing, to the Recording Secretary at the preceding regular meeting provided at least six (6) delegates representing at least three (3) affiliated organizations certify, by signature, the changes proposed. The Executive Board or an appointed Constitution and Bylaws Committee may also propose amendments to this Constitution. All proposed amendments to this Constitution must be read in full at the meeting at which they are first received and/or presented and copies shall be made available upon request to all delegates prior to final consideration at the subsequent meeting. Council adopted amendments, subject to the quorum provisions of Article V, Section 3, shall require a two-thirds (2/3rds) vote of the delegates present and voting for approval. The amendment(s) upon adoption shall not become effective until two (2) copies of the Constitution and amendments have been submitted to the President of the AFL-CIO and s/he has issued a letter of approval to the Council. Proposed amendments may be submitted for preapproval to the President of the AFL-CIO.

ARTICLE XIV

LISTS

All lists of affiliates or members of affiliates in possession of the Council shall be used exclusively in carrying out the authorized programs and work of the Board and shall not be released to any person or organization for any other purpose unless such release has been duly authorized by the Board and the appropriate officers of the affiliate or affiliates involved.

**ARTICLE XV**

**COLLECTIVE BARGAINING, STRIKES AND BOYCOTTS**

Section 1. This Council shall not take part in any collective bargaining activities or in any dispute, including strikes, except upon the request or consent of the **aggrieved union’s national or international** or in the case of a local union directly affiliated to the AFL-CIO, except upon the request or consent of the AFL-CIO President.

Section 2. This Council shall have no power or authority to initiate a boycott. This Council can endorse and provide support for a boycott campaign of an affiliate. This Council can place an employer on an “unfair” or “do not patronize” list, if the proper conditions apply as outlined in the regulations below, and that all such action be taken only on written request of the aggrieved union or in response to an action of the AFL-CIO.

When such action is requested by an aggrieved union, the Council shall be governed by the following regulations:

1. The Secretary-Treasurer of the AFL-CIO, or her/his designated agent, shall be notified in writing of all boycott requests, whether local, regional or national in scope.
2. Disputes affecting contractual interests of other unions - If the requested action is directed against an employer which has a contract or working agreement with any union or unions affiliated with the AFL-CIO, other than the aggrieved union, then the written consent of such other union or unions shall be required. If such consent is not given, no further action shall be taken by this Council except as authorized by the President or by the Executive Council of the AFL-CIO.
3. Local Disputes - If the requested action is directed against an employer for a dispute arising within the area of jurisdiction of this Council which does not involve the contractual interest of other AFL-CIO unions, the Council may take the requested action if, in its judgment, such action is warranted and shall provide written notice to Secretary-Treasurer of the AFL-CIO of such action. The council will notify the Secretary-Treasurer of the AFL-CIO when a boycott is terminated.
4. Disputes in areas of other area labor councils or central councils - If the requested action is directed against an employer for a dispute arising wholly outside the area of jurisdiction of this Council, no action shall be taken unless the AFL-CIO and the area labor council, central labor council or state central council in whose area the dispute arose has first acted favorably on the request of the aggrieved union in keeping with applicable rules.
5. National and regional disputes - If the requested action is directed against an employer for a dispute which is national or regional in scope, no action shall be taken by this Council unless the affiliated national or international union involved has first secured approval of the AFL-CIO.

**ARTICLE XVI**

**CHAPTERS**

Chapters of this Council may be created if the Council determines an organizational presence is needed in a specific geographic area within its jurisdiction. Chapters shall have no right of representation or involvement in the affairs of this Council. Chapters may be authorized to enact bylaws consistent with the Council’s constitution; elect a chapter president and secretary-treasurer, hold meetings of delegates from local unions within the chapter's geographic jurisdiction and make recommendations to the state labor council, the area labor council or the central labor council for its consideration. Chapters may not assess a per capita or membership fee. In accordance with the endorsement procedure for this Council, the chapter may endorse candidates running for local public office within the chapter’s geographic jurisdiction and may screen, interview and recommend to the area labor council or central labor council candidates for state and federal legislative office but such recommendation is not binding on this Council.

ARTICLE XVII

 STRATEGIC PLANNING

State, area and local central bodies in a state shall ensure that their work is coordinated and integrated with each other and with the programs and priorities of the AFL-CIO and affiliated national and international unions. State, area and local central bodies shall develop a unified work plan and budget at least every two years, which shall set forth the roles, responsibilities, budget, and activities of each organization. Such work plans and budgets shall be submitted to the president of the AFL-CIO or their designated representative, upon request. The president may modify, approve or reject any work plan or budget. The failure of a state, area or local central body, or any of its officers, to participate in the unified planning and budgeting process, to conform their activities to the unified work plan and budget, or to meet performance standards and benchmarks as established by the Executive Council, shall be grounds for disciplinary action.

**APPENDIX “A”**

**OBLIGATION OF DELEGATES & OFFICERS**

**DELEGATES**

**"I, (name of delegate), do solemnly pledge my honor that I will obey the rules and regulations of this Council and, to the best of my ability, perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union products and union businesses when they are available, honor all boycotts and picket lines, and that I will qualify myself to vote in all local, state and federal elections, if eligible to do so. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this council."**

**OFFICERS**

**"I, (state your name) do hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability and to uphold the Constitution and Bylaws of this Council and of the AFL-CIO. I further promise to deliver all property in my possession belonging to this Council to my successor in office and to surrender such property to the President of the AFL-CIO upon official demand.I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this council."**

# # #

Code of Conduct Policy

**The Sacramento CLC is committed to providing an environment free from discrimination and harassment. We ask all meeting participants to embrace our values of equity and equality, and conduct themselves in this meeting consistent with those values. We have designated [insert name of designee] as the first point of contact for anyone who thinks they have experienced discriminatory, harassing or otherwise unacceptable behavior, and we urge you to contact him if you have any concerns. [insert name and contact information for designee]**

Typical Items of Business for Delegates Meeting

\*not required or limited to

* **Call to order**
* **Pledge of Allegiance**
* **Roll call of officers and delegates of organizations**
* **Presentation of credentials**
* **Obligation of Delegates**
* **Reading/Distribution of Minutes**
* **Reports of Organizations**
* **Reports of Officers**
* **Reports of committees**
* **Trustees Report**
* **Unfinished Business**
* **New Business**
* **Nominations, election and installation of officers**
* **Report of the Executive Director**
* **Good & Welfare**
* **Adjournment**