

CONSTITUTION



THE STATE EMPLOYEES' ASSOCIATION  
OF  
NEW HAMPSHIRE, INC.

SEIU, LOCAL 1984

CTW, CLC

2009

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## **ARTICLE I ---- NAME AND HEADQUARTERS**

### **Section 1. NAME**

The name of this organization shall be The State Employees' Association of New Hampshire, Incorporated, SEIU, Local 1984, CTW, CLC (Association).

### **Section 2. HEADQUARTERS**

The headquarters of the Association shall be in Concord, New Hampshire.

## **ARTICLE II ---- OBJECTIVES**

- (a) The objectives of this Association shall be:
- (1) To uphold and defend the Constitution of the United States and of the State of New Hampshire and devote itself to the public welfare.
  - (2) To provide a medium through which all members may express their views on legislation and regulations affecting their employment.
  - (3) To effect cooperative effort of employees with all branches of government, political subdivisions, and employers on matters relative to employment.
  - (4) To promote good personnel practices.
  - (5) To promote good will and fellowship among the members by treating all members with dignity, respect, and as equally valued members.
  - (6) To represent employees in collective bargaining.
- (b) To establish chapters and assist in carrying out the aforementioned purposes.

## **ARTICLE III ---- MEMBERSHIP**

### **Section 1. TYPES OF MEMBERSHIP**

There are five types of membership within the Association:

#### **(a) REGULAR MEMBERSHIP**

Any person holding a state classified position, and those employed within the University System of New Hampshire, school districts, any agency created by government, any entity funded totally or in part by government money, or any employee of any employer, exclusive of political appointees, the chief executive of the local political subdivisions, and elected officials, shall be eligible for membership, provided that he/she affiliate with a chapter.

- (1) The effective date of membership is the date on which the application is signed and authorization given by the applicant to deduct all Association dues. All rights and privileges as elsewhere provided in this constitution, deriving from membership thereupon become available to the new member. Application for membership shall be made on the prescribed form provided by the Association.
- (2) A member in good standing shall be any person whose Association dues and chapter dues are current.
- (3) A member not paying dues shall also be considered "in good standing" if the member is receiving workers' compensation payments or has an active workers' compensation claim in process, has applied for or is approved to receive Family Medical Leave (FMLA), is absent due to approved military leave, or has an active appeal on a dismissal.

#### **(b) CONTINUING MEMBERSHIP**

Upon retirement, a member in good standing, only if retired under the provision of the state-sponsored retirement system or a similar retirement system sponsored by the member's employer, or if eligible to receive retirement benefits under the Social Security system, may choose to continue membership in the Association by continuing payment of all Association and Chapter dues.

- (1) While retaining membership in his/her own chapter under this section he/she shall be eligible to hold elective office in such chapter.
- (2) Continuing members shall not qualify for requirements, responsibilities, and obligation of the following articles of this Constitution - Article VII "Board of Director" and Article IX "Officers and their Duties".
- (3) Continuing membership under this section shall be distinct from Retired membership under Article V "Chapters", Section I (b) "Retired Members Chapters".

(c) **ASSOCIATE MEMBERSHIP**

Any part-time worker holding a position under (a) above or a retired Association member shall be eligible for Associate membership. Determination of eligibility shall be made by the Board of Directors.

- (1) Associate members shall enjoy all Association benefit programs; shall be offered available/appropriate training programs; and shall receive Association publications, lobbying on behalf of appropriate issues, and consulting services as may be approved by the Association President or his/her designee.
- (2) Associate members shall not qualify for the requirements, responsibilities, and obligations of the following articles of this Constitution – Article VII "Board of Directors" and Article IX "Officers and Their Duties".
- (3) Associate members may not qualify for benefits provided to regular members by SEIU International.
- (4) Associate members shall pay one-half the dues (rounded off to the nearest cent) as established by the Annual Convention.

(d) **RETIRED MEMBERSHIP**

Upon retirement, a member in good standing, only if retired under the provisions of the state-sponsored retirement system or a similar retirement system sponsored by the member's employer, or if eligible to receive retirement benefits under the Social Security system, may choose to join a Retired Members Chapter as defined in Article V "Chapters", Section 2 "Retired Members Chapters".

- (1) Retired members shall enjoy all Association benefit programs; shall be offered available/appropriate training programs; and shall receive Association publications, lobbying on behalf of appropriate issues, and consulting services as may be approved by the Association President or his/her designee.
- (2) Retired members may not qualify for benefits provided to regular members by SEIU International.
- (3) Retired members shall be eligible to hold elective office in his/her respective Retired Members Chapter, and/or the one (1) Association Board of Directors Retired Member seat.
- (4) A member in good standing of a Retired Members Chapter shall be a member whose chapter dues and any applicable Association dues are current.

(e) **HONORARY MEMBERSHIP**

Any member who has honorably left his/her employment, and has been a member for five consecutive years immediately preceding termination, and is not eligible for any other type of membership, may become an honorary member for the duration of his/her life. Eligibility shall be recommended and approved per Article X "Duties of Committees", Section 2 "Standing Committees", (b) "Duties of Standing Committees", (7) "Honorary Membership Committee" and Article VII "Board of Directors", Section 5 (c) "Power and Duties".

**Section 2. RECOGNITION**

No distinction of nationality, race, creed, sex, age, handicap, sexual orientation, political affiliation, gender identity or expression shall be recognized or countenanced.

### **Section 3. CHARGE AND TRIAL BOARD**

- (a) Charges against a member for action detrimental to the Association shall be preferred only by another member of this Association in writing with the President of the Association.
- (b) Within ten (10) days of the filing of such charges, the Board of Directors shall appoint a trial board of three (3) members of this Association, and the secretary of the Association shall furnish the accused with a copy of the charges.
- (c) The trial board shall fix a date for hearing the charges and shall notify both the accuser and the accused, in writing, of such date at least ten (10) days prior to the hearing.
- (d) At a hearing, both the accused and the accuser may produce witnesses in their behalf.
- (e) The trial board shall furnish each party with a copy of its decision within thirty (30) days of the close of the record.
- (f) In case the charges are sustained, the trial board shall reprimand, suspend, or expel the guilty party.
- (g) Within twenty (20) days of receipt of the decision of the trial board either party may file with the President of the Association a notice of appeal to the Board of Directors.
- (h) Within thirty (30) days of receipt of notice of appeal, the Board of Directors shall review the record of the proceedings before the trial board and shall approve or disapprove of the action of the trial board.
- (i) The President of the Association shall advise both parties of the Board of Directors action immediately. Said action may be appealed to the next Annual Convention.
- (j) An expelled member may be readmitted to membership upon recommendation of the Board of Directors and after payment of all fees, dues, and indebtedness owing to the Association.

## **ARTICLE IV ---- REVENUE AND EXPENSES**

### **Section 1. DUES**

- (a) The chief source of revenue of this Association shall be the dues paid by its members. The Annual Convention or any Special Convention shall determine the dues of the Association.
- (b) Chapters with 25 or fewer members will annually be credited a total of \$100, and each additional 25 members an additional \$50 to a maximum of \$500 annually, accumulatively not to exceed \$1,000. Each chapter will be credited on a quarterly basis based on its membership at the end of the quarter. These funds will be held in a special account by the SEA central office. Chapter treasurers, with written authorization of their chapter presidents, may draw against their respective account; such draw shall be payable to the chapter treasury.
- (c) Any member falling two (2) months in arrears in his/her dues shall be suspended from membership in the Association.
- (d) A member suspended for non-payment of dues may be reinstated to membership in the Association and chapter on payment of all arrearages or upon payment of such arrearages as may be determined by the Board of Directors.
- (e) Any member entering military service is exempt from the payment of dues for the period of first enlistment in active service, not to exceed four (4) years excepting when called to active service for a National or State emergency.

**Section 2. CONVENTION REGISTRATION FEE**

- (a) The Board of Directors shall authorize a registration fee for all registered delegates to the Convention. The fee shall not exceed ten (\$10.00) dollars. The Association shall pay any deficit not covered by such registration fees.
- (b) The Board of Directors shall determine the registration fee for alternates, members and guests.

**Section 3. CONVENTION EXPENSES**

The Association shall bear authorized Annual Convention costs for all chapter councilors and presidents, including retirees or authorized alternates in attendance.

**Section 4. OTHER EXPENSES**

Any other expenses of the Association other than budgeted items shall be made only at the direction of the Board of Directors. The Association shall not be liable for any expenses incurred that are not first approved by the Board of Directors.

**ARTICLE V ---- CHAPTERS**

**Section 1. FORMATION**

(a) **REGULAR CHAPTERS**

- (1) Members may apply to the Board of Directors to form a new regular chapter in a proposed jurisdiction. Proposed jurisdiction shall mean the group of members seeking to form a chapter. Applications are valid when made by ten (10) members or fifty-one percent (51%) of the [proposed jurisdiction's] membership, whichever is greater.
- (2) The Board of Directors may, at its discretion, issue a certificate of affiliation for the formation of a chapter of the Association. The Board of Directors shall, at the same time, prescribe the jurisdiction of said chapter.
- (3) Upon approval of the Board and until their first quarterly rebate, newly formed chapters may apply for assistance from the Organization Committee. Such funds shall be drawn from the "New Chapter Establishment Fund".

(b) **RETIRED MEMBERS CHAPTERS**

- (1) The Board of Directors shall be empowered to create such chapter or chapters of retired members as it shall deem proper.
- (2) Each Retired Members Chapter shall elect the number of councilors to which it is entitled under Article V "Chapters", Section 8 "Council Membership".

**Section 2. JURISDICTION**

- (a) Insofar as is practicable the jurisdiction of a regular chapter shall conform to department, board, commission, institution and agency organization of the state, private sector employer, or combination thereof, and any political subdivision, or combination thereof and its accessibility for active participation.
- (b) Any chapter may take in members from outside its jurisdiction provided that no other chapter has jurisdiction over such members and provided further that in the opinion of the Board of Directors, the formation or existence of another chapter is not hereby hindered.
- (a) No member may transfer to any chapter unless he/she is in good standing.

**Section 3. MEMBERSHIP**

All persons becoming members shall affiliate with a chapter as provided in Article III "Membership", Section 1, "Types of Membership".

#### **Section 4. CHAPTER FUNDS**

- (a) The chapter may at the discretion of its members charge dues in addition to Article IV “Revenue and Expenses”, Section 1 (b) “Dues”.
- (b) The records of the chapter treasurer shall be audited annually in the month of April for the period ending March 31. The president of the chapter shall appoint a committee of three (3) chapter members in good standing, who are not chapter officers to audit the financial records of the chapter. A written report, on forms prescribed by the Association, shall be made by this committee at the annual meeting of the chapter in April. A copy of this report, signed by all three members of this committee and countersigned by the chapter president and treasurer, shall be mailed to the President of the Association no later than seven (7) days after said meeting. The President of the Association may request the records of a chapter treasurer be submitted to the Board of Directors at any time for the purpose of auditing such records.
- (c) Funds remaining either in a chapter treasury or in the Association treasury credited to a chapter after such chapter has been abolished shall be deposited to the credit of the Association or apportioned to chapter(s) that acquire the members per Article V “Chapters”, Section 10 “Chapter Dissolution”.
- (d) Any chapter failing to submit their annual audit report to the Association office by July 31 of each year shall have its quarterly rebates withheld until such time as the audit report is received.

#### **Section 5. MEETINGS**

- (a) Chapters shall meet at least four times annually. Chapters shall hold documented meetings within each calendar quarter in order to be eligible for the chapter rebate for that quarter. Such meetings shall be called and attended by the chapter president or his/her duly constituted representative. If, due to unforeseen circumstances a meeting cannot be held in compliance with this time frame, specific written permission must be obtained from the Association President or his/her designee.
- (b) Each chapter’s annual meeting shall be held in the month of April.
- (c) The secretary of each chapter shall notify the President of the Association as to the time and place of meetings and a copy of the minutes of such meetings shall be submitted to the President no later than seven (7) days after said meeting.
- (d) A quorum shall consist of members in good standing equal in number to the total number of duly constituted officers plus three, unless chapter bylaws specify a larger number.
- (e) Any chapter failing to comply with the above meeting requirements may be subject to action by the Board of Directors under the provisions of Article V, “Chapters” Section 10 “Chapter Dissolution”.
- (f) If the chapter president does not call the required meetings of the chapter before the month of April, a majority of the officers of the chapter may call a special meeting of the chapter to transact chapter business and to prepare for the annual meeting in April.

#### **Section 6. ELECTION PROCEDURES**

The Board of Directors will adopt a policy of election procedures, which will comply with all applicable laws, regulations and rules.

#### **Section 7. OFFICERS**

- (a) The officers of each chapter shall be a president, vice president, secretary and/or treasurer, and such other officers, not to exceed two (2), as the chapter deems necessary to efficiently conduct chapter business. Officers shall be elected from the chapter membership for a term not to exceed three years. Officers so elected shall be installed at the annual meeting. All such officers and councilors may succeed themselves. The Secretary/Treasurer or Treasurer shall hold no other chapter officer positions.

- (b) Each chapter shall elect officers meeting in accordance with the provisions of the Labor Management Reporting And Disclosure Act (LMRDA), this Constitution and the chapter bylaws.
- (c) The secretary of each chapter shall send the names of the officers elected to the President of the Association, within seven (7) days following their meeting, unless otherwise reported out by the Organization Committee.
- (d) Should a vacancy occur in any office, such vacancy shall be filled following the election procedures in Article V, "Chapters", Section 6 "Election Procedures".

**Section 8. COUNCIL MEMBERSHIP**

- (a) The chapter shall elect from its membership councilors and an appropriate number of alternates, to the Council.
- (b) To determine the number of councilors to which each chapter is entitled, the total number of members of the chapter, as determined by the Association, shall be divided by twenty (20) and any remainder of eleven (11) or more shall entitle the chapter to one (1) additional councilor. Every chapter shall be entitled to at least one (1) councilor.
- (c) Each chapter shall elect its councilors and alternates for a term not to exceed three (3) years and they shall be installed at the annual meeting. Councilors shall be elected in accordance with the provisions of the Labor Management Reporting And Disclosure Act (LMRDA) and this Constitution in Article V "Chapters", Section 6 "Election Procedures".
- (d) It shall be the duty of a councilor to secure and collate the wishes of his/her chapter members relative to the Association's activities, to voice such wishes to the Council, and to report back to his/her chapter's membership the action of the Board of Directors and the Council. There may be such other duties as the Board of Directors, Council or Chapter may direct. In the event that he/she cannot attend a Council meeting, it shall be the responsibility of a councilor to designate a duly elected alternate from that chapter, who shall have voting privileges.
- (e) The Chapter may request from the association the attendance record of their councilors.
- (f) If the Chapter determines the councilor is not meeting the duties of this position it may remove the member from the position of councilor. The Chapter shall inform the member in writing of his/her removal as councilor and advised of his/her right to appeal the decision at the next regular Chapter meeting. It is the responsibility of the Chapter to fill the now open councilor position until another election can be held.
- (g) The secretary of each chapter shall send the names of the councilors and alternates elected to the President of the Association, within seven (7) days following their meeting unless otherwise reported out by the Organization Committee.
- (h) Chapters may reimburse councilors and alternates for expenses incurred in the performance of their duties.
- (i) The chapter president shall be a member of the Council.

**Section 9. POWERS AND DUTIES**

- (a) A chapter may participate in the writing of a Collective Bargaining Contract in a department, division or institution where members under its jurisdiction are employed, as long as it is not in conflict with another chapter affecting the same department, division or institution.

- (b) Chapters shall adopt their own bylaws, including election procedures, subject to approval of the Board of Directors of the Association. A copy of such bylaws shall be filed with the President of the Association.
- (c) Any grievance that cannot be settled by the chapter shall be referred, in writing, to the President of the Association.

**Section 10. CHAPTER DISSOLUTION**

- (a) A chapter shall be considered dissolved when the following conditions have existed and the following procedures have been carried out.
  - (1) If a chapter has not elected a slate of officers and conducted an annual meeting as outlined in Article V “Chapters”, Section 6 “Election Procedures”, the President of the Association shall notify the Organization Committee of the Association within seven (7) days. The Association President shall thereupon give to the Committee the latest slate of officers and the names of all members still on the roster of said chapter. When the Association President sends all pertinent information about said chapter to the Committee, the Committee will have thirty (30) days within which to reactivate said chapter. After the receipt of such information an additional grace period of sixty (60) days shall be allowed for said chapter to elect a slate of officers and hold a meeting for the chapter. If no election takes place within the time specified, the Organization Committee shall report to the Board of Directors and recommend that said chapter be dissolved. The Board, at its next regularly scheduled meeting shall take action on the Committee’s recommendation. The chapter will be deemed to be dissolved.
  - (2) When a chapter is dissolved, the Board shall assign existing members in accordance with Article V, “Chapters”, Section 2 “Jurisdiction”.

**Section 11. DEFINITION**

Annual(ly). For the purpose of this article “annual(ly)” shall be defined as that period beginning on April 1<sup>st</sup> and ending on March 31<sup>st</sup> of the following year.

**ARTICLE VI ---- COUNCIL**

**Section 1. ORGANIZATION**

- (a) The Council shall be formed and shall be composed of the President of this Association, who shall serve as Chairperson; the First Vice President; the Second Vice President; the Treasurer; the Secretary; the Immediate Past President; the Directors; the chapter presidents and councilors authorized in Article V “Chapters”, Section 8 “Council Membership”.
- (b) Officers of the Association shall serve as Officers of the Council.

**Section 2. MEETINGS**

- (a) Council meetings shall be held in December, March, June and September, providing conditions are safe for members to travel.
- (b) Safety conditions shall be determined by the majority decision of the Officers of the Council 6 hours, or earlier, before the scheduled start of the Council meeting.
- (c) If a meeting is unable to be held as scheduled, then the meeting shall be scheduled for the next available date that will allow for sufficient notification, and safe travel. The meeting does not necessarily have to held in the same month as originally scheduled.
- (d) Sufficient notification shall be defined as one calendar week.
- (e) The Council shall also meet at the call of the President of the Association or at such times as seem expedient to a majority of the councilors.

### **Section 3. POWERS AND DUTIES**

- (a) The Council shall be the highest legislative body of this Association except when the Convention is in session. It shall be the duty of the Council to support, interpret and carry out the action of the Convention. The Council shall possess all the legislative authority of the Convention except the power to amend the Constitution and to act as final authority over administrative appeals and the powers and duties of the Board of Directors as authorized by Article VII "Board of Directors", Section 5 "Power and Duties". The Council shall have the authority to make binding interpretations of this Constitution, and the rulings and decisions of the Council shall remain in full force and effect unless revised by the Convention.
- (b) The Council shall have the ability to override decisions of the Board of Directors on matters of policy and objectives, provided a majority of SEA Chapters are represented at the Council Meeting. Such override to be valid shall require two-thirds (2/3) approval of those Council members registered and eligible to vote at the meeting when the question is placed before the body for a vote.

### **Section 4. NOTIFICATION**

- (a) Council members shall be notified by the current communication methods as far in advance as practicable for all regular Board meetings of the date, place, time, and agenda for said meetings.
- (b) Chapter presidents shall receive minutes of meetings of the Board of Directors within fourteen (14) days of approval of the minutes of such meeting.
- (c) Council members shall receive, in writing, not less than ten (10) days prior to Council meetings, an agenda, proposed resolutions, committee reports, financial statements and other information relevant to said meeting.

## **ARTICLE VII ---- BOARD OF DIRECTORS**

### **Section 1. FORMATION**

- (a) The Officers of the Association, plus one political subdivision member in good standing, plus one member of a retired member chapter in good standing, plus one private sector member in good standing, plus ten (10) members in good standing who are not members of a political subdivision, or a member of a retired member chapter, or a private sector employee shall constitute the Board of Directors.
- (b) Chairpersons of Standing Committees will be members, ex-officio, of the Board of Directors without the power of a vote, but will be allowed the privilege of debating issues at the meetings of the Board of Directors.
- (c) The retiring president shall be a member, ex-officio, with all privileges of an elected member, of the Board of Directors provided that he/she remains a member of the Association.

### **Section 2. MEETINGS**

- (a) The Board of Directors shall meet within thirty (30) days following the close of the Annual Convention and monthly thereafter. The monthly meetings shall be scheduled in advance and made readily available to all members by being published in the "SEA News".
- (b) The Board of Directors shall meet also at the call of the President of the Association or at such times as seem expedient to a majority of the Directors.

### **Section 3. QUORUM**

- (a) A quorum of the Board of Directors shall be nine (9) members in good standing.
- (b) Officers of the Association shall be considered in determining the quorum.

**Section 4. ATTENDANCE**

- (a) An absence of a member of the Board of Directors from a regularly scheduled Board of Directors meeting for two (2) consecutive meetings of such Board shall be brought to the attention of the Board of Directors by the President of the Association for whatever action the Board of Directors deems necessary.
- (b) When a vacancy occurs in a Director's position, the Council shall elect, by secret ballot, a new director who shall serve on the Board of Directors for the remainder of the unexpired term.

**Section 5. POWER AND DUTIES**

- (a) The Board of Directors shall be the executive body of the Association when the Convention is not in session.
- (b) All matters affecting the policies, aims and means of accomplishing the purposes of the Association, not specifically provided for in this Constitution or by action of the Convention or Council at a regular or special meeting, shall be decided by the Board of Directors.
- (c) The Board of Directors after having received a recommendation from the Honorary Membership Committee, may grant an honorary membership in the Association. Voting on an honorary membership shall be by secret ballot and an affirmative vote of three-quarters (3/4) of all members present at a meeting of the Board of Directors shall be necessary for election. If at all possible, all honorary memberships shall be presented at the Annual Convention.
- (d) The Board of Directors may invest the surplus funds of the Association.
- (e) The Board of Directors may, at its discretion, issue a certificate of affiliation to a chapter of the Association, which certificate of affiliation becomes effective upon the filing and acceptance by the Board of Directors of a set of bylaws, and upon election of chapter officers. The Board of Directors shall, at the same time, prescribe the jurisdiction of said chapter, said jurisdiction so far as possible and practicable to conform to department, board, commission, institution, and agency organization of the state, or combination thereof, and its accessibility for active participation.
- (f) Where there is an insufficient member of state employees to establish a new chapter, applicants for membership in the Association shall affiliate with an already established chapter, most conveniently located to them, thus being able to participate actively in the activities of the Association.
- (g) The Board of Directors is empowered to authorize the appointment of any special committee it so desires.
- (h) The Board of Directors shall prior to the Annual Convention, approve a budget covering the new fiscal year of the Association. A copy of said approved budget covering the new fiscal year may be submitted to all councilors, chapter presidents, and Convention delegates twenty (20) days prior to the convention. Any changes in the, or additions to, budgeted accounts must be approved by the Board of Directors.
- (i) The Board of Directors shall have other powers and duties as specified in other sections of the Constitution and bylaws.

**ARTICLE VIII ---- CONVENTIONS**

**Section 1. FORMATION**

The Convention of the Association shall be formed by the delegates from the chapters, the Officers of the Association, the Directors of the Association, the immediate past president of the Association and Chairpersons who are required by the Constitution to submit committee reports to the Convention.

## **Section 2. WHEN CONVENED**

- (a) The Annual Convention of the Association shall be scheduled at the discretion of the Board of Directors between October 1 and November 15. At one-day conventions, first day and last day shall be interpreted as the same day.
- (b) Special Convention
  - (1) A special convention may be called by a majority vote of the Board of Directors acting on a motion which shall state the reason(s) for the call and name the date of the proposed convention which shall not be sooner than thirty (30) days following the date of said action.
  - (2) A special convention may be called by petition of one-third (1/3) or more of the total number of chapters. Such petition must be approved by a majority vote of each chapter at a regularly called meeting, and a copy signed by the secretary of each chapter must be filed with the president of the Association. Said petition shall state the reason for the call and name the date of the proposed convention which shall not be sooner than thirty (30) days following the date of the filing.
  - (3) When a special convention is ordered, the President of the Association shall issue to all chapters the call, which shall contain a true copy of the demand.
  - (4) Delegates and alternates to a special convention shall be those legally elected and seated at the last regular convention. Any vacancies in said delegations shall be filled by the chapter in the regular manner.
  - (5) Committees for a special convention shall be the same as those appointed at the last regular Convention. Vacancies shall be filled by the President of the Association.
  - (6) The time element in Section 6 "Resolutions", of this Article, shall be waived for a special convention.
  - (7) The scope of a special convention shall be limited to the purpose(s) stated in the petition or minutes of the Board of Directors.

## **Section 3. DELEGATES**

Delegates and alternates to the Convention shall be members in good standing of the Association and their respective chapters. Delegates shall be duly elected chapter presidents and councilors or a designated duly elected alternate councilor.

## **Section 4. DELEGATE REGISTRATION FEE**

Registered delegates or alternates shall pay a registration fee as provided in Article IV "Revenue and Expenses", Section 2 "Convention Registration Fee".

## **Section 5. ELECTION OF OFFICERS AND DIRECTORS**

- (a) Eligibility. No member shall be eligible to be an Officer or a Director in the Association unless he/she has been a member in good standing of the Association for at least one (1) year immediately preceding his/her election.
- (b) The name of any member seeking election at the Annual Convention, shall not appear on the printed ballot, unless a declaration of candidacy has been filed with the Membership Clerk of the Association no later than thirty (30) days before said Convention is to convene.
- (c) On the first day of the Annual Convention in even-numbered years, nominations shall be made from the floor for a president of the Association to serve for a two (2) year term.
- (d) On the first day of the Annual Convention in even-numbered years, nominations shall be made from the floor for a First Vice President, Second Vice President, Secretary and Treasurer who shall serve two (2) year terms.
- (e) On the first day of the Annual Convention, nominations shall be made for the necessary Directors for a three (3) year term.
- (f) All Officers and Directors may succeed themselves.

- (g) Election.
  - (1) Officers and Directors shall be elected by secret ballot on a majority vote of the delegates present and voting on the last day of the Annual Convention.
  - (2) The presiding officer of the Convention shall name a monitor of the election and shall appoint sufficient tellers for each polling place.
  - (3) The polls shall be open, as determined by the Convention, on the last day of the Convention.
  - (4) Voting delegates shall have their membership confirmed against the lists compiled by the credentials committee of the Convention.
  - (5) When a majority vote is not obtained, the candidate receiving the lowest number of votes shall be dropped until a majority is obtained.
  - (6) Only Officers and Directors elected as a Chapter President, Councilor or Alternate Councilor at a Chapter level may vote for Officers and Directors.
- (h) All Officers and Directors shall be installed by the presiding officer of the Convention at which they are elected.

#### **Section 6. RESOLUTIONS**

- (a) Resolutions to be acted upon by the Convention shall be submitted in writing to the President of the Association at least sixty (60) days in advance of the Annual Convention, and copies of such resolutions submitted to all chapters at least twenty (20) days before the Annual Convention.
- (b) In the case of extreme emergency, additional resolutions may be brought in on the first day of the Convention, provided that they are presented by the delegate sponsoring the resolution and accompanied by a statement of the emergency, and that a copy of the emergency resolution and the cause of the emergency be published by the sponsor so that each delegate at the Convention will have a copy at the time it is presented, and further provided that three-quarters (3/4) of the delegates present vote submission of the proposed resolutions.

#### **Section 7. CONSTITUTION AMENDMENTS**

The Convention shall act upon amendments to the Constitution, according to the procedure provided in Article XI "Amendments to the Constitution".

#### **Section 8. OTHER POWERS AND DUTIES**

- (a) All sovereign powers and authority of the Association shall originate at the Convention.
- (b) The Convention shall determine all matters of policy.
- (c) The Convention shall be the court of last resort for all appeals which may be made by any member in good standing, from any decision of any body or Committee of this Association.

### **ARTICLE IX ---- OFFICERS AND THEIR DUTIES**

#### **Section 1. OFFICERS OF THE ASSOCIATION**

The Officers of this Association shall be a president, a first vice president, a second vice president, a treasurer and a secretary.

#### **Section 2. PRESIDENT**

- (a) The President shall be the administrative authority of the Association with his/her actions subject to the approval of the Board of Directors and shall perform such duties as are assigned to him/her by the Board of Directors.

- (b) Said President shall preside at all conventions, at all meetings of the Board of Director and the Council.
- (c) Said President shall appoint such committees as are provided for in the Article X “Duties of Committees”, Sections 1 “Grievance Committee”, 2 “Standing Committees”, and 3 “Special Committees”.
- (d) Said President shall be a member ex-officio of all committees, but when acting as such, shall not be counted as a member in counting a quorum.
- (e) The President shall submit an annual report to the Association at the Annual Convention regarding the progress and standing of the Association and regarding his/her official acts during his/her term in office.
- (f) Said President shall appoint such committees as are required for the Convention, which committees shall be submitted for approval by the Convention on the first day of the Convention.
- (g) The President may call a special meeting of the contributing employees and members in a “unit” for which the Association has been certified as exclusive representative for the purpose of ratifying a negotiated contract or supplements to the basic contracts.
- (h) The President shall be a full time employee of the Association.
- (i) Upon application of any member in good standing who has been dismissed from state service, the President shall investigate the facts in such cases and take such action on behalf of the Association as he/she deems advisable, reporting same to the Board of Directors.
- (j) Within fourteen (14) days of receipt of the results of chapter elections, the President shall forward to each chapter president, councilor and alternate the Association Constitution, policies, handbooks and manuals adopted by the Board of Directors. Amendments to these documents shall be forwarded to the above-mentioned persons within fourteen (14) days.

**Section 3. FIRST VICE PRESIDENT**

- (a) In the absence of the President or his/her inability to serve, the First Vice President shall perform all duties otherwise performed by the President.
- (b) The First Vice President shall be Chairperson of the Convention Arrangements Committee.
- (c) The First Vice President shall be the Chairperson of the Grievance Committee

**Section 4. SECOND VICE PRESIDENT**

- (a) The Second Vice President shall be the Chairperson of the Organization Committee.
- (b) The Second Vice President shall assist the President and First Vice President in all matters effecting the operation of the Association.

**Section 5. TREASURER**

- (a) The Treasurer shall receive and take charge of all money, property and securities of the Association delivered to him/her by the Officers of the Association, by the treasurers of the chapters or from any other source.
- (b) Said Treasurer shall deposit all money so received to the credit of the Association in a bank or banks selected or approved by the Board of Directors.
- (c) Said Treasurer shall invest the surplus funds of the Association as directed by the Board of Directors.

- (d) Said Treasurer shall make all disbursements by check when such disbursement can be legitimately charged against a budgeted account of the Association in which there is a balance on hand.
- (e) Said Treasurer shall keep an accurate record of receipts and disbursements and shall render a monthly report thereon to the Association.
- (f) Said Treasurer shall submit his/her books and records for audit annually or when required by the Board of Directors.
- (g) Said Treasurer shall be the Chairperson of the Financial Advisory Committee.
- (h) A bond shall be furnished by the Treasurer in the amount established by the Board of Directors and the cost shall be paid by the Association.
- (i) With the approval of the Board of Directors, the methods by which the records of his/her office shall be prepared and maintained, shall be prescribed by the Treasurer
- (j) A quarterly report to the Board of Directors on the financial condition of the Association shall be submitted by the Treasurer and he/she shall recommend changes that appear desirable to be made in budgeted accounts.
- (k) Said Treasurer shall submit an annual report to the Association at the Annual Convention regarding the financial condition of the Association.
- (l) Said Treasurer shall be obligated to comply with all State and Federal fiscal regulations.

**Section 6. SECRETARY**

- (a) The Secretary shall keep a record of the proceedings of the Convention, of the Board of Directors and of the Council meetings.
- (b) Said Secretary shall perform such other duties as may be required by this Constitution, the Board of Directors or the Council.
- (c) Said Secretary shall submit an annual report to the Association at the Annual Convention regarding the stature of the membership of the Association.

**Section 7. ABSENCE**

- (a) Unexcused absence of an Officer or Director from three (3) consecutive meetings of the Board of Directors shall automatically vacate the his/her office.
- (b) Unexcused absence of an Officer or Director from two (2) consecutive meetings of the Council shall automatically vacate the office.

**Section 8. VACANCIES**

- (a) In the case of a vacancy in the office of President, the First Vice President shall fill the position for the remainder of the term.
- (b) In the case of a vacancy in the office of the First Vice President, Second Vice President, Treasurer or Secretary, the vacancy shall be filled for the remainder of the unexpired term by a majority vote of the Council.
- (c) Vacancies of Directors shall be filled in accordance to the provisions of Article VII “Board of Directors”, Section 4(b) “Attendance”.

## ARTICLE X ---- DUTIES OF COMMITTEES

### Section 1. STANDING COMMITTEES

The president of the Association shall, with the advice and consent of the Board of Directors, appoint the following standing committees: Grievance, Organization, Resolutions, Retirement, Social Activities, Financial Advisory, Constitution and By-Laws, Honorary Membership, Member Benefits, Collective Bargaining Advisory, Political Education, Operation Santa Claus, Ethics, Steward, Convention Arrangements, Information Technology Advisory Committee, and Lavender Caucus.

(a) Duties of Standing Committees:

(1) Grievance Committee

- a. The Grievance Committee shall consist of five members, one of which shall be the First Vice President who shall serve as Chairperson.
- b. The Grievance Committee, with the approval of the Board of Directors, shall establish a procedure for all grievances.
- c. The Grievance Committee shall investigate the facts in all grievances which may be submitted from the Chapters through the President of the Association. It shall take such action on behalf of the member or members, providing such members are in good standing, as it deems advisable.
- d. Any member in good standing shall have the right to appeal to the Board of Directors.

(2) Organization Committee: It shall be the duty of the Organization Committee to study, prepare and carry out such activities as will build up the membership of this organization. The Organization Committee will be responsible for all aspects of chapter formation, dissolution, chapter elections and the monitoring of chapter compliance with constitutional chapter meeting requirements.

(3) Resolutions Committee: It shall be the duty of the Resolutions Committee to study all resolutions presented to the Convention and submit its recommendations. This Committee may hold meetings prior to the Convention to obtain information on the resolutions to be presented. It shall submit resolutions to the Convention, in the prescribed manner on the first day of the Convention, that may be necessary for the good and welfare of the Association.

(4) Retirement Committee: The Retirement Committee shall make a study of the retirement laws of this state and such other matters affecting these laws as it deems expedient. All resolutions passed by the Convention affecting the State Employees Retirement System shall be referred to this Committee which shall make a study thereof and report its findings to the Board of Directors. This Committee shall also be an advisory committee to the legislative committee on all matters affecting the retirement system of other employees.

(5) Social Activities Committee: The duties of the Social Activities Committee shall be to develop the social activities of the Association and its Council and its Annual Convention.

(6) Financial Advisory Committee: The Financial Advisory Committee shall prepare the annual budget for the Association and shall submit it to the Board of Directors for approval at its regularly scheduled August meeting, unless otherwise directed by the Board of Directors. This committee shall consider all requests for expenditures not included in the budget that are referred to it by the Board of Directors, and shall submit its recommendations to said Board of Directors at the next regularly scheduled meeting of the Board of Directors or sooner if so instructed.

(7) Constitution and Bylaws Committee: It shall be the duty of the Constitution and Bylaws Committee to assist the Board of Directors in approving chapter bylaws by making a study of them and reporting its findings to the Board of Directors. It shall study the Constitution of the Association and present such amendments to the Convention as it deems expedient. It shall study all other proposed amendments and report its findings thereon to the Convention. It shall prepare the "Rules of Order" for the Annual Convention. It shall act as an advisory group when called upon by the Council and chapters working to aid in preparing bylaws and rules of order. It shall be the duty of this Committee to insure the Constitution is updated if it has been amended by the Convention.

(8) Honorary Membership Committee: The Honorary Membership Committee shall investigate all persons recommended for honorary membership in the Association, and shall report its recommendations to the Board of Directors at the regular September meeting, or sooner, if requested to by the Board of Directors.

- (9) Member Benefits Committee: The Member Benefits Committee shall study all benefit programs, including insurance, referred to this Committee by the Board of Directors of the Association and shall recommend to the Board of Directors its findings, policies and procedures to improve the benefits accrued by the membership.
- (10) Collective Bargaining Advisory Committee: It shall be the duty of the Collective Bargaining Advisory Committee to meet and study, prepare and initiate all Association policies and programs relative to collective bargaining. The Committee shall from time to time, submit reports to the Board of Directors. The Committee shall recommend proposed revisions to statutes relative to collective bargaining to the Convention through the Resolutions Committee. This Committee shall carry out all other additional duties and responsibilities as are delegated to it by the Board of Directors.
- (11) Political Education Committee: It shall be the duty of the Political Education Committee to meet and study, prepare and initiate the political education and political action programs of the Association. The Committee shall develop programs to make members and the public aware of the records and platforms of candidates for public office. It shall encourage and assist in voter registration and inform and encourage member participation in the political process. The Committee shall advise the Board on political issues and make recommendations on the endorsement of candidates for local, state and national office. In its efforts to encourage political education and awareness, the Committee may, with Board approval, sponsor forums, informational pamphlets and develop other appropriate information resources. The Committee shall carry out other duties and responsibilities as are delegated to it by the Board of Directors.
- (12) It shall be the duty of the Operation Santa Claus Committee to prepare and coordinate the Association's fund raising efforts at Christmas time for needy children throughout the State.
- (13) Ethics Committee: The Committee shall accept proposals for changes to the Code of Ethics from any member. The Committee shall review the Code and make proposals for amendments to the Board of Directors as necessary. The Committee shall enter advisory opinions on questions of ethics and will provide guidance to members of the Association. The Committee shall propose policies for use by the Board of Directors which will further define the scope of the Code of Ethics. No opinion concerning a violation of the Code of Ethics shall be rendered until all administrative and civil remedies in any applicable personnel action have been exhausted.
- (14) Convention Arrangements Committee: It shall be the duty of the Convention Arrangements Committee to recommend a Convention site to the Board of Directors. In addition to the site selection, the Committee insures that accommodations and program arrangements meet the needs of the delegates.
- (15) Steward Committee: It shall be the duty of the Steward Committee to coordinate, plan, present or approve for presentation, steward training as required. The Committee shall establish and maintain a means by which stewards may receive assistance with any aspect of the duties of a steward. The Committee shall recommend to the Board of Directors any changes in these duties as is deemed appropriate.
- (16) Information Technology Advisory Committee: Shall be responsible for reviewing the technology needs and assessments, including the collection and use of data, and making the necessary recommendations to the Association Board of Directors to maintain the efficiency of the State Employees' Association of New Hampshire.
- (17) Lavender Caucus: It should be the duty of the Lavender Caucus to encourage participation of gay, lesbian, bisexual and transgender employees in union activities; to study benefit policies; policies of the organization and state policy and make recommendation and to otherwise promote equal and fair treatment of all members.
- (18) Strategy and Outcomes Committee: Shall be responsible for overseeing the development and maintenance of the SEA "Strategic Framework" document that is adopted and periodically updated by the Board. Such maintenance shall include receipt and consideration of proposed changes to the SEA "Strategic Framework" from any Member, Officer, Committee Chair, and staff person of SEA. Proposed changes that are approved by the Committee for Board consideration shall be worded to ensure compatibility and consistency with the structure and style of the SEA "Strategic Framework" document. The Committee is responsible for monitoring the implementation of the SEA "Strategic Framework" framework to include reporting back findings and determinations regarding such factors as scope, depth, consistency, to the Board. The Committee is responsible

for participating in activities to promote the purpose, content, and meaning of the SEA “Strategic Framework” to SEA Membership, Committees, staff, the Chapters, and as requested by the President and/or the Board.

(b) Standing Committee members shall serve until successors are appointed.

(c) With the exception of the Resolutions and Constitution and Bylaws Committees, which report also to the Convention, no Standing Committee shall undertake any project until approved by the Board of Directors. All expenses incurred by the Chairperson of these Committees in reporting to the Convention, unless sent by their chapters as delegates, shall be born by the Association.

### **Section 2. SPECIAL COMMITTEES**

(a) The President of the Association shall appoint such special committees as may be authorized by the Board of Directors.

(b) These special committees shall perform such duties as are assigned to them.

### **Section 3. EXPENSES OF COMMITTEES**

No Committee shall incur an expense against the Association over and above their budgeted allotment except with the approval of the Board of Directors.

## **ARTICLE XI ---- AMENDMENTS TO THE CONSTITUTION**

### **Section 1. REGULAR PROCEDURE**

(a) Amendments to the Constitution shall be submitted in writing to the President of the Association at least sixty (60) days in advance of the Annual Convention, and copies of such proposed amendments shall be submitted to all chapters at least twenty (20) days before the Annual Convention.

(b) These proposed amendments shall be voted upon at the Convention.

(c) A two-thirds (2/3) vote of the delegates present on the Convention floor, providing a quorum is present, shall be necessary for adoption.

### **Section 2. EMERGENCY AMENDMENTS**

(a) In the case of extreme emergency, additional amendments may be brought in on the first day of the Annual Convention, provided that three-quarters (3/4) of the delegates present vote submission of the proposed amendments.

(b) Copies of the amendments thus presented to the Convention, if favorably acted upon by the Convention, a two-thirds (2/3) vote shall be necessary for favorable action, shall be made and sent to each chapter.

(c) Each chapter shall, within sixty (60) days following the Convention, discuss and vote on these proposed changes.

(d) The results of the votes shall then be recorded with the Secretary of the Association.

(e) A two-thirds (2/3) favorable vote of the membership voting shall be necessary for adoption.

(f) Any chapter failing to record its vote within sixty (60) days shall lose its franchise right on that particular amendment.

## **ARTICLE XII ---- ASSOCIATION EMPLOYEES**

### **PRESIDENT**

The employment of any person by the Association shall be made only with the approval of the Board of Directors and such person must be employed only in the service of the Association as a whole. All persons employed, other than the President shall be under the supervision and direction of the President.

## **ARTICLE XIII ---- PARLIAMENTARY AUTHORITY**

### **PARLIAMENTARY PROCEDURE**

The rules contained in "Robert's Rules of Order Newly Revised" shall be the governing rules of the Association on any matter not provided for in this Constitution in all cases to which they are applicable, and in which they are not inconsistent with the Constitution of the Association.

## **ARTICLE XIV---- INDEMNIFICATION**

### **Section 1.**

For the purposes of this Article the term "person" shall mean and include:

- (a) Each member of the Board of Directors and the Board of Directors as an entity,
- (b) Each Officer of the Association, and
- (c) Each employee of the Association employed in accordance with Article XII "Association Employees".

### **Section 2.**

With respect to all matters arising out of or resulting from a person's status or activities on behalf of the Association, the Association shall indemnify and hold harmless such person from any and all expenses, judgments, fines, penalties, damages and other liabilities which may be incurred and the Association shall defend any claim, action, law suit or similar proceeding brought against any such person.

### **Section 3.**

This Article shall be inapplicable with respect to any such person in any particular instance wherein the independent non-Association tribunal having jurisdiction over the basic claims against such person shall finally determine that such person did not act in good faith in the reasonable belief that his/her action or inaction was in the best interest of the Association.

### **Section 4.**

The Board of Directors is hereby authorized, empowered and directed:

- (a) to establish reasonable, non-discriminatory procedures whereby a person may claim the protection afforded by this Article "Indemnification";
- (b) to provide in such manner as it may deem advisable, including the acquisition of one or more policies of insurance, for the Association's potential obligations under this Article "Indemnification".