



# News

from the State Employees' Association of New Hampshire SEIU Local 1984

September-October 2009

## State retirees: Don't sign away your rights

In September State Department of Personnel began mailing under-65 State retirees State Retirement Annuity Deduction Authorization forms as the SEA pursued a lawsuit against the state that claims the Legislature's decision earlier this year harms some retirees.

These forms look like they would authorize the State to deduct an unspecified monthly amount from the retirees' pension benefit, and states that the signer understands "that the amount of the deduction hereby authorized to be made... may increase or decrease without further notice to me... and I hereby authorize said additional amounts to be deducted."

The SEA immediately filed an objection with the Attorney General's Office, which agreed that the Department of Personnel will remove the orange text from the form, and change the way they have been describing the form to retirees.

The SEA filed suit over the issue of whether under-65 State retirees can be forced to pay for medical benefits in Merrimack Superior Court in early September. This form asks individual retirees to authorize payment for the benefits that SEA is suing over.



### Glenclyff celebrates 100 years of service

Executive Councilor Ray Burton and SEA President Gary Smith display the Quality of Life Award presented to the Glenclyff Home during its centennial celebration in September. The award is presented by the State of New Hampshire Department of Health and Human Services to four long-term care facilities within the state. Joining Burton and Smith are, from left: Rep. Debra Wheeler (Merrimack District 6, Marlene XXXX, and SEA Second Vice President Ken Roos from HHS. The Glenclyff Home provides services to developmentally disabled and/or mentally ill population.

The SEA urged State retirees who received this form to "not sign your rights away." Anyone who received the form is urged to contact the SEA at 271-3411 or [sea@seiu1984.org](mailto:sea@seiu1984.org) to report receiving the form.

SEA's Outside Counsel Glenn Milner has a commitment from the Attorney General's Office that anyone who has signed the form will still be covered by the Court decision, when it is issued.

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of New Hampshire, Inc.  
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207 North Main Street  
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## Benevolence Committee seeks donations, volunteers

Last fall the SEA Board of Directors last fall established the SEA Benevolence Fund to help members facing financial hardship with limited, one-time emergency aid.

The Benevolence Fund has distributed about \$4,000 in emergency grants to individuals and families referred to SEA offices.

The Benevolence Committee will begin several fund-raising initiatives this fall to replenish the fund. We'll roll out the plan at Convention.

The first fundraiser will be "Friday Coffee". Every Friday, beginning October 30, members will be asked to contribute what they would normally spend on a coffee and donut, an average of \$3. If all of 6,780 members did that, we could raise \$20,340 in a single day or \$1,057,680 if we did that every week for a year! The second fundraiser will be called "Time for Change". When Daylight Savings Time starts and

ends in the spring and fall – this year on Sunday, November 1 and Sunday, March 14, 2010 – we'll ask members in every office to contribute the change they have in their pockets as they arrive

on Monday morning. We could collect over \$70,000 in spare change to benefit our co-workers.

Collecting relatively small amounts from a large, widespread audience is a lot of work. We'll need volunteers from every Chapter in every worksite to help make this work. We also need Benevolence Committee members who are

willing to help organize these efforts, help review applications for assistance, and make decisions about how we grow this fund for our members. Please contact Jessica Paul, Benevolence Committee Chair at 603-724-8030 or Mike Barwell, SEA Communications Administrator at 271-3411 x 105 for more information or to offer assistance.





**President's Column by Gary Smith**

# Rising to the challenges

The Theme of this year's annual convention is "Rising to the Challenges." Given the past few months, it's apparent we've faced, and will continue to face, many challenges in the

coming year.

The battles we fought in the Legislature over the budget – and in the protracted contract negotiations we endured – have made it very clear that "We have no permanent friends; only permanent issues," as SEIU President Andy Stern has said.

As we move toward a new legislative session and begin working through the implications of the contract decision, we need to keep a focus on our permanent issues: achieving health care for all, supporting quality public services, and sustaining secure retirement benefits.

These key issues have been articulated and reaffirmed by most of our convention decisions in recent years. They remain our top priorities, even when we're being challenged by politicians and the public in a changing economy.

It's fine to declare our positions, but what are we actually doing?

One of our top priorities this year must be to grow our membership. That's the most important resolution we passed last year as part of our Ten-Year Vision. When we grow in numbers we become stronger advocates for ourselves and for all workers

across our state. It's only through strength in numbers that we can hope to achieve and maintain decent wages and benefits in a changing economy.

To achieve that goal, the Board of Directors has approved hiring a new Organizing director on the SEA staff. We'll continue organizing state workers who are not yet SEA members, but we'll also begin organizing the private contract workers who in some cases are taking public employee jobs and represent a hidden branch of government. And we'll continue to support the Employee Free Choice Act, national legislation that will allow for a fairer and easier process for workers to form a union.

We're also starting a new legislative initiative that we're calling the Good Government Campaign to ensure transparency and accountability in the contracting of government services. We're working with legislators to help create a transparency website that shows where the dollars are coming and going in contracted public services. We'll also need responsible contracting standards for all public contracts. Privatization of public services is out of control in New Hampshire.

We're seeking stronger whistleblower protections for public employees who can identify and stop waste, fraud and abuse in government, and we want an independent inspector general or auditor who can help investigate and prosecute bad practices.

But we can't do this on our own. We need to be well connected, working together with other unions and coalitions. That's why we've been active

with three groups this past year to help achieve our common goals.

For several years we've been part of the New Hampshire Retirement Security Coalition along with other public employees, teachers, police and firefighters to protect and preserve our retirement benefits. The Legislature and the public would like to break their past promises and see us lose many of the benefits we worked for over many years.

This year we joined the Granite State Fair Tax Coalition, a group dedicated to addressing the unfair and unjust tax system in New Hampshire – a system that is broken and unsustainable. In June, we encouraged the National Education Association to join us on the Fair Tax Coalition. Together, our current memberships added nearly 26,000 voices to the debate about supporting quality public services.

We've been members of the Change That Works health care campaign that is working on a national public health plan that will provide quality, affordable health care for all Americans.

Finally, we need to make certain that we hold our political leaders accountable for their actions – and inactions. We've known our opponents for many years. This year we discovered that our friends weren't friends after all. We must hold these leaders accountable and make better choices in the future. The challenges are great, the solutions aren't easy. The road will be long and hard but we can face our challenges – and succeed – by sticking together. It's the only way.

2  
Cyan  
Magenta  
Yellow  
Black

## **State Employees' Association of New Hampshire, Inc., SEIU Local 1984** **207 North Main Street, Concord, NH 03301    www.seiu1984.org**

**OFFICERS**

- Gary Smith, President
- Diana Lacey, First Vice President
- Ken Roos, Second Vice President
- Ralph Tilton, Treasurer

**BOARD OF DIRECTORS**

- Marc Bergeron, Director
- Bill Fillion, Director (Retiree)
- Tom Hardiman, Director
- Sheila Heath, Director
- Chuck Koontz, Director
- Jim Nall, Director
- Jessica Paul, Director
- Brian Pike, Director
- Diana Richard, Director
- Paul Stokes, Past President
- Betty Thomas, Director
- Bruce Vanlandingham, Director
- Rodney Woodill, Director (County & Municipal)



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# Operation Santa Claus celebrating 49 years of giving

Operation Santa Claus is celebrating 49 years of providing NH youth with gifts during the holidays.

This is our "Year of Recognition!" As we approach our Golden Anniversary, we want to spread the news that our Volunteers, Sponsors, Donors, Shoppers and Fundraising Organizers are the true heroes in our organization.

This not-for-profit organization began in 1960 when Councilors from the State Employees' Association voted to help children during the holidays. In December of that year, fourteen (14) children received gifts delivered by State Troopers. Over the years, we have grown exponentially and now provide gifts for more than 3,000 children in NH.

In the past we have recognized the DHHS workers who voluntarily fill out the forms for children identified through the State of N.H., as qualifying for services. We also want to recognize all of the Fundraising Organizers who develop ideas – turn those ideas into opportunities for others and for OSC. I would like to recognize a few of these special people.

Our High School Organizer is Sammy Gallerani. Sammy is a senior

in high school and has chosen Operation Santa Claus for her "Senior Project." Not only has she chosen to help our program as a website administrator, she has also raised \$595 toward sponsoring 10 children. We welcome Sammy to our program and thank her for her dedication toward helping others.

Marie Morgan with the Department of Education has gathered recipes for an Operation Santa Claus cookbook. The funds from this cookbook will all go toward sponsoring children. This department has been involved with OSC for many years and always does a fantastic

job shopping for the children they take. Thank you to all at the Dept. of Education for your continued support. Once they have enough funds to publish the book, we will let you know and you can purchase them right through the SEA office. GOOD LUCK!

Another department that always manages to sponsor many children through fundraising is the Dept. of Transportation. Pollyann Printy has been holding fundraisers that support OSC for a few years. She and many others at DOT perform fundraising year round. Recently, they held a "Media Sale" earning more than \$400



**Samantha Gallerani, a senior at Bow High School, is volunteering to help OSC as her Senior Project. She will graduate in June 2010.**

toward sponsoring children.

Unfortunately, there is not enough space to recognize all of our many Fundraising Organizers. If you know an Organizer not mentioned and would like to recognize their contribution, please contact Terri

Wright at [twright@seiu1984.org](mailto:twright@seiu1984.org). If you are interested in sponsoring a child, making a donation, or learning more about our program, please contact Terri Wright at [twright@seiu1984.org](mailto:twright@seiu1984.org)

## Six things you should know about the budget

### Fiscal Factoid #1:

The state's September 26, 2009 Vacant Positions report showed 1,359 open positions, worth a total of more than \$50 million in annual salaries. Since that total is figured from the minimum salary increments, and employees are often hired at higher steps, the List represents far more than \$100 million over the biennium. Couldn't Governor Lynch find his \$25 million in "General Fund personnel costs" savings by keeping some of those funded-but-vacant positions unfilled? (You can read the vacant positions report at [www.seiu1984.org](http://www.seiu1984.org).)

### Fiscal Factoid #2:

Buried in the footnotes to House Bill 662 were some enlightening numbers about the State's part-time workforce: There are 1,473 non-classified part-time employees, with an average hourly wage of \$74.11. There are 3,628 classified part-time employees, with an average hourly wage of \$13.42.

### Fiscal Factoid #3:

The State ended FY2009 with an unexpectedly healthy cash reserve, according to the Union Leader. The Rainy Day Fund had \$76.1 million as of June 30th, which was \$56 million more than expected. The Union Leader reported that the money came from a variety of sources: \$18 million of federal stimulus money that was shifted from the FY2010 budget; \$15 million from revenues that came in higher than expected; savings from the freezes on equipment purchases, out-of-state travel and hiring. Commissioner Linda Hodgdon said the state had no benchmark for how much it would save by tightening equipment purchases, so numbers were surprisingly high."

### Fiscal Factoid #4:

The FY10-11 State Budget increases spending on contracted-out services: spending on consultants will increase by 40% over last biennium – to \$99.6 million contracted-out program spending will increase by 28% over last biennium – to \$389.8 million contracts for operations services will increase by

30% over last biennium – to \$23.5 million

### Fiscal Factoid #5:

The FY10-11 State Budget includes a provision that extends the Governor's spending freezes on out-of-state travel, equipment purchases, books and periodical purchases, consultants, and other items. But the Budget also funds spending for these same items: more than \$7 million for out-of-state travel more than \$1.5 million for books, periodicals and subscriptions almost \$43.8 million for equipment purchases more than \$99.6 million on consultants

### Fiscal Factoid #6:

The FY10-11 State Budget includes \$177.2 million in line-item appropriations for "current expenses". (That's a lot of money for... what, exactly?)

# 69th Annual SEA Convention

October 24, 2009

Crowne Plaza, Nashua

## Elections

### Candidates for President



**Edward M Hager III**  
President, Chapter 24

Fellow members: If elected SEA President, I will work to bring teamwork and communication back to our Members. Recent events have me concerned that our credibility as a union has been undermined. I am confident that I can lead us to a united voice and bring solidarity to a union that will work for the betterment of all Members. Help me make the SEA a union that works for you.



**Gary Smith**  
Chapter 255

I've had the honor and privilege to be SEA's president for 5 years and during that time we've faced many challenges and won notable victories. I ask for your continued support as we look forward to what's ahead. Things haven't been easy and we've been under constant, unrelenting attack but we need to look for opportunities to build our union. I'm proud to be part of our members' ability to prevail in struggles by uniting and taking action.



**Bruce Vanlandingham**  
Chapter 22

I currently serve as President of Chapter 22 of DOT and as a director on the SEA BOD. I also serve in the Navy Reserve as a Construction Mechanic 1<sup>st</sup> class. I have attended Leadership classes thru the SEA and US Navy and have the privilege of being an OIF War veteran and look forward to the opportunity of proudly and honorably serving as President of our Union.

### Candidates for Second Vice President



**Marc Bergeron**  
Chapter 17

I've been involved in this union for 26 years on many levels and committees, and on the board for 13 years. I've been 2nd Vice President before, and did the job well. I understand the history of the union, know where we've come from and where we need to be. I'm the best person to devote the necessary time and energy into this position, as outlined in the constitution. Let's make our union work for us again, and remember to MARC your ballot.



**Ken Roos**  
Chapter 16

Paraphrasing Barack Obama, Primary night at Nashua High, not far from our Convention:  
We can end the outrage of unaffordable unavailable health care.  
We can end contracting-out Union jobs & the absence of decent benefits among private employers.  
We can pass Employee Free Choice & allow any American who wants, the opportunity to unionize.  
We can hold those WE elected accountable for their votes.  
Yes We Can re-elect Ken Roos Vice President!  
Yes We Ken.

### Candidate for Secretary



**Jessica Paul**  
Chapter 20

It has been a pleasure to serve on the Board of Directors for the past 2 years, and I would be honored to serve as your Secretary for the remainder of the term.

## Candidates for Director



**Laurie Aucoin**  
Chapter 4

I am an active Chapter President, Steward and delegate of the Union who believes in listening to members, bringing their opinions forward, and working on finding ways to resolve issues. I work hard to ensure that what is in the best interest of the members is clearly stated and heard. In the face of diversity, I stand in Unity with the members. I feel that I can be an asset to the B.O.D. and would appreciate the chance to make a difference.



**Peter R. Brunette**  
Chapter 41

In hard times like these, a period of economic recession and high unemployment, strong unions are absolutely vital to the preservation of workers' rights. Given the current administration's bad faith during the ongoing negotiations and its blatant attempt to turn public opinion against us to force unwarranted concessions, we must stand strong together. Union leadership must be a source of strength, information, and inspiration in such times.



**Diane Fontneau**  
Chapter 4

I'm an active member of the SEA and will bring the members' voice into the SEA decision-making process. I've worked with the Rochester Coalition on Substance Abuse; I'm a member of ONE, the international organization to end world poverty, world hunger and AIDS. While I have resided in NH most of my life, I have also lived in other regions of the US and bring a diverse perspective to the table as a result.



**Sheila Heath**  
Chapter 50

I am currently on the Board of Directors and would like to be considered for another term. I believe in transparency, accountability, and the power of the union to improve members' lives.



**Randy Hunneyman**  
Chapter 24

I have been a member of the SEA for 18 years. During that time I have served in many union roles and have worked closely with our members. Recently I have grown increasingly concerned with our situation as a union. The SEA is a very worthwhile organization and can do a great deal of good for public sector workers. I believe with planning we can overcome our current political and economic problems and regain our relevance with the people of NH.



**Chuck Koontz**  
Chapter 45

Fighting for members of SEA/SEIU for 35 years. Currently a member of the BOD, Chair of the Constitution and Bylaws Committee and Treasurer of Chapter 45. Previously served as Union Treasurer for 5 terms, Union 2nd Vice President for two terms, and President of Chapter 45 for 3 terms.

Served as member of Collective Bargaining Team two times and chaired the Bargaining team in 1997. Experienced and committed.



**Wendy Parent**  
Chapter 28

Served as steward LRCC for many years. Served on the subunit negotiations several years. Long-time union member and Chapter Officer. Leadership: President Lakes Region Women's Softball League 15 years, President of PTA 2 years, Trustee of Garden Cove Association 2 yrs.



**Brenda Thomas**  
Chapter 20

I want to be on the Board of Directors because as we go forward after an extremely difficult contract fight, I feel we need to work proactively to become a stronger and much more cohesive Union to assist all of our members to the very best of our ability. The Board of Directors has to even more strongly deliver the message: Quality Services, Quality Workers.

## Candidates for County/Municipal



**Rodney Woodill**  
Chapter 65

Six years on the SEA Board of Directors. Activities: Chapter President, Chapter Vice President, chief steward, N.H. House of Representatives.

# 69th Annual SEA Convention

October 24, 2009

Crowne Plaza, Nashua

## Resolutions

### R#-1

Submitted by: **Ann Flanagan, Chapter 20**

Category: **Collective Bargaining**

#### Whereas

1. State agencies continue to experience reductions in overtime funding.
2. State agencies continue to experience reductions in staffing.

**Be it Resolved that** Amending 7.1.4, a & b, Overtime Funding

- a) Employees should not be required to accrue more than 3 weeks of compensatory time.
- b) Accrued compensatory time may be taken within 3 years from the date the compensatory time is earned, or at a time mutually agreeable with the Employer.

**Recommendation:** Refer to Collective Bargaining Advisory Committee

### R#-3

Submitted by: **Infrastructure Committee**

Category: **Member Services**

**Whereas** the ten-year vision adopted at the 2008 Annual Convention includes creating an Infrastructure Ad-hoc Study Committee to assess the Association's staffing, leadership, and member structure to determine its ability to achieve the ten-year vision and make any recommended changes at the 2009 Annual Convention, but the Committee has not been able to complete its work.

**Be it Resolved that** the Association continue the Infrastructure Ad-hoc Study Committee for one additional year and that the Committee provide an interim report at the June 2010 Council Meeting and a final report to the 2009 Annual Convention.

**Additional comments:** The Infrastructure Ad-hoc Study Committee would like to complete its work and respectfully asks the Convention to authorize this continuing resolution.

**Recommendation:** Ought To Pass

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**Additional comments:** The Infrastructure Ad-hoc Study Committee would like to complete its work and respectfully asks the Convention to authorize this continuing resolution.

**Recommendation:** Ought To Pass

### R#-4

Submitted by: **Infrastructure Committee**

Category: **Member Services**

**Whereas** the ten-year vision adopted at the 2008 Annual Convention includes a commitment to work with our allies to fix what's broken in our health care system by achieving access to quality, affordable healthcare for all. Yet even with negotiated health benefits, our members struggle with insurance companies and plan administrators to gain the health care they are rightfully owed.

**Be it Resolved that** the Association create one full-time Health Benefit Member Advo-

cate position that will be dedicated to assisting members with the difficulties they experience with health care insurance companies, health plan administrators, employer human resource representatives, health care contractors, etc. This position will also assist bargaining units with health care research for contract negotiations, developing Association wide strategies to improve health care bargaining priorities, and advancing the ten-year vision. The position shall be created as a member-only opportunity for one two-year period, and is to be appointed by the President with the approval of the Executive Board.

**Additional comments:** The Infrastructure Ad-hoc Study Committee was not able to fully complete its assigned goals. Specifically, an in-depth analysis of the Association's member organizational structure was not completed. However, an analysis of the Association's staffing and top leadership roles was done. Based on the existing workload of the Association's staff and elected leadership roles, it became clear to the Committee that additional supports are needed to ensure the Association is able to successfully move forward in achieving its ten-year vision. Health care related member assistance is an important need for which the Association currently does not have sufficient staff resources. It is also a need that we feel will evolve with the passage of national health care reform. Due to this fact, the Committee recommends establishing the position on a temporary basis, to be filled by a member for the initial two-year period. If positively received by members and determined by the President and Executive Board to represent a beneficial, long term need that should continue past the two-year period, the position shall then be established as a permanent full time staff position subject to open recruitment consistent with the CUE contract.

**Recommendation:** Ought To Pass

### C#-1

Subject: **Duties of First Vice President**

Submitted by: **Infrastructure Committee**

Category: **Constitutional Amendment**

**Whereas** The 2008 Annual Convention adopted a ten-year vision that authorized the development of several new initiatives geared towards improving member satisfaction with the Association, and that those initiatives are in addition to the Association's regular workload and therefore do not effectively translate into goals that the existing leadership or staff roles can accomplish,

**Be it Resolved that** Article IX, Section 3. First Vice President be Amended as follows:

#### 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
- (d) The First Vice President shall assist the President in the performance of his/her duties and to achieve Association goals .**
- (e) The First Vice President shall be a full time employee of the Association .**

**Additional comments:** The Infrastructure Adhoc Study Committee conducted an analysis of the Association's staffing and top leadership roles. Based on the existing workload of the Association's staff and elected leadership roles, it became clear to the Committee that additional supports are needed to ensure the Association is able to successfully move forward in achieving its goals. The following initiatives are tied to the specific 2008 adopted Vision goals noted in [brackets] afterwards. These initiatives represent work that needs to be done but for which the Committee sees a resource gap. Bringing the Vice President's role on as a full time position beginning in October 2010 is key to continuing forward movement

- Represent the Local in the development and implementation of the Member Resource Center and shall coordinate the resources necessary to ensure successful implementation that meets members' needs. [Improved Member Access to SEA Services]
- Develop a plan to ensure that field representatives have increased capacity to connect

with members in the workplace. [Improved Member Access to SEA Services]

- Create new and improved opportunities for members to build and use their skills, talents and knowledge to improve the SEA member experience. This shall include but not be limited to working with members throughout the state, seeking out the assistance and cooperation of community partners and labor allies, and assessing the necessary resources to secure improved opportunities. [Improving the Member Experience]
- Assist the President with overseeing a Growth Initiative (Organizing Drive) and develop an eight-year plan to achieving a membership 20,000 strong by October 2018. [Improving the Member Experience, EFCA]
- Actively seek and develop partnerships with other labor, community and national allies to educate the public and elected leaders about the importance of implementing legislation that provides for the adequate funding of public services, including legislation that prevents the off shoring of public employee jobs. [Improved Funding for Protection of Quality Public Services, Achieving Influential and Respected Political Strength]
- Assist the Political Education Committee with developing and coordinating annual educational outreach programs to members regarding key labor issues anticipated for upcoming election and legislative cycles. [Achieving Influential and Respected Political Strength]
- Assist the Political Education Committee with developing and implementing a multi-level grassroots rapid response system that uses current and innovative technology as well as traditional methods to hold elected officials accountable. [Achieving Influential and Respected Political Strength]
- Develop a plan and implement a plan to establish community-based offices within which members and staff can periodically meet to conduct the Local's business. This shall include but not be limited to utilizing technology, such as video conferencing and webinars. [Improving the Member Experience, Improve Member Access to SEA services]
- Shall assist the President with researching, and potentially developing, the Local's capacity and resources to implement a health trust or other vehicle to take on the administration of health benefit plans on behalf of members. [Improving the Member Experience, Improve Member Access to SEA services]

**Recommendation: Ought To Pass**

### C#-2

**Subject: Board of Directors Minutes to Chapter Presidents**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** only approved minutes of the Board of Directors should be published  
**Be it Resolved** that ARTICLE VI — COUNCIL be amended to read as follows:

#### 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.

**Recommendation: Ought To Pass**

### C#-3

**Subject: Chapter Secretary reporting councilor election results**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** the responsibility of Councilors is to report back to the Chapter, it should therefore be the responsibility of the Chapter to determine if a Councilor is meeting the duties of the position not the Council and

**Whereas** the ballots that are cast in the Chapter Elections are counted at the SEA Office and the election report is issued by the Organization Committee and the Organization Committee notifies the SEA President, Chapter Presidents and Membership Clerk of the election results it is unnecessary to then have the Chapter notify the President of the Association.

**Be It Resolved** that ARTICLE V be amended to read as follows:

#### Section 8. COUNCIL MEMBERSHIP

- (a) The chapter shall elect from its membership councilors and an appropriate number of alternates, to the Council.
- (a) 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.

- (b) 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".
- (c) ~~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 annual meeting.~~ **(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.**
- (d) ~~Chapters may reimburse councilors and alternates for expenses incurred in the performance of their duties.~~  
**(e) The Chapter may request from the association the attendance record of their councilors.**
- (f) ~~The chapter president shall be a member of the Council.~~ **(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.**

**Recommendation: Ought To Pass**

### C#-4

**Subject: Councilor Attendance**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** Chapters are responsible for electing Councilors and

**Whereas** the responsibility of Councilors is to report back to the chapter, it should therefore be the responsibility of the Chapter to determine if a councilor is meeting the duties of the position not the Council.

**Be it Resolved** that ARTICLE VI—COUNCIL be amended to read as follows:

#### 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) ~~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 or the Council 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. Any councilor who fails to attend two (2) consecutive meetings of the Council and has failed to provide an alternate or request an excused absence, shall be given written notice of his/her removal as councilor and advised of his/her right to appeal the decision at the next regular meeting of the Council.~~
- (a) ~~The Council shall request the chapter members to elect a member to fill the vacancy, provided that this limitation in any case may be suspended by the Board of Directors for good cause shown.~~
- (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.

**Recommendation: Ought To Pass**

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**C#-5**

**Subject: SEA Official Name**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** SEA, SEIU Local 1984 is no longer associated with the AFL-CIO and we are a member of Change To Win

**Be it Resolved** that ARTICLE I — NAME AND HEADQUARTERS be amended to read as follows:

**Section 1. NAME**

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

**Recommendation: Ought To Pass**

**C#-6**

**Subject: Board of Directors Minutes to Chapter Presidents**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** the Association desires and intends to fully implement both the letter and the spirit of its obligations under state and federal law

**Be it Resolved** that ARTICLE VIII — CONVENTION be amended to read as follows:

**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. No member shall be eligible as President of the Association unless the member has previously served as an Officer or a Director of the Association.

**Recommendation: Ought To Pass**

**C#-7**

**Subject: Chapter Secretary reporting results of officer elections**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** the ballots that are cast in Chapter Elections are counted at the SEA Office and

**Whereas** the election report is issued by the Organization Committee and the Organization Committee notifies the SEA President, Chapter Presidents and Membership Clerk of the elections results it is unnecessary to then have the Chapter notify the President of the Association.

**Be it Resolved** that ARTICLE 5 — CHAPTERS be amended to read as follows:

**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.
- (a) Each chapter shall elect officers ~~prior to its annual meeting~~ in accordance with the provisions of the Labor Management Reporting And Disclosure Act (LMRDA), ~~and~~ this Constitution and the chapter bylaws.
- (a) 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 annual meeting unless otherwise reported out by the Organization Committee.
- (a) Should a vacancy occur in any office, such vacancy shall be filled following the election procedures in Article V, "Chapters", Section 6 "Election Procedures".

**Recommendation: Ought To Pass**

**C#-8**

**Subject: Voting eligibility of the Board of Directors**

**Submitted by: Constitution & Bylaws Committee**

**Category: Constitutional Amendment**

**Whereas** the Association desires and intends to fully implement both the letter and the spirit of its obligations under state and federal law

**Be it Resolved** that ARTICLE VIII — CONVENTION be amended to read as follows:

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

- (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 list 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.**

**Recommendation: Ought To Pass**

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