

# CONSTITUTION

FOR

LOCAL 328

## ARTICLE I NAME

The name of this organization shall be Oregon Health and Science University Employees (OHSU) Local Number 328 of the American Federation of State, County and Municipal Employees, AFL-CIO.

## ARTICLE II AFFILIATIONS

This local union shall be affiliated with Oregon AFSCME Council 75 of the American Federation of State, County and Municipal Employees; the organization AFL-CIO; and the Northwest Oregon Labor Council AFL-CIO.

## ARTICLE III OBJECTIVES

Section 1. AFSCME Local 328 shall carry out on a local basis the objectives of AFSCME which are as follows:

- A. To promote the organization of workers in general and public employees in particular.
- B. To promote the welfare of the membership and to provide a voice in the determination of the terms and conditions of employment. We are committed to the process of collective bargaining as the most desirable, democratic and effective method to achieve this. Both as union members and citizens, we shall also employ available legislative and political action.
- C. To promote job security by opposing efforts to outsource the work of our members.
- D. To promote civil service legislation and career service in government.
- E. To provide research and educational services and activities designed to assist members and affiliates.
- F. To foster cooperation among affiliates.
- G. To cooperate with other labor organizations in particular and other segments of our society in general towards the end that the material riches of American society be more justly distributed and the moral promise of American life be realized.
- H. To work with our brothers and sisters in other lands towards the improvement of the condition of life and work in all countries, towards the diminution of international tensions and reduction in the use of armed force to resolve disputes, and towards genuine solidarity of all workers.

Section 2. Additionally, the AFSCME Local 328 affirms the following objectives:

- A. To work towards the day when all members of the university community can realize their fullest potential regardless of race, sex, religious or political belief, educational level, national origin, sexual orientation, age or disability.
- B. To ensure that the Oregon Health Sciences University (OHSU) meets its obligations to its employee community regardless of race, sex, religious or political belief, educational level, national origin, sexual orientation, age or disability.
- C. To do our part to ensure that the OHSU meets its obligations to the larger community by promoting the highest standards of humanity and excellence in patient care, teaching and research.

#### ARTICLE IV MEMBERSHIP AND DUES

Section 1. All classified employees of the Oregon Health and Science University, excluding employees within the jurisdiction of locals 402 and 4820, are eligible for membership in this local union, subject to the requirements of the constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form which authorizes the deduction of union dues.

Section 3. The monthly membership dues of the local shall be 1.27% of base wages as defined in the Council 75 Constitution, subject to the minimum and maximum amounts as provided in the Council 75 Constitution and an additional amount of \$3.48 per member per month to be rebated to the local. The monthly membership dues shall include \$2.00 per member to be placed in a defense fund. The defense fund accrual shall be capped at \$750,000 unless increased by amendment to the local constitution. When the cap is reached, the \$2.00 per member shall revert to the local's general fund. Dues shall not be changed except by amendment to the local constitution.

Section 4. Members employed part-time shall pay a reduced amount of dues as allowed by AFSCME Council 75 and the AFSCME International Constitution.

Section 5. Any person paying dues through a system of regular payroll deduction shall be considered in good standing. Any person on an unpaid leave status must pay monthly dues to the local secretary-treasurer by the 15<sup>th</sup> day of the month in which they become due in order to maintain good standing. Any member on unpaid status who fails to pay dues by the 15<sup>th</sup> day of the month in which they become due shall be considered delinquent. Any member who fails to pay dues for two successive months shall stand suspended.

Section 6. A member suspended under the above section may be reinstated to membership in the local upon resumption of regular payroll deduction.

Section 7. AFSCME Council 75 staff assigned to work with this local may become members of Local 328 in accordance with the AFSCME International Constitution.

#### ARTICLE V MEETINGS

Section 1. Regular meetings of this local shall be held once each month, at a time and place to be fixed by the membership or the local executive board.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by 5% of the dues paying members

of the local. The petition shall name the items to be discussed. The president shall issue a call for a special meeting at his/her initiative or within three days of a vote of the executive board or the receipt of proper petition. The special meeting shall be scheduled for no less than seven nor more than ten days after the call. The president and the executive board shall insure that reasonable notice of the special meeting is provided to the membership. Special meetings may also be called by the International President or by an authorized representative of the International President.

Section 3. For all membership meetings, 2% of the dues paying members shall constitute a quorum. For purposes of this article, the several separate meetings that may be held at different times and/or locations within a 72-hour period shall be considered one meeting.

## ARTICLE VI OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. Regular elections shall be held during the month of September in odd-numbered years. All officers shall be elected for two-year terms. The officers shall be a president, a vice-president, a secretary-treasurer, a recording secretary, and a chief steward elected at-large. There shall also be elected fifteen (15) executive board members-at-large. The number of seats on the executive board shall be increased from fifteen (15) by one member for every 500 bargaining unit employees in excess of 4,000.

Section 2. In addition to the above, there shall be elected three members who shall serve as trustees. The trustees shall be elected to two-year terms in the odd-numbered years.

Section 3. Nominations shall be made at a nomination meeting of the local or in writing to the elections committee. At least fifteen days' advance notice by mail to the member's last known address shall be given the membership prior to the nomination meeting and the close of nominations but nominations shall also be permitted from the floor at the nominations meeting.

Section 4. To be eligible for office, a member must be in good standing for one year immediately preceding the election.

Section 5. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. At least fifteen days' advance notice shall be given the membership prior to the holding of the election and at least 15 days must pass between the close of nominations and the election.

Section 6. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 7. Vacancies in executive board offices shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 8. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Constitution.

Section 9. Officers shall be expected to attend all executive board meetings and general membership meetings. Any officer who misses three consecutive meetings without excuse acceptable to the board shall be automatically removed from office.

ARTICLE VII  
STEWARDS

Stewards shall serve at the pleasure of the executive board of Local 328. The president of the local shall commission the executive board to enact policies governing the appointment, retention, discipline and removal of stewards insuring dues process rights of any steward being disciplined or removed.

ARTICLE VIII  
DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section 1. The president shall:

- a. preside at all meetings of the local union and of the executive board.
- b. be a member of all committees except election committees.
- c. countersign all checks drawn against the funds of the local.
- d. appoint all standing committees and all ad hoc committees of the local, subject to the approval of the executive board.
- e. report periodically to the membership regarding the progress and standing of the local and regarding the president's official acts.
- f. be an automatic delegate to all conventions and conferences, except for instances in which she/he is unable to attend.

Section 2. The vice-president shall:

- a. assist the president in the work of the president's office.
- b. in the absence of the president or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- c. upon approval by the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.
- d. In the absence, extended leave or inability to serve of the chief steward, the vice-president shall assume the duties of the chief steward until such time as the chief steward returns to work or is replaced.

Section 3. The recording secretary shall:

- a. keep a record of the proceedings of all membership meetings and of all executive board meetings.
- b. carry on the official correspondence of the local, except as the executive board may direct otherwise.
- c. perform such other duties as the executive board may require.

Section 4. The secretary-treasurer shall:

- a. receive, record and account for all monies of the local union.

- b. deposit all money so received in the name of the local union in an bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer or the vice-president with the approval of the executive board. In the event of a check made out to any officer, said check must be co-signed by two officers other than the payee provided that three or more officers are authorized co-signers.
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board.
- d. prepare and submit the monthly membership report to the International Union office and ensure that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer.
- e. keep an accurate record of receipts and disbursements and shall, once each month, provide a written report to the executive board of all income, expenditures and current balances. This report shall be read at the next following membership meeting with copies to be made available to any member upon request.
- f. act as custodian of all properties of the local union.
- g. give a surety bond for an amount to be fixed by the executive board of the local union, at the expense of the local union and through the International Union.
- h. see that any financial reports required by the International Union Constitution are submitted in accordance with the International Union Constitution.

Section 5. The trustees shall make or cause to be made at least semi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of such local, and shall report to the membership on the results of such audit.

Section 6. The chief steward shall:

- a. be responsible for seeing that stewards are properly and adequately trained utilizing the resources of the local, Council 75 and the International Union.
- b. report periodically to the executive board on the status of the steward structure and on issues involving stewards.

Section 7. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

ARTICLE IX  
MISCELLANEOUS PROVISIONS

Section 1. Allowances and Dues Rebates.

- A. Any officer's or steward's allowance or stipend must be approved by a majority vote of the membership voting at a regular or special membership meeting, provided that at least 30 days notice of the vote shall be provided to the membership.
- B. In the event that allowances or stipends are provided, officers or stewards absent without reasonable cause from three or more required regularly scheduled meetings within a six-month period may be subject to the forfeiture of one month's allowance.

Section 2. Definition of reasonable cause. Absences for reasonable cause normally require advance notification by officers to the president or any officer known to be attending, and by stewards to the chief steward, or any steward known to be attending. Normally, reasonable cause would be limited to health, family or work emergency, vacations or other circumstances normally considered reasonable cause.

Section 3. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 4. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

Section 5. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with the constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 6. The negotiating committee shall be elected directly by the membership, with the exception of the president of Local 328 who shall be an automatic member of the negotiating committee. There shall be at least 15 days' notice given prior to the close of nominations and at least 15 days must pass between the closure of nominations and elections. The number and structure of the negotiating committee shall be proposed by the executive board but must be approved by the membership at a regular or special membership meeting. Contracts negotiated by the committee must be ratified by a majority vote of all members of the bargaining unit voting.

ARTICLE X  
AMENDMENTS

This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. Proposed amendments to this constitution must be read at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken. For the purpose of voting on amendments to this constitution, a quorum shall be 2% of the membership.

ARTICLE XI  
POLICY

Upon the appointment of a new policy committee chair, the appointment will be announced to the general membership.

The policy committee shall be made up of the committee chair and any members in good standing who wishes to be involved.

The policy committee will meet no less than quarterly at a time and place to be fixed by the executive board. Each meeting will be announced to the general membership no less than one month in advance.

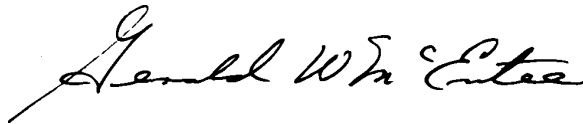
At a policy committee meeting, any existing policy is subject to amendment or deletion if deemed appropriate. The policy committee shall also create and review new policy as needed. It shall be the focus of the committee to create policy that not only addresses the specific needs of the local but also fosters accountability, transparency and ensures a democratic process.

No policy will be enacted until it has been approved by both the policy committee and the executive board.

All existing policies will be made available to members upon request.

Any changes to existing policy or creation of new policy shall be posted to the full membership no less than one week after it is implemented.

Approved by:



GERALD W. McENTEE  
International President

Approval date: December 1, 2008

*(Jurisdiction Changed Effective: 8/1/2021)*