

PEEA Constitution

Revised September 2018

I. Name and Location of Association

The official chapter name shall be:

PLACERVILLE ELEMENTARY EDUCATORS' ASSOCIATION/CTA/NEA in
El Dorado County. (CTA standing Rule 4-1)

II. PURPOSE

To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer/employee relations including, but not limited to wages, hours, and other terms and conditions of employment.

(CTA Standing Rule 4-1 and CTA Bylaws Article X.2-f)

III. AFFILIATION WITH CTA and NEA

Chapter acknowledges affiliation with California Teachers' Association and National Educators' Association as follows: (CTA Standing Rule 4-1)

III.1 The P.E.E.A. shall be a chartered chapter of the California Teachers Association.

III.2 The P.E.E.A. shall be an affiliated local of the National Educators Association.

IV. MEMBERSHIP

IV.1 Persons in management and confidential employees shall be excluded from the bargaining unit membership.

IV.2 Membership may be granted upon payment of annual CTA, NEA, and PEEA dues appropriate to the class of membership.

IV.3 Rights and privileges of membership shall not be abridged in any way because of age, sex, race, color, marital status, ethnic group, national origin, or sexual orientation.

(CTA Bylaws Article X.4; NEA Constitution Article VIII, Sec. 4)

IV.4 No member may be disciplined without a due process hearing which shall include the established appellate procedure.

(CTA Standing Rule 4-1; NEA Bylaws Section 8-7-f)

IV.5 Members shall adhere to the Code of Ethics of the Education Profession.

(CTA Standing Rule 4-1; NEA Constitution Article II, Sec. 2b)

IV.6 P.E.E.A. membership categories shall not compete with those of another CTA chapter within the same employing jurisdiction.

(CTA Standing Rule 4-1)

V. DUES, FEES, AND ASSESSMENTS

V.1 Dues

Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

(CTA Standing Rule 4-1; CTA Standing Rule 5-4)

V.2 Fees

P.E.E.A. shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full NEA/CTA/PEEA dues.

(CTA Standing Rule 4-1; CTA Standing Rule 5-7)

V.3 The Association's portion of the basic annual dues, fees, and assessments shall be established by ballot at the last regular Association meeting of the school year.

VI. POLICY-MAKING BODY

VI.1 The policy-making body of this Association shall be the general membership.

VI.2 The Association shall meet a minimum of four times a year, the number, place, and time of such meetings to be decided by the president.

VI.3 Special meeting of the Association may be called by the president or by petition containing the signature of twenty percent of the membership.

VI.4 Special meetings of the Association shall be called for a specific purpose and not business other than that for which the meeting is called may be transacted.

VI.5 Notices for all meetings shall be posted in the building(s) and emailed at least two days prior to the date of the meeting.

VI.6 For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of meeting dates, places, and times.

VI.7 A quorum for all meetings of the Association shall consist of a majority of all members present.

VI.8 The budget of the Association shall be adopted by the membership on the last regular meeting of the school year.

VII. OFFICERS

- VII.1 The officers of the Association shall be a president, a vice president, a secretary, and a treasurer.
- VII.2 These officers shall be and remain currently paid-up members of NEA/CTA/PEEA as a condition for nomination to and service in their respective positions during their terms of office.
- VII.3 These officers shall be elected with open nominations and by secret ballot.
- VII.4 Officers shall be elected for a term of two years, commencing on May 1 of any calendar year. Elections will be held in the Spring of odd years for President and Secretary and elections will be held in the Spring of even years Vice president and treasurer/membership.
- VII.5 A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. In the event of a vacancy occurring in the office of president, the vice- president shall assume the office. In the event a vacancy occurs in the other offices, a special meeting of the Association shall be called to elect a successor.
- VII.6 THE PRESIDENT shall be the chief executive officer of the Association and its policy leader. The president shall:
- A. Preside at all meetings of the Association and Executive Board;
 - B. Prepare the agenda for the meetings of the Association and the Executive Board;
 - C. Be the official spokesperson for the Association;
 - D. Be familiar with the governance documents of the Association, CTA, and NEA;
 - E. Notify all chairpersons and members of their appointments to committees and the bargaining team, with the advice and consent of the Executive Board, except as otherwise stated in these bylaws;
 - F. Call meetings of the Executive Board;
 - G. Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association;
 - H. Attend a minimum of 2 meetings of the Service Center Council of which the Association is a part;
 - I. Attend other CTA/NEA meetings as directed by the membership; and
 - J. All board meetings will be attended by either the president and/or vice president along with any study sessions as needed.
- VII.7 THE VICE-PRESIDENT shall:
- A. Serve as assistant to the president in all duties of the president;
 - 1. Attend Service Center Council meetings as needed.
 - 2. All board meetings will be attended by either the president and/or vice president along with any study sessions as needed.

3. Attend the president meetings with the CTA representative if the president is unable to do so.
4. Chair the grievance committee.
5. Monitor certificated staff job postings to ensure they are done and done properly.

B. Assume the duties of the president in the absence of the president; and

C. Be responsible for the formation and distribution of the Association's calendar of activities.

VII.8 THE SECRETARY shall:

- A. Keep a careful and accurate record in a binder of the proceedings of each meeting, regular or special, of the Association and of the Executive Board;
- B. Be responsible for the distribution of minutes, notice of meetings, and agenda for all meetings to the members;
- C. Prepare ballots for election of officers and such other elections as may be necessary and
- D. Carry on the correspondence pertaining to the affairs of the Association as directed by the president.

VII.9 THE TREASURER/MEMBERSHIP shall:

- A. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
- B. Pay out such funds upon orders of the president;
- C. Provide a written report on the financial status of the Association at each Association meeting;
- D. Be responsible for an annual audit of the books of the Association;
- E. Maintain an accurate roster and email distribution list of membership of the Association for the executive board; and
- F. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

VII 10 THE SITE REPRESENTATIVE (REP) SHALL

- A. Lead, schedule, and coordinate site level meetings as requested by the executive board or as the members at the site determine/request.
- B. Attend executive board meetings to discuss issues from the site level meetings.
- C. Aid members with grievance issues and process.
- D. Direct actions/requests of the executive board.
- E. Keep the site members educated on issues facing the association.
- F. Work with treasurer to maintain current members and to recruit new members from site teaching staff; and
- G. Post Certificated Job Notices as received via district email, as well as monitor the

job postings at their site are following the contract.

VIII. THE EXECUTIVE BOARD

VIII.1 The Executive Board shall be composed of the elected officers of the Association, bargaining team chairperson, and the faculty representatives. The faculty representatives shall be selected by the individual schools.

VIII.2 The Executive Board shall meet prior to each regular meeting of the Association and at such other times as the president may deem necessary.

A. In lieu of a physical meeting prior to each regular meeting, the President may contact the Executive Board members via voice mail, phone, email or written note to gain consent on agenda items.

VIII.3 THE EXECUTIVE BOARD shall:

- A. Coordinate the activities of the Association;
- B. Recommend a budget for the Association to the membership;
- C. Direct the bargaining activities of the Association, subject to the policies established by the membership;
- D. Approve all appointments to committees, including chairman, other than the election committee;
- E. Serve as an election committee for all elections other than those for officers; and
- F. Adopt grievance procedures and direct the grievance activities of the Association.
- G. Be responsible for insuring that officers present fair and unbiased representation of the association's interests.

VIII.4 A quorum for meetings of the Executive Board shall be 50% of the current Board.

IX. THE BARGAINING TEAM

IX.1 Any teacher in the Association may volunteer for the position on the bargaining team. The president will request volunteers to submit their names. The executive board members will vote by secret ballot as to who should comprise the team. A sincere effort to have one negotiator from Sierra, Markham, and Schnell will be made. A fourth member may be chosen regardless of the school site.

IX.2 Appointments are to be made within sixty working days of previous contract ratification. Appointments are to be made after May 1st, providing the contract for that school year has been ratified. If the contract has not been ratified by May 1st, the

existing bargaining team will continue negotiations. Once the contract has been ratified, appointments for the new team will be made within sixty working days.

IX.3 Vacancies created by resignation or inability to serve shall be filled by a vote of the Executive Board.

IX.4 The Executive Board, by two-thirds (2/3) majority, may remove a member of the bargaining team and appoint a replacement.

IX.5 The duties of the bargaining team are to represent and to bargain for the bargaining unit.

IX.6 Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Board subject to policies established by the membership.

IX.7 All eligible employees shall be surveyed by a written document approved by the board to determine contents of the proposed contract demands (openers), and the contract proposal shall be approved by a majority of such employees. This process shall begin no later than February, to allow necessary discussions to be held and the hopefully openers finalized by the May meeting. (This process will provide the negotiators time to research the issues over the summer and to have the openers sun shined earlier in the bargaining process.)

IX.8 The bargaining team, notably through the lead negotiator, shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.

IX.9 The Executive Board and the Bargaining Team shall provide for the dissemination of information regarding bargaining and the activities of the bargaining team to the general membership one week prior to voting at the next general meeting.

IX.10 Agreements reached between the bargaining team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership unless such ratification shall have been specifically waived or otherwise delegated by the eligible employees.

X. NOMINATIONS AND ELECTIONS OF OFFICERS

X.1 Nomination for officers shall be made as follows:

A. Any active member, at his/her request, shall have his/her name placed upon the ballot for an office of the Association. This request is to be made in writing two weeks prior to the election.

B. The name of any active member may be placed in nomination by any other

member, with the consent of the nominee.

X.2 Election of officers of the Association shall be conducted at the April meeting of the Association for the school year.

X.3 Voting shall be by secret ballot.

X.4 No proxy votes, written or otherwise, shall be accepted. Write-in votes, a vote cast clearly indicating the voter's choice of an eligible candidate whose name has been handwritten on the ballot, are acceptable.

X.5 The president, with the approval of the membership, shall appoint an election committee to conduct the election of officers. The Committee should be composed of at least two members who are not seeking election. The Election Committee shall count the ballots, and deliver the election results to the president. Each candidate may designate one representative, who may be the candidate, to observe the voting process. The observer shall not interfere with the work of the Election Committee. The ballots should be retained by the unit for one year after the election.

X.6 All other elections, such as, but not limited to, representatives to CTA State Council, NEA delegates, and contract ratification shall be conducted by the Executive Board.

X.7 A majority vote is more than half, or 50% plus 1 of the votes cast by members present. If a candidate does not receive a majority vote, a run-off election shall be conducted immediately between the candidates receiving the highest number of votes.

XI. RECALL ELECTIONS

XI.1 A recall of any person in an elective position may be initiated by a petition signed by one-third (1/3) of the active membership of his/her particular constituency. A statement of the reasons for the proposed recall shall be part of the recall petition.

XI.2 Each person named in the recall petition shall have the right to make a rebuttal statement, which shall be distributed to his/her constituency at least seven (7) days before the recall election.

XI.3 Recall elections shall be by secret ballot.

XII. PARLIAMENTARY AUTHORITY

XII.1 Robert's Rules of Order, latest revised edition, shall be followed at all meetings of the Association and those of the Executive Board.

XIII. AMENDMENTS

XIII.1 These Bylaws may be amended by a two-thirds vote of the members at any regular or special meeting of the Association provided notice in writing of a proposed bylaw amendment shall have been submitted to the secretary and made available to all Association members at the meeting preceding the one at which it is to be voted upon.

XIV. COMMITTEES AND DUTIES

XIV.1 There shall be the following standing committees:

- A. Legislative Committee; and
- B. Social Committee

XIV.2 The president shall appoint special committees whenever need arises.

XIV.3 THE LEGISLATIVE COMMITTEE

shall maintain a continuing study of the proposed legislation affecting schools and teachers. It shall keep the membership informed regarding such proposed legislation and its progress when the Legislature or Congress is in session. It shall propose means and carry out actions of the Association to support the legislative program. It shall obtain information and inform the membership regarding the records and opinions of candidates for school board, Legislature, and Congress regarding questions affecting schools and teachers. It shall plan any activities designed to establish acquaintance and rapport with legislators representing this area in the Legislature or Congress. It shall accept and study legislative proposals from members, and recommend appropriate action to the Association.

XIV.4 THE SOCIAL COMMITTEE

shall arrange for all social events scheduled by the Association. It shall arrange for refreshments for meetings at which refreshments are to be served. All matters pertaining to the honoring of those members retiring from the profession shall be the responsibility of the social committee. Costs for such shall be paid for from the treasury of the organization. Giving of gifts and remembrances to any faculty member or building employee of any school in the District shall be handled by a committee designated for such, at each individual school. Funds shall be handled by the individual school

