

# SUFFOLK COUNTY COURT EMPLOYEES ASSOCIATION, INC. (SCCEA)

## CONSTITUTION

### Article 1 – Name

This organization shall be known as the Suffolk County Court Employees Association, Inc. (hereinafter the “SCCEA” or “Association”).

### Article 2 – Objects and Purposes:

**Section 1.** To develop a more complete organization and stronger union of Court Employees employed in the Unified Court System in Suffolk County, New York.

**Section 2.** To protect and promote the health and welfare of its Members.

**Section 3.** To initiate and cause to be sponsored local and state legislation beneficial to Court employees.

**Section 4.** To act as Collective Bargaining agent on behalf of all Members it represents in matters relating to terms and conditions of employment.

### Article 3 – Membership

**Section 1.** Open to all non-judicial employees employed in the County of Suffolk in a title for which the SCCEA is the duly recognized or certified representative.

**Section 2.** Applications for Membership must be filled out as soon as possible, on forms provided by the Association. Membership officially begins when the dues deduction code appears on a state provided computer printout, which corresponds with a similar deduction code on the employees pay stub, currently listed as code “456”.

**Section 3.** Only Members in full pay status will have the right to vote.

**Section 4.** Any Member who resigns or is expelled from the Association shall forfeit all claims upon the Association.

**Section 5.** Members shall notify the Association of any change of mailing address, e-mail address, or phone number. It is also incumbent upon the Member to notify the Association of any changes in marital status including divorce and/or name change, and changes in children or number of dependents. Members shall also notify the Association of any change in job location or position changes of any kind. Any Member failing to do so shall have no redress or claims on the Association for any consequences arising there from.

**Section 6.** Any Member failing to be current in paying dues or assessments for a period of six pay periods shall be in default. If a Member fails to correct such default within ten workdays after being so notified, the Member shall lose all privileges in the Association. Re-entry into this Association may be withheld for a period to be determined by the Board of Delegates together with a fine and/or such other punishment as the Board deems appropriate.

**Section 7.** There shall be no discrimination against any Member or applicant for Membership by reason of race, color, creed, disability, marital status, Veteran Status, national origin, religion, sex, age, ancestry, sexual orientation, or political affiliation.

**Section 8.** The Executive Board, upon any person it deems appropriate, may confer honorary Membership. Retired Members automatically qualify as honorary Members and may attend and address meetings upon invitation of the President, but shall not be entitled to any other rights or privileges of the Association.

## **Article 4 – Dues and Assessments**

**Section 1.** The bi-weekly dues of the Association shall be Twenty (20) Dollars per Member.

**Section 2.** The Association may, at any time, assess its Members for such purposes as may not otherwise be provided for, upon proper notice and approval by a majority vote of the combined Board of Delegates and Executive Board.

**Section 3.** Any increase in the amount of dues of the Association shall be voted upon at a regular or special meeting provided the Delegates are provided notice of such meeting at least ten (10) days in advance of such meeting. Due notice of such meeting shall also be mailed, carried, or transmitted electronically to all court buildings for posting on official bulletin boards. Any increase in the dues must be approved by a majority of Members in good standing voting at such meeting.

## **Article 5 – Delegates**

### **Section 1. The Board of Delegates**

The Board of Delegates [hereinafter the “Board”] shall consist of the Executive Officers and Delegates. The Executive Officers shall consist of the President, 1st and 2nd Vice-Presidents, Secretary Treasurer and Recording Secretary.

**Section 2.** The Delegates shall be elected in each Court or Agency representing the following employee units: Court Officer, Court Clerk, Court Reporter/Legal Series and Court Clerical Series. The Court Officer Series represents all uniformed titles holding Peace Officer status. The Court Clerk Series represents all Court Clerk titles. The Court Reporter/Legal Series represents all Reporters and Attorneys. The Court Clerical Series represents all other titles not represented by any of the groups outlined previously. Any conflict as to what title should be represented by any of the groups outlined above will be resolved by a vote of the Board. There shall be one Delegate in each Court or Agency for each (25) Members in their respective Series. For those Courts or Agencies with fewer than (25) Members in any one Series and more than (25) but less than (50) Members in such Court or Agency, there shall be one Delegate elected from among all titles. For those Courts or Agencies with more than (10), but less than (25) Members in all titles they shall be merged and combined be eligible for one Delegate, except that the clerical employees of the Supreme Court employed in the East End shall be merged with the employees of the Commissioner of Jurors and together shall be eligible for one.

Should a title or Series not elect or have a Delegate, they shall be represented by the Delegate in the Series whose grade is closest to their own.

### **Section 3. Term of Office**

Delegates shall be elected for a three (3) year term.

**Section 4.** Delegates shall be paid a stipend as well as mileage and reimbursement for expenses authorized by the Board. No person may be a Delegate and Executive Officer at the same time, except to the extent that all Executive Officers are members of the Board of Delegates pursuant to Section 1 of this Article.

### **Section 5. Duties and Responsibilities of a Delegate**

The responsibilities of a Delegate include but are not limited to attending all meetings of the Board of Delegates and Membership meetings. Delegates shall be excused from meetings for the following reasons: (1) the Delegate is working verifiable overtime; (2) the Delegate cannot be excused from his shift; (3) the Delegate is ill; (4) the Delegate is unable to attend due to a death in the immediate family; and (5) the Delegate is on approved annual leave. A Delegate who has more than one unexcused absence in the State fiscal year shall be docked one quarter of his or her annual stipend. The Delegate serves as a liaison between the Members they represent and the Executive Board. The Delegate should have basic knowledge and understanding of the SCCEA Contract Book, the SCCEA Welfare Fund Benefits, SCCEA Forms, and the SCCEA website. The Delegate should also be aware of ALL of the Members they represent in their perspective Series and shall assist the Recording Secretary in keeping that list up to date.

## **Article 6 – Executive Officers**

### **Section 1. Duties of the President**

a) The President is the Chief Administrative Officer of the Association and Chairman of the Executive Board. The President presides over all meetings of the Association and conducts them in accordance with parliamentary rules and in conformity with this Constitution.

b) The President appoints all committees deemed necessary or as the Board may direct, with the exception of the Election Committee. The President is an *ex officio* member of all committees with the exception of the Election Committee.

c) The President shall sign all official documents of the Association, shall draw vouchers on the Secretary Treasurer for such sums of money as the President's activities require and shall have authority to co-sign checks disbursed by the Association. The President shall have broad power to administer the day-to-day affairs of the Association and to spend necessary funds therefore. However, neither the President, nor any other Executive Officer may use SCCEA funds to purchase real property, purchase vehicles, or benefit themselves personally in any way. The previous sentence shall not be construed as to prevent Executive Officers from entering into leases for the Association use of real property or goods (as long as such lease is in the financial best interest of the Association), expenditure of sums for the purchase of food and/or goods for meetings and special events, Association-related travel and lodging, or similar collateral expenses which may benefit Members in the course of Association activities. In the event that one or more automobiles are leased for Association business, electronic communication devices are leased/purchased for Executive Officers, or some other item that has utility both for Association business and potential personal use, such items are strictly forbidden from being used for personal business of

any type. Finally, any expenditures expected to exceed Two Thousand Five Hundred (2,500) Dollars per transaction, must be approved by a recorded vote of the Executive Board.

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## **Section 2. Duties of the 1st Vice-President**

- a) The 1st Vice President shall assist the President in conducting all meetings, and in the absence of the President shall perform all duties delegated by the President.
- b) The 1st Vice President shall perform such other duties as the Board or President may direct. The 1st Vice President shall have authority to co-sign checks disbursed by the Association.

## **Section 3. Duties of the 2nd Vice-President**

- a) The 2nd Vice President shall perform the duties of the 1st Vice President in the absence of the 1st Vice President.
- b) The 2nd Vice President shall perform such other duties as the Board or the President may direct. The 2nd Vice-President shall have authority to co-sign checks disbursed by the Association.

## **Section 4. Duties of the Secretary Treasurer**

- a) The Secretary Treasurer shall have charge of all funds of the Association, which shall be deposited in banks and/or financial institutions as soon as possible.
- b) The Secretary Treasurer shall keep a record of all monies received and disbursed by the Association. The Secretary Treasurer shall have authority to co-sign checks and shall keep a record of vouchers for a three (3) year period as evidence of disbursements. The Secretary Treasurer shall also keep a detailed record of the mileage of any Association-leased vehicles (if any). Evidence that such a vehicle has been used for non-Association purposes shall be promptly reported to an Executive Officer or other member of the Board of Delegates. If such non-Association use is verified by a simple majority vote of the Board of Delegates after a discussion of the evidence, the driver who used such vehicle for non-Association purposes shall pay to the Association the sum of \$1.00 for each mile deemed driven for personal purposes. A failure to pay such sum will be deemed misconduct and will subject such member to removal from office.
- c) The Secretary Treasurer shall make a financial report at all regular meetings.

## **Section 5. Duties of the Recording Secretary**

- a) The Recording Secretary is the recording officer of the Association and the custodian of the minutes of the Association.
- b) The Recording Secretary shall maintain/update the SCCEA database, shall maintain/update all necessary forms for the SCCEA website, and shall keep accurate up-to-date records of the Delegates and the Members they represent including but not limited to names and email addresses of Members.
- c) The Recording Secretary may assist the Secretary Treasurer, if necessary.

## **Section 6. Term of Office**

Executive Officers shall be elected for a three (3) year term.

## **Section 7. Moral and Fiduciary Responsibilities of the Executive Board**

All Executive Board Members and Trustees have a moral and fiduciary responsibility to act in the best interest of the general membership of the union.

No Executive Board Member shall sit on any other board unless a request is made to do so to the Board of Delegates so that a determination can be made as to any apparent or perceived conflicts of interest or appearance of an impropriety.

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## **Article 7 – Election/Voting Procedures**

### **Section 1. Delegate Nominations**

A Member seeking the position of SCCEA Delegate must be nominated at the appropriate General Membership meeting by a member of his/her respective unit. In the event that a General Membership Meeting cannot be held in-person due to unforeseen/extenuating circumstances (i.e., the COVID-19 pandemic), SCCEA will accept Delegate nominations in accordance with Section 8 of this Article. No “seconding” nomination is necessary. All nominees must be Members in good standing for the preceding twelve (12) months. If there are an insufficient number of nominees running for the position of Delegate, and with the consent of a majority of the Executive Officers, the twelve (12) month requirement may be waived and/or the President may appoint an interested member of the relevant unit. Any dispute as to which “unit” a particular nominee belongs to will be resolved by a majority vote of the Executive Officers after review of any administrative records obtained from the Office of Court Administration.

### **Section 2. Delegate Elections**

Delegates shall be elected by a plurality ballot of the membership of their respective units unless such nominee is unopposed. Such election will be held according to the same rules governing SCCEA Executive Officer elections.

### **Section 3. Delegate Vacancies**

Delegate vacancies shall be filled for the remainder of the unexpired term by appointment by the President, with the consent and approval of a majority of the Executive Officers.

### **Section 4. Nominations for Officers of the Executive Board**

At the General Membership meeting held in the month of April, nominations will be accepted for positions on the Executive Board whose terms are expiring. All nominees must be Members in good standing for the preceding twelve (12) months. There shall be no limitation on the number of nominees for any office. Nominees must be physically present to accept or decline nomination for a particular office, unless working verifiable overtime, an evening shift, is ill, or unable to attend because of a death in the immediate family, or on approved annual leave. A physically absent nominee must notify an Executive Board member, in writing and in advance of the meeting (if possible) of his/her willingness to accept nomination. If nominee's absence is caused by one of the previously-mentioned events arising on the same day as such meeting, such absent nominee must notify a member of the Executive Board of his/her willingness to be nominated, in writing, within three (3) days of such meeting. Verification of an absent nominee's reason for his/her absence may be required. Write-in candidates are not permitted. If no nominations are received, the President shall have the discretion to appoint a Member to fill an open Executive Officer position so long as a majority of the Delegates present at the General Membership meeting approve. In the event that the April General Membership Meeting cannot be held in-person due to unforeseen/extenuating circumstances (i.e., the COVID-19 pandemic), SCCEA will accept Executive Board nominations in accordance with Section 8 of this Article.

### **Section 5. Elections for Offices of the Executive Board**

a) An election will be conducted of the Membership in good standing no earlier than ten (10) days from the date of the April meeting. Good standing shall be determined pursuant to Article 3, Sections 2 and 3 of this Constitution, on the day that electronic voting commences. In the event that the Membership

Meeting in April cannot be held due to unforeseen/extenuating circumstances (i.e., the COVID-19 pandemic), an election will be conducted of the Membership in good standing after the tenth (10<sup>th</sup>) day following notification to the Membership pursuant to Section 8 of this Article that SCCEA will accept nominations.

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b) Elections shall be conducted under the supervision of the Election Committee, which shall have three (3) members elected by a simple majority of the Members present at the April Membership meeting. In the event that a Membership Meeting cannot be held due to unforeseen/extenuating circumstances (i.e., the COVID-19 pandemic), Election Committee members shall be elected by a simple majority vote of Members in good standing. No Member nominated to run for a position on the Executive Board may be a member of the Election Committee.

c) Election shall be held via electronic means including, but not limited to, secure third-party online voting software accessible by computer or handheld electronic device, software created exclusively for the SCCEA, or similar. Such electronic voting shall record the fact that a particular Member voted, but each Member's vote will be secret. Members will be provided, by e-mail (to the Member's **PERSONAL** email address on record with the Association), a hyperlink or password with which to cast their electronic vote(s). **Accommodations shall be made for members who require assistance with electronic voting.** At noon on the fifth (5<sup>th</sup>) day after the opening of voting via electronic means, the three (3) members of the Election Committee will obtain access to the secret electronic results and all votes will be tallied. It shall be the duty of the Election Committee to verify election and submit to the Executive Board a written statement indicating the results of the election.

d) A plurality of all valid ballots counted shall be required for election. In the event of a tie between the nominees obtaining the greatest number of votes for a particular Executive Board position, there shall be a re-vote of those tied nominees.

e) At the discretion of a majority of the Executive Board, elections may be held by traditional paper ballots. Should an election be held via traditional paper ballots, the Election Committee shall tally all votes at noon on the fifteenth (15<sup>th</sup>) day after mailing of paper ballots.

## **Section 6. Vacancy on the Executive Board**

In the event of a vacancy of any Executive Officer, a special election shall be held within thirty (30) days of the occurrence of such vacancy, to fill such position for the remainder of its term. The SCCEA will accept nominations for such vacancies, as well as nominations for three (3) Election Committee members, by fax or e-mail for three (3) days after informing the Membership of such vacancy or vacancies. If more than three (3) nominations are received for Election Committee members, the Executive Officers will draw three (3) by lot. After the fifth (5<sup>th</sup>) day following the notification of the Membership regarding the vacancies, electronic voting may commence by Members in good standing on that day. At noon on the fifth (5<sup>th</sup>) day after the opening of voting via electronic means, the three (3) members of the Election Committee will obtain access to the secret electronic results and all votes will be tallied. The nominee receiving a plurality of votes will be deemed the winner. In the event of a tie between the nominees obtaining the greatest number of votes for a particular Executive Board position, there shall be a re-vote of those tied nominees. If no nominations are received, the President shall have the discretion to appoint a Member to fill the vacancy so long as a majority of the Executive Officers approve. Pending such election, the 1st Vice-President shall fill the position of President if such position is vacant. No special election shall be called if such vacant term of office is due to expire within six (6) months.

## **Section 7. Qualifications for Continuation in Office**

No person shall hold office in the Association as an Executive Officer or Delegate who is not employed by the State of New York Unified Court System and a Member in good standing of the Association. In the event that a person holding office in the Association ceases to be employed by the State of New York Unified Court System or ceases to be a Member in good standing of the Association, the position held by that person shall be deemed vacant.

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#### **Section 8. Alternative Procedure for Delegate & Executive Officer Nominations**

In the event that SCCEA is unable to hold any particular General Membership Meeting in-person due to unforeseen/extenuating circumstances (i.e., the COVID-19 pandemic), SCCEA will accept Delegate and/or Executive Officer nominations by fax or email for five (5) days after informing the Membership that such nominations will be accepted.

#### **Section 9. Electronic Voting Procedure**

All Elections/Voting for SCCEA going forward will be handled by electronic voting. A secure third-party online voting software accessible by computer or handheld electronic device monitored by a third-party to remove any perceived conflicts or appearance of impropriety. This is a more cost effective and reliable means of tabulating votes for any and all elections. Accommodations shall be made for members that require assistance with electronic voting.

## **Article 8 – Disciplinary Procedures (Expulsion of Officer or Member)**

**Section 1.** Any Officer may be removed from office for willful failure to properly perform the duties of their office and any Officer or Member may be expelled from the Association for any acts of a willful nature detrimental to the best interests of the Association. Any such removal or expulsion proceeding shall be brought by the Board of Delegates on at least fifteen (15) days written notice, containing the specific charges against such Officer or Member, mailed to the Officer's or Member's last known address.

**Section 2.** Before any Officer can be removed from office or any Officer or Member expelled from the Association, in accordance with this article, written charges must be filed against the Officer or Member with the Secretary Treasurer for submission to the Board of Delegates, unless the Secretary Treasurer is the subject of such proposed removal or expulsion, in which case the charges will be filed with the 2<sup>nd</sup> Vice President. If the entire Executive Board is being charged, written charges would then, instead, be filed with any Delegate. Such charges must be signed by twenty percent of the Members of the Association in good standing and countersigned by seven (7) members of the Board of Delegates of this Association. The Officer or Member against whom the charges have been filed may appear and shall be given the opportunity to answer the charges and may be questioned at length by any member of the Board of Delegates. A two-thirds majority vote of the entire Board of Delegates shall be required for removal or expulsion. Such removal or expulsion shall be for duration to be determined by the Board of Delegates but in no event shall it exceed three (3) years.

## **Article 9 – Committees**

**Section 1.** The Association shall maintain the following standing committees:

## **Grievance; Labor/Management; Constitution and By-Laws; Political Action; Negotiating.**

### **Section 2. The Grievance Committee**

The Grievance Committee shall investigate and process all grievances they deem have merit. The Committee shall be comprised of the President, who shall act as Chairperson, and three (3) other Members appointed by the President with majority consent of the Executive Board. A majority vote of the Executive Board shall determine which grievance(s) shall proceed to binding arbitration.

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### **Section 3. The Labor/Management Committee**

The Labor/Management Committee shall confer with representatives of the Office of Court Administration or their designees about problems and areas of concern affecting working conditions, the implementation or interpretation of present and/or future collective bargaining agreements or other issues of a labor/management nature. The Committee shall be comprised of the President, who shall act as Chairperson, and other Members as permitted under the Association contract, who are appointed by the President with the majority consent of the Executive Board.

**Section 4.** The Constitution and By-Laws Committee shall suggest amendments to the Constitution and By-Laws. The Committee shall be comprised of three (3) Members: one of whom shall act as Chairperson, with said committee members and the Chairperson being appointed by the President with majority consent of the Executive Board.

**Section 5.** The Political Action Committee shall screen designees for political endorsements and take whatever steps necessary to ensure Legislative approval for bills affecting Court employees. The Committee shall be comprised of five (5) Members: The President, who shall act as Chairperson, and four (4) other Members, appointed by the President with majority consent of the Executive Board.

**Section 6.** The Negotiating Committee shall be comprised of the President, 1<sup>st</sup> and 2<sup>nd</sup> Vice-Presidents, and one Member of each unit selected by a majority of the Members in good standing within that unit attending and voting at a General Membership meeting. Each candidate shall be physically present or, in the alternative, shall have consented in writing to so serve with notice served with the Secretary Treasurer prior to said election.

**Section 7.** Other committees may be appointed consistent with future contract provisions or as the needs of the Membership dictate. Members of these committees shall be appointed by the President and shall serve at the President's pleasure, unless the by-laws provide otherwise. The President shall designate the chairperson of any such committees with the majority consent of the Executive Board.

## **Article 10 – Contract Ratification**

The President shall call an information meeting to explain the proposed contract agreed upon between the State and the Negotiating Committee. Within three (3) days of said meeting, an electronic password or hyperlink to a secure electronic voting website will be sent, by e-mail, to each Member's **PERSONAL** e-mail address on record with the Association. All votes must be cast electronically before Noon on the fifth (5<sup>th</sup>) day after the electronic password and/or hyperlink to the voting software is provided to the Members. Ratification of a contract shall be by a simple majority of votes cast by Members who are in good standing at the time the electronic voting is commenced. Three (3) Members selected by the Membership at the Informational Meeting will access the final tally of all votes cast electronically. In the event of a tie, the contract will be deemed rejected. A rejected contract shall not be re-presented to the Membership for re-vote sooner than 90 days from the date of the rejecting vote, unless a new Memorandum of Agreement is signed by the Negotiating Committee with the Office of Court Administration within that time. No Informational meeting will be necessary if no changes are made to



a rejected contract offer. In the event that the results of a particular vote are later found to contain votes cast by ineligible voters, the result will stand as it was certified in writing by the Election Committee on the day of their count, barring evidence of fraud. Every effort shall be made by the Executive Board to ensure that the list maintained by the Association of Members in good standing and eligible to vote, is accurate and updated.

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## **Article 11 – Membership Meetings**

### **Section 1. Regular Membership Meetings**

a) The regular Membership meetings of the Association shall be held during the months of April and October, at a date, time and location designated by the President. Notification of said meetings shall be posted on official bulletin boards and/or published by the Association in advance of said meeting.

b) At the discretion of a majority of the Executive Board, the Association may forego any Regular Membership meeting due to any unforeseen/extenuating circumstances (i.e., the COVID-19 pandemic)

**Section 2.** The President or a majority of the Board may order a special Membership meeting convened. Written notice shall be posted upon bulletin boards at least five days prior to such meeting. Such notice shall state the business to be transacted at said special meeting.

**Section 3.** The Membership, by signed petition, may request the President to call a special meeting, provided that the petition is signed by 100 Members in good standing. Said petition shall indicate the specific purpose for which such meeting is being called and shall be served upon the Secretary Treasurer. The Secretary Treasurer shall notify the President within 48 hours of such petition and the President shall call a special meeting within fifteen days of such notification.

**Section 4.** A quorum for the transaction of any business at a regular or special meeting shall be five percent of the Members in good standing.

**Section 5.** At any meeting each Member in good standing shall be entitled to one vote to be cast in person. Proxy or substitute votes shall not be permitted except for members working an evening shift or verifiable overtime. Proof of such absent voter's reason for absence may be required in the discretion of the President.

**Section 6.** The supreme power shall rest with the Membership. The Membership may, by a 2/3rd vote of the Membership in attendance, override any action taken by the Executive Board.

**Section 7.** At any meeting, Roberts Rules of Order shall govern in those cases not covered by this Constitution.

### **Section 8. The order of business shall be as follows:**

- a) Call to order;
- b) Salute to the flag;
- c) Roll call of Officers and Delegates;
- d) Reading of previous minutes;
- e) Financial Report;

- f) Review of relevant correspondence;
- g) Reports of committees;
- h) Old Business;
- i) New Business;
- j) Adjournment.

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## Article 12 – Board of Delegates

**Section 1.** The Board of Delegates shall consist of the Executive Officers and Delegates.

**Section 2.** The Board of Delegates shall be the policy making body of the Association. The Board of Delegates shall have all of the power and authority of the Membership in the interval between Membership meetings. The Board of Delegates shall meet at least three (3) times per year. Other meetings may be called by the President upon petition of a majority of the Board of Delegates.

**Section 3.** The President shall designate either two (2) Members of the Association or one (1) Member of the Association and one (1) former Member of the Association who has retired to be Trustees of the Welfare Fund. Trustees shall be appointed, reappointed, or removed subject to approval by a majority of the Board of Delegates and subject to the Trust Agreement.

## Article 13 – Executive Board

**Section 1.** The Executive Board shall consist of the President, 1<sup>st</sup> and 2<sup>nd</sup> Vice Presidents, Secretary Treasurer and Recording Secretary.

**Section 2.** The Executive Board, by a majority vote, may take whatever action it deems to be in the best interest of the SCCEA, but shall not act contrary to a specific direction from the Board of Delegates or the Membership. The President shall have the right to poll the Executive Board, without a formal meeting, provided a record is made concerning such poll.

## Article 14 – Petty Cash Fund

**Section 1.** The President is authorized to establish a petty cash fund to be used solely in the best interest of the Association. The Fund will be used for authorized Association functions and receipts and vouchers will be maintained whenever possible. Funds for the petty cash fund shall be made from the General Fund of the Association.

**Section 2.** In no event shall Association monies be used in the furtherance of electioneering by any incumbent Officer, Delegate, or Association Member.

## Article 15 – Sunshine Fund

**Section 1.** The purpose of this Fund is to provide and promote the good will of the Association and its Membership to individual Members in good standing and members of their families.

**Section 2.** The Executive Officers are authorized to draw upon these funds to be used in the best interest of the Association. Receipts and vouchers shall be maintained whenever possible.

**Section 3.** The Executive Board shall establish a schedule of appropriate costs and may modify the

schedule when it determines that such modification is necessary.

**Section 4.** Monies for the Sunshine Fund shall be drawn from the General Fund.

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## **Article 16 – Salaries of Executive Officers and Board of Delegates**

The salaries of the Executive Officers and Board of Delegates as of April 1<sup>st</sup>, 2020 are:

**SCCEA President- \$20,798.55 per annum;**

**SCCEA Executive Board Members- \$79.98 per day spent engaging in SCCEA work;**

**SCCEA Delegates- \$186.74 per quarter.**

Upon the ratification of a new SCCEA contract, these salaries shall be increased by the monetary percentage negotiated in that contract. In addition to their salary, Members shall be reimbursed for whatever reasonable expenses they incur performing their Association duties. Receipts and/or vouchers shall be submitted outlining such expenses and shall be maintained by the Secretary Treasurer.

## **Article 17 – Amendments to the Constitution**

This Constitution and By-Laws may be amended by a majority vote of the Board of Delegates provided notice has been placed upon bulletin boards and/or the Membership has been otherwise notified of the proposed change(s) at least fifteen (15) days prior to any vote on such amendment.

## **Article 18 – Dissolution**

This Association may be dissolved by a 3/4ths vote of the Membership in good standing by a ballot mailed to said Members. In the event the Association is dissolved, the assets of the Association shall be liquidated and divided among the Members in good standing in equal shares. The Secretary Treasurer will be responsible for the equal distribution of the Association's assets.

## **Article 19 – Agency Fee Dues Refund Policy**

Any person making agency shop payments to the Association in lieu of dues, as mandated by law, shall have the right to object to the expenditure of their portion of any part of agency shop fee deduction which represents the employee's pro-rata share of expenditures by the Association in aid of activities or causes of a political or ideological nature only incidentally related to terms and conditions of

employment.

Such objections shall be made, if at all, by the objector individually notifying the Association President and Secretary Treasurer of their objection during the period between September 1<sup>st</sup> and 15<sup>th</sup> of each year.

The approximate proportion of service fees spent by the Association for such purpose shall be determined annually. Rebate of a pro-rated portion of their service fees corresponding to such proportion shall thereafter be made to each individual who has timely filed a notice of objection, as provided above.

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## **APPEALS**

If an objector is dissatisfied with the proportional allocation that has been determined on the ground that it assertedly does not accurately reflect the expenditures of the Association in the defined area, an appeal may be taken by such person to the Association Executive Board within thirty (30) days following its receipt. If the objector remains dissatisfied, the objector may file an appeal therefrom with the Association's governing body by lodging the appeal with the President of the Association within thirty (30) days following receipt of the Executive Board decision which appeal shall be heard at the next regular meeting of the Board of Delegates. The Board of Delegates shall render a decision within thirty (30) days after hearing the appeal. If the objector is dissatisfied with the Board of Delegates action, the objection will be submitted for hearing and resolution to an arbitrator selected in accordance with the procedures of the American Arbitration Association. The costs for any such appeal to a neutral party shall be borne jointly between the Association and the objector if the Association's position is upheld and totally by the Association if the objector's position is upheld.

The Association, at its option, may consolidate all objections and have them resolved at one hearing held for that purpose. Should the Association choose to consolidate, all costs shall be borne by the Association, and the objectors shall jointly participate in the selection of the arbitrator.

## **Article 20 – Political Action Committee Fund**

Pursuant to a vote by the Board of Delegates held on February 17, 2012, the creation of a fund from which donations may be made to certain political candidates was approved. This Fund, and its accounts, shall be comprised solely of voluntary monetary donations to it. Disbursements may be drawn from this Fund at the sole discretion of the President after consultation with the SCCEA Political Action Committee. Such disbursements from this Fund shall be made with the goal of supporting political action likely to be beneficial to the Members of the SCCEA.

