

AFT HEALTHCARE - MARYLAND/AFL-CIO

LOCAL # 5197

CHARTER CONSTITUTION AND BYLAWS Local 5197/AFT HEALTHCARE - MARYLAND/AFL-CIO

CHARTER CONSTITUTION and BYLAWS

Adopted (09-29-12)

Article I: Name

The name of this organization is the AFT Healthcare – Maryland, AFL-CIO.

Article II: Objectives

The objectives of the AFT Healthcare – Maryland shall be:

1. To organize health care professionals and other health care workers employed by the State of Maryland and by the private sector into an effective union for the advancement of the economic- and professional- well being of its members;
2. To promote careers and improve the quality of the work environment through the collective bargaining process;
3. To improve the quality and delivery of healthcare services provided to the citizens of Maryland through advocacy and partnering with providers and consumers;
4. To enhance the public image of health care professionals in the State of Maryland through education and recognition;
5. To eliminate discrimination by race, creed, gender, disability, age, sexual orientation, social, political or economic status, religion, or national origin, within the workplace and society.
6. To promote expertise in health care professionals through education, training, and on-going learning opportunities;
7. To create and maintain a just and democratic union open to the free expression of its members and responsive to their needs;
8. To defend the rights, benefits and employment status of health care professionals from administrative abuse, negligence or mismanagement through the establishment of objective procedures for evaluation and position descriptions.
9. To educate health care professionals as to their political rights and responsibilities as citizens and to encourage their participation in the political process;
10. To protect and enhance retirement benefits for healthcare professionals through legislative actions and the collective bargaining process;
11. To cooperate and build solidarity with the state and national labor movement;
12. To establish a better working relationship with the State of Maryland and other employers of health care professionals.

Article III: Membership

Section 1. Eligibility & Good Standing

- a. Membership in the AFT Healthcare - Maryland shall be open to all health care professionals employed in the State of Maryland and other healthcare workers.
- b. A member shall be considered "a member in good standing" so long as payroll deduction for AFT Healthcare – Maryland dues is authorized. Members in good standing are eligible to participate fully in all activities of the union.
- c. Terminated employees who are being represented by AFT Healthcare – Maryland shall continue to be eligible for membership during the appeal process.
- d. AFT Healthcare – Maryland officers who leave employment to work for the union full-time shall retain AFT Healthcare – Maryland membership and shall be considered members in good standing.

Section 2. Retiree Membership

Retired health care professionals are eligible for retired member status. AFT Healthcare-Maryland Executive Board will establish the appropriate dues level, representation policies, membership rights and benefits of retiree members.

Section 3. Non-discrimination Policy

Discrimination will not be tolerated toward individual members, applicants, or groups for membership because of race, creed, gender, disability, age, sexual orientation, social, political or economic status, religion, or national origin. Failure to abide by this policy will result in termination from union membership.

Article IV: AFT Healthcare - Maryland Officers

Section 1. Executive Board

The following executive officers shall be elected in even numbered years between September 1 and December 31 by the membership:

1. President
2. Executive Vice President
3. Treasurer
4. Secretary
5. Regional Vice President Western
6. Regional Vice-President Central
7. Regional Vice-President Eastern

8. Regional Vice-President At Large
9. Regional Vice President At Large
10. Chief Steward

Section 2. Delegates

The AFT Healthcare – Maryland President, Executive Vice President, Treasurer, and Secretary shall automatically become delegates to the AFT Convention, the AFT-Maryland Convention and the Maryland State AFL-CIO Convention. Other delegates shall be determined by secret ballot election.

Section 3. Appointees

- a. Chair of the Committee on Political Education

The President shall appoint the chair of the Committee on Political Education for two-year terms. The Chair will be responsible for identifying legislative issues impacting on healthcare professionals, develop strategy to effectively present policy options, recommend a course of action to the Executive Board, participate in developing legislative initiatives, build consensus and legislative support among interest groups, legislators, unions, and citizens of Maryland. Written reports to the Executive Board shall be submitted on a monthly basis.

- b. Chair of the Negotiating Committee

The President shall appoint the chair of the Negotiating Committee. The chair shall maintain and update written records of the negotiating positions of the union and management. This position shall prioritize and strategize negotiating positions and meet with union officials to build consensus around legislative initiatives.

Article V: Election of Officers

Section 1. Candidate Requirements

- a. Membership in good standing is required of all candidates for union office.
- b. Candidates for all offices must have been members in good standing for at least one year before the election.
- c. No candidate may be nominated for more than one office in any election.

Section 2. Term of Office

The term of office for all officers shall be 2 years from the date of the election.

Section 3. AFT Healthcare – Maryland Elections Committee Procedures

- a. The elections committee shall consist of three (3) AFT Healthcare-Maryland members who are not AFT Healthcare-Maryland officers or candidates for election. The committee shall have general responsibility for the conduct of all AFT Healthcare-Maryland elections in accordance with this constitution. Volunteers will be solicited from the general membership.
- b. The elections committee shall serve as a nominating committee and shall receive and validate all nominating petitions.
- c. Ballots of those intending to run for office must be advertised to members no less than 15 days before the election.
- d. Absentee ballots shall be available to any member. Absentee ballots must be requested at least 14 days before the election. All returned absentee ballots must be notarized by a licensed Maryland notary and must be postmarked no later than 5 p.m. the day of the election.
- e. Voting shall be by mail ballot to each member in good standing.
- f. Any disputes regarding the election shall be investigated by the Elections Committee and the results of the investigation reported to the Executive Board. The board's decision shall be final.
- g. Nomination and election procedures shall be conducted in accordance with all provisions of the AFT Healthcare-Maryland Constitution and By-Laws, the AFT Constitution and By-Laws, the Landrum-Griffin Act and the laws of the State of Maryland.

Article VI: Executive Board

Section 1. Meetings

The meetings of the Executive Board shall be presided over by the President of the union or by the Executive Vice President in the absence of the President. Meetings of the Executive Board shall be held at least quarterly.

Section 2. Executive Board Authority

- a. The Executive Board shall be the governing body of the AFT Healthcare-Maryland.
- b. The Executive Board shall approve the annual budget at the first meeting of the fiscal year.
- c. The Executive Board shall arrange for an independent external audit of the AFT Healthcare Maryland books and annual Treasurer's Report.

d. It will be the responsibility of the Executive Board to disseminate the results of the audit to the membership at-large.

e. Dues may be revised by two-thirds vote of the Executive Board.

f. There will be an annual meeting at the time and place determined by the Executive Board.

Section 3. Executive Board Quorum

A quorum for meetings of the Executive Board shall be one-half plus one of its members.

Section 4. Executive Board Vacancy

- a. Replacement(s) for Executive Board vacancies must be nominated by the President and approved by a quorum of the Executive Board. Replacement board members will serve for the period of the unexpired term of the vacant officer's position.
- b. Upon the permanent absence or disability which prevents both the President and the Executive Vice-President from performing the duties for which they were elected, the Executive Board shall select a replacement from among their ranks based upon approval by a quorum.

Section 5. Removal from Office

a. Membership Petition and Charges

Removal of any officer for neglect of duty, malfeasance or misfeasance in office or misappropriation of funds may be initiated by any member of the union by written petition to the Executive Board. The petition must state the specific alleged offense committed by the officer and signed by 20% of the membership.

b. Executive Board Removal

Upon receipt of the written petition, the Executive Board shall appoint a committee to conduct an investigation and simultaneously inform the officer of the petition. The investigating committee will determine whether the charges in the petition represent neglect of duty, malfeasance or misfeasance in office or misappropriation of funds. The findings of the investigating committee will be presented in writing to the Executive Board within 30-days of receipt of the petition. A copy of the investigative findings will be provided to the charged officer immediately and the charged officer will have fifteen days to respond verbally and in writing. A special Executive Board meeting may be called by the President to address the petition if the investigation validates the charges. An officer of the union may be removed from office by a quorum vote of the

Executive Board after completion of the investigation.

c. Failure to Fulfill Responsibilities of Office

The President will identify any officer who substantially fails to fulfill the responsibilities of their office.

1. Failure to attend Executive Board Meetings without just cause may result in removal from office.
2. Significant failure to perform the duties of the office as defined in this Constitution.
3. The President will notify the officer in question of their dismissal.
4. The membership of the union will be notified and solicited to fill the vacancy within 30-days of the dismissal.
5. The nominations will be reviewed and voted upon by the Executive Board for the period of the unexpired term.

Article VII: Committees

Section 1. AFT Healthcare - Maryland Standing Committees

The following standing committees shall be active in the union:

- a. Organizing Committee
- b. Budget Committee
- c. Elections Committee
- d. Bargaining Committee
- e. Grievance Committee
- f. Constitution and By-Laws Committee
- g. Committee on Political Education
- h. Communications Committee

Section 2. Appointment of Committee Chairs and Committee Members

The chairpersons of all committees shall be appointed by the President subject to approval of the Board. Members of standing committees will be solicited from members in good standing.

Section 3. Special Committees

Special Committees may be appointed by the President with approval of the Executive Board as required to address specific identified needs.

Article VIII: Annual Meeting

Section 1. Meetings

A meeting of AFT Healthcare - Maryland members shall be held at least annually at a time and place selected by the Executive Board. The membership will be notified of the time, date, and place in writing at least 30-days prior to the meeting.

Section 2. Eligibility

All AFT Healthcare - Maryland members in good standing are eligible to attend and vote at the meeting.

Section 3. Quorum

A quorum of the meeting shall be a majority of the members present at the time of voting. A majority of the quorum shall be defined as one half plus one in attendance at the meeting.

Article IX: Affiliations

This union shall be affiliated with the American Federation of Teachers (AFT), AFT - Maryland and the Maryland State AFL-CIO.

Article X: Duties of Officers

Section 1. Duties of the AFT-Healthcare-Maryland President

The President shall:

- a. Function as the chief executive officer of AFT Healthcare - Maryland;
- b. Preside at meetings of the Executive Board and the annual meeting;
- c. Sign all necessary papers and documents on behalf of AFT Healthcare-Maryland and, with the treasurer, sign and endorse checks and make deposits;
- d. Call regular and special meetings of the Executive Board;
- e. Report to the membership at the annual meeting on the accomplishments for the past year and current status of the union. The President will outline the plans for the upcoming year.
- f. Maintain communications with AFT - Maryland, AFT and the Maryland State AFL-CIO;
- g. Serve as an ex-officio member of all committees except Elections Committee;
- h. With the approval of the Executive Board,
 - 1. Appoint the chairs of all committees;
 - 2. Call the annual meeting; and
 - 3. Appoint the union's representative to the State of Maryland, and State and national labor committees;
- i. Serve as a delegate to any meeting, conference or convention that allows for an AFT Healthcare - Maryland representative;
- j. Exercise such powers as are incidental to the office;
- k. Take an active role in the recruitment of new members and the maintenance and involvement of current members.

Section 2. Duties of the AFT Healthcare - Maryland Executive Vice-President

The Executive Vice President shall:

- a. Assume the duties of the President in the event the President is unable to fulfill his/her duties.
- b. Preside over Executive Board meetings in absence of the President, signing all necessary papers for AFT Healthcare - Maryland and, with the Treasurer, sign and endorse checks and make deposits;
- c. Perform other duties as designated by the President;
- d. Take an active role in the recruitment of new members and the maintenance and involvement of current members; and
- e. Chair the Organizing Committee and report to the Executive Board on its activities.
- f. Serve as Delegate to any meeting, conference or convention that allows or calls for representation of the Union.

Section 3. Duties of the AFT Healthcare - Maryland Secretary

The Secretary shall:

- a. Record (or arrange for recording), compile, maintain and distribute all minutes of Executive Board meetings;
- b. Maintain all official AFT Healthcare - Maryland records and documents;
- c. Process all official AFT Healthcare - Maryland correspondence;
- d. Perform other duties as assigned by the Executive Board; and
- e. Take an active role in the recruitment of new members and the maintenance and involvement of current members.

Section 4. Duties of the AFT Healthcare - Maryland Treasurer

The Treasurer shall:

- a. Supervise the collection of membership dues, including working with government agencies to effectuate payroll deduction of dues;
- b. Receive and maintain all money, property and securities of AFT Healthcare - Maryland;
- c. Deposit all money and securities in the name of AFT Healthcare - Maryland in a financial institution designated by the Executive Board;
- d. Keep accurate records of all receipts of AFT Healthcare - Maryland;
- e. Serve on the Executive Board;
- f. Make disbursements of funds as approved by the Executive Board.
- g. Take an active role in the recruitment of new members and the maintenance and involvement of current members;
- h. Make timely payment of all bills authorized by the budget of the union and its constitution; all other expenses must be approved by the Executive Board.
- i. Make timely payment of all per capita dues to AFT and AFT - Maryland and submit a monthly per capita membership report, as required by AFT and AFT - Maryland.
- j. Prepare and submit a monthly financial report to the Executive Board and with the President sign and endorse checks and make deposits; and
- k. Prepare and file, in a timely manner, all appropriate tax returns and financial documents required from the Union.

Section 5. Duties of the AFT Healthcare - Maryland Regional Vice Presidents and At-Large Vice Presidents

- a. Serve to advance the goals and objectives of the Union;
- b. Represent the interests of the Union membership within their jurisdiction;
- c. Report to the Executive Board on all matters of importance to members in their jurisdiction for possible Board action; and
- d. Take an active role in the recruitment of new members and serve the interests of current members including attending labor management committee meetings at all facilities or state agencies in their jurisdiction and conducting initial analysis of complaints of members.

Section 6. Duties of the AFT Healthcare – Maryland Chief Steward

- a. Recruit the shop stewards for all organizations of which AFT Healthcare – Maryland has members or bargaining unit personnel;
- b. Coordinate the activities of shop stewards at all locations where members work;
- c. Assist in the development and teaching steward training programs;
- d. Assist stewards and regional vice presidents in dealing with grievances;
- e. Enforce the collective bargaining agreement;
- f. Serve on the Departmental Labor Management Committees;
- g. Become involved in facility or agency or agency labor management committees when needed;
- h. Chair the grievance committee;
- i. Serve on the organizing committee;
- j. Report to the Executive Board the activities of the stewards and the grievance committee; and
- k. Take an active role in the recruitment of new members and the

involvement of current members.

Article XI: Duties of Committees

Section 1: Organizing Committee

- a. Develop an organizing plan;
- b. Execute a program that insures the retention and involvement of current members, and the recruitment of new members;
- c. Work with the Chief Steward to make the steward structure as effective as possible to involve members in the recruitment work of their Union; and
- d. Make annual reports of its activities to the Executive Board and to the membership at the annual meeting.

Section 2. Budget Committee

- a. Shall prepare an annual budget for presentation for Executive Board approval and then present to the membership at the annual meeting.

Section 3. Audit Committee

- a. Shall conduct an internal audit of the Union's books, review the Treasurer's report and file the result of that review to the Executive Board; and
- b. Assure that an independent audit is performed annually.

Section 4. Elections Committee

- a. The elections committee shall conduct the election of officers.

Section 5. Bargaining Committee

- a. At the direction of the president shall prepare bargaining proposals after a survey of the membership to the Executive Board and after the Board's acceptance of them shall present these proposals to the State for negotiations and inclusion in the collective bargaining agreement.

Section 6. Grievance Committee

- a. The Grievance Committee shall ensure that grievances are handled

effectively and on a timely basis; and

- b. The Grievance Committee shall make recommendations to the Executive Board on any grievance that requires action beyond the regular grievance procedure. This includes any legal action requiring additional funding or resources.

Section 7. Constitution and By-Laws Committee

The Constitution and By-laws Committee shall review the Constitution and By-laws on an annual basis and make recommendations to the Executive Board for its approval to present items to the Annual Meeting.

Section 8. Committee on Political Education, (COPE)

Develop and coordinate the solicitation of donations to the COPE fund and be directly involved in recruiting and assigning volunteers to support election campaigns approved by the Executive Board.

Article XII: Duties of Committee Chairpersons

- a. Committee chairpersons shall hold regular meetings, with appropriate advance notice to the members;
- b. The President shall give general direction and role of committees; and
- c. Committee Chairpersons are expected to attend meetings of the Executive Board and to report on the activities of their committee.

Article XIII: Procedures

Robert's Rules of Order, Newly revised shall govern the conduct of meetings of the Executive Board and membership meetings. Where Robert's Rules of Order Newly Revised is inconsistent with this Constitution, this Constitution shall prevail.

Article XIV: Amendments

Proposed amendments to the Constitution or By-Laws committee must be presented to the Executive Board not later than 90 days before the Annual Meeting.

The Executive Board will refer the proposed actions to the Constitution and By-Laws committee which shall make recommendations to the Board concerning the proposed amendments back to the Board concerning the validity of the

proposal.

The approved proposed amendments will be sent to the membership 30 days prior to the Annual Meeting.

The Constitution may be amended by a 2/3 vote of those present and voting at the Annual Meeting.

The By-Laws may be amended by a majority vote of those present and voting at the Annual Meeting.

Article XV: Constitutional Authority

The AFT Healthcare – Maryland Constitution and By-Laws shall comply with and be subordinate to the AFT Constitution and By-Laws and the AFT - Maryland Constitution and By-Laws and with all applicable State and Federal Laws.

Article XVI: Special Rules of Order for Annual Meetings

Section 1. The Organizing Committee shall be responsible for registration of members, executive members, and visitors. Registration of members shall begin one half hour prior to the start of the Annual Meeting. Before the time for registration, the president shall furnish the committee on credentials with copies of the lists of members and the duplicates of credentials as reported. Each member shall be given an identifier to be used during the voting process.

Section 2. Only credentialed members shall be permitted to vote.

Section 3. The Organizing Committee shall be appointed by the Executive Board. This committee shall prepare a program of the Annual Meeting and shall submit it to the President. The President shall provide a copy of the program to each member attending the Annual Meeting.

Section 4. The Annual Meeting shall be called to order by the President and conducted according to the printed program as prepared and approved by the Executive Board subject to such modification as the meeting may make from time to time.

Section 5. Limitations of speeches in debate shall be three minutes instead of ten minutes as provided in Robert's Rules of Order Revised unless time is extended by majority vote of the Annual Meeting.

Section 6. The order of business sessions of the Annual Meeting shall be as follows:

- a. Report of the Organizing Committee on credentials;
- b. Action on minutes of the previous Annual Meeting as summarized in the delegate's reports as prepared by the Secretary;

- c. Reports of officers and executive employees;
- d. Report of Executive Board;
- e. Report of special committees; and
- f. Reports on Annual Meeting amendments.

Section 7. Voting will be based on a majority count of individual identifiers.

Section 8. The Annual Meeting shall adjourn when the business of the Annual Meeting has been finished.

Article XVII: Dues, Budget, and Audit

Section 1. Dues

Dues shall be adjusted each year at a rate equal to the sum of the September per capita rates set by the American Federation of Teachers, AFT – Maryland and the Metropolitan Baltimore Council AFL-CIO Unions plus .45 percent of the Grade 9 base salary in the Maryland State Standard Salary Schedule.

Section 2. Executive Board Control

The Executive Board of AFT Healthcare – Maryland shall have the authority to change the increase provided for in this section as the needs of the union and the membership change.

Section 3. Budget

The budget shall be prepared and adopted annually by the Executive Board.

Section 4. Audit

It shall be the responsibility of the Executive Board to ensure an external audit is conducted of the union's financial records of the organization every two years and to submit said audits to each convention and the national AFT office.

Affirmation

This Constitution and By-Laws was passed at an Annual Meeting on September 29, 2012. We affirm that the attached Constitution and By-Laws was passed unanimously at the above Annual Meeting.

Debra A. Perry M.P.H.

Debra Perry, President

AFT Healthcare – Maryland

AFL-CIO. Local # 5197

Alisa S. Henderson M.S.

Alisa Swafford-Henderson, Treasurer

AFT Healthcare - Maryland