



*Society of Professional Engineering
Employees in Aerospace
IFPTE Local 2001
AFL-CIO, CLC*

Constitution

2010

HATFIELD DRAFT V-x- 12/21/2010

Certified by: _____
Governing Documents Committee Chair

Accepted by: _____
SPEEA Secretary

Table of Contents

DEFINITIONS.....	4
PREAMBLE.....	5
ARTICLE 1 - GOVERNING DOCUMENTS.....	5
Section 1 – SPEEA Governing Documents.....	5
ARTICLE 2 – GENERAL	5
Section 1 – Mergers	5
Section 2 – Affiliation	5
Section 3 – Associations.....	5
Section 4 – Training.....	5
ARTICLE 3 – MEMBERSHIP	6
Section 1 – Membership Requirements	6
Section 2 - Regular Membership.....	6
Section 3 - Associate Membership.....	6
Section 4 - Reciprocal Membership	6
Section 5 – Staff eligibility.....	6
Section 6 – Membership Meetings	6
Section 7 – Nominations and Voting.....	6
Section 8 - Dues, Dues Delinquency and Loss of Membership.....	6
ARTICLE 4 - DISTRICT REPRESENTATION	7
Section 1 - Area Representatives	7
Section 2 - Alternate Council Representatives.....	7
Section 3 - Council Representatives.....	7
ARTICLE 5 - BARGAINING UNIT	8
Section 1 - Bargaining Unit.....	8
ARTICLE 6 – GOVERNING BOARDS.....	8
Section 1 – Requirements.....	8
Section 2 – Bargaining Unit Councils	9
Section 3 - Regional Councils	9
Section 4 - SPEEA Council.....	11
Section 5 - Executive Board.....	12
ARTICLE 7 – TELLERS COMMITTEES	14
Section 1 – Regional Tellers Committee	14
Section 2– SPEEA Tellers Committee	15

ARTICLE 8 - JUDICIAL REVIEW COMMITTEE 15
 Section 1- Judicial Review Committee 15
ARTICLE 9 - HEARING BOARDS..... 16
 Section 1 - Hearing Boards..... 16
ARTICLE 10 - CHARGES AND APPEALS..... 17
 Section 1 - Charges..... 17
 Section 2 - Appeals..... 17
ARTICLE 11 – BY-LAWS..... 18
 Section 1 – Amendments to By-laws 18
ARTICLE 12 – NEGOTIATIONS..... 18
 Section 1 - General..... 18
 Section 2 - Interim..... 18
ARTICLE 13 – REFERENDUMS AND CONSTITUTION AMENDMENTS..... 18
 Section 1 – General 18
 Section 2 - Constitutional Amendments 19
 Section 3 – Challenges and Appeals..... 20
ARTICLE 14 – ELECTIONS..... 20
 Section 1 – Elections 20
 Section 2 – Challenges and Appeals..... 20
ARTICLE 15 – SEVERABILITY 20
 Section 1 – Severability 20
 Section 2 – Legal Integrity..... 20

DEFINITIONS

Affiliation – The act of an organization associating with another organization as a subordinate, subsidiary, or member to form a federation of unions.

Association – The joining of unions or groups for a common purpose.

Bargaining Unit - A group of employees certified by the National Labor Relations Board, or agreed to by the union and the employer as an appropriate group of employees for collective bargaining.

Council District – The SPEEA membership is grouped into work locations of approximately 200 members. These locations are defined by the Tellers as Council Districts.

Council Representative –The union representative for a Bargaining Unit District.

CPA – Certified Public Accountant

Defendant – A member against whom a claim or charge is brought.

Delegate – A member who is empowered to vote when representing others.

Days - Defined as calendar days unless otherwise stated

Expansion of Bargaining Unit

Majority Vote – The number of votes in the affirmative is greater than those in the negative.

Member – When stated in this constitution, means a SPEEA represented employee who has a Regular membership in good standing unless otherwise stated.

Merger - The consolidation of two or more unions into one surviving union.

Petition – A request to have a referendum placed on the ballot for membership approval. Or a request to place names on a ballot for an elected SPEEA office.

Plaintiff - A member who brings a claim or charge against another member(s).

Plurality vote

Policy Owner - Any board, council, or committee that develops and adopts Policies and Procedures.

Positive Majority Vote - A majority vote of every delegate position of the board, council, or committee, reduced by any vacancies existing at the time.

Regions - Geographic groupings of Bargaining Unit(s).

Two-thirds (2/3rds) Vote – A minimum of twice as many votes are in the affirmative as opposed to those in the negative.

PREAMBLE

We, the members of the Society of Professional Engineering Employees in Aerospace, International Federation of Professional and Technical Engineers, Local 2001 AFL-CIO, CLC, are the source of all SPEEA powers and authority. To protect and improve our benefits and working conditions, to enhance our career and economic interests, and to promote a mutually beneficial relationship of dignity and respect with our employers, we agree to the principles of collective bargaining and hereby establish this constitution for the Society of Professional Engineering Employees in Aerospace.

ARTICLE 1 - GOVERNING DOCUMENTS

Section 1 – SPEEA Governing Documents

- a. All SPEEA governing documents must be in compliance with the IFPTE constitution and any and all applicable federal and state laws. All subordinate SPEEA governing documents must be in compliance with superior SPEEA governing documents. The order of precedence is as follows:
 1. Federal and State Laws
 2. IFPTE Constitution
 3. SPEEA Constitution
 4. SPEEA By-laws
 5. SPEEA Regional By-laws
 6. SPEEA Policy and Procedures
 7. SPEEA Regional Policy and Procedures
 8. SPEEA Bargaining Unit Policy and Procedures
 9. Executive Board and Committees' Procedures

ARTICLE 2 – GENERAL

Section 1 – Mergers

- a. A merger shall be determined in accordance with the referendum procedure.
- b. No SPEEA Member or employee shall initiate formal merger discussions with another group or organization without specific SPEEA Council instruction.
- c. No SPEEA Member or employee shall commit or imply SPEEA approval of any merger until the membership has approved the merger by referendum.

Section 2 – Affiliation

- a. SPEEA is affiliated with the IFPTE consistent with the joint affiliation agreement.
- b. An affiliation shall be determined in accordance with the referendum procedure.
- c. No SPEEA Member or employee shall initiate affiliation discussions with another group or organization without specific SPEEA Council instruction.
- d. No SPEEA Member or employee shall commit or imply SPEEA approval of any affiliation until the membership has approved the merger by referendum.

Section 3 – Associations

- a. Associations shall be determined by the Regional or SPEEA Council.

Section 4 – Training

- a. All Council Representatives and Executive Board Members must complete a training course on grievance handling within two months of being seated and an annual refresher course within two-months of the anniversary of elections.
- b. The two-month period may be extended to a four-month maximum period provided that interim training has been completed. Approval for extensions for Council Representatives and Regional Vice Presidents require a two thirds

(2/3rd) vote of a Regional Council. Approval for the SPEEA President, Treasurer, and Secretary require a two thirds (2/3 rd) vote of the SPEEA Council.

ARTICLE 3 – MEMBERSHIP

Section 1 – Membership Requirements

- a. Membership in SPEEA shall be open to those who meet the requirements in Sections 2 through 4 except when membership has been revoked due to discipline.
- b. Membership will be granted by SPEEA upon receipt of a valid application and payment of all dues owing.

Section 2 - Regular Membership

- a. The Regular Membership of SPEEA shall be the supreme governing and policy making body of SPEEA.
- b. Any employee of a Bargaining Unit represented by SPEEA may be a regular member.
- c. All regular members agree to be bound by the terms and provisions of this Constitution.
- d. Regular members added to an existing Bargaining Unit during an expansion of the Bargaining Unit, or members of a Bargaining Unit that is less than two years old are exempt from the continuous membership requirement to hold a SPEEA or SPEEA-elected IFPTE office.
- e. Each member will receive a membership card.

Section 3 - Associate Membership

- a. Former SPEEA-represented employees or anyone employed in an aerospace or an equivalent industry may be Associates.

Section 4 - Reciprocal Membership

- a. Any person represented by a union or group with a reciprocal membership agreement determined and approved by the SPEEA Council may have reciprocal membership.

Section 5 – Staff eligibility

- a. SPEEA staff employees are eligible for SPEEA regular membership only with respect to IFPTE activities and are not eligible for any other SPEEA regular membership rights.

Section 6 – Membership Meetings

- a. Regular and informational meetings will be conducted at the regional level.
 - 1. Regular membership meetings may be held at a time and place set by the Regional Council.

Section 7 – Nominations and Voting

- a. Members are entitled to vote on any and all matters affecting membership as a whole, including but not limited to: referendums, elections and collective bargaining agreements.
- b. Members have the right to nominate, elect, and recall Council Representatives, Executive Board officers, and IFPTE delegates of SPEEA.
- c. Members of each region have the right to nominate, elect and recall their Regional Vice Presidents.

Section 8 - Dues, Dues Delinquency and Loss of Membership

- a. On January 5th of each year the average hourly rate of all who are represented by SPEEA multiplied by 0.85 will be established as the monthly Regular membership dues requirement.
- b. Dues obligations for a striking Bargaining Unit are suspended during a Bargaining Unit Strike.
- c. A member who is delinquent in dues shall be notified upon discovery.
 - 1. A member who, sixty days after notification, is delinquent with respect to payment of dues shall be considered a non-member and will be suspended from all membership privileges, including voting for office, running for office or holding office.

- d. Failure by an authorized employer to deduct and/or submit dues to SPEEA will not result in the suspension of the member, provided the member is not in collusion with the employer in the non-payment of dues.
 - 1. The member is still responsible for the payment of dues.

ARTICLE 4 - DISTRICT REPRESENTATION

Section 1 - Area Representatives

- a. Area Representatives are the communication link between the membership and the Council Representative.
- b. A member may become an Area Representative by submitting a petition endorsed by Regular Members in their district. Council Representatives may appoint Area Representatives as necessary.
- c. Area Representatives shall:
 - 1. Refer employees with grievances and/or problems to the Council Representative.
 - 2. Report any workplace activities believed to be in violation of the Contract to the Council Representative or SPEEA Staff.
 - 3. Forward communication from the Council Representative to members in the area.
 - 4. Provide member feedback on issues to their Council Representative.

Section 2 - Alternate Council Representatives

- a. The Alternate Council Representative of a district is an Area Representative designated to be the Council Representative's surrogate at any meeting of a Council.
- b. Alternate Council Representatives are designated by the Council Representative. The Council Representative has the right to change designation at any time.
- c. Alternate Council Representatives shall
 - 1. Attend Council meetings when notified by the Council Representative.
 - 2. Act as the delegate from that Council district and have all voting privileges during that Council meeting in the absence of the Council Representative.

Section 3 - Council Representatives

- a. Council Representatives are the workplace representatives of SPEEA and the district delegate to the Bargaining Unit Council.
- b. Council Representatives shall be elected by their district membership per the election procedures in April of odd numbered years.
 - 1. In order to be nominated for a Council Representative position, the nominee must be a SPEEA member for the preceding twelve-month period prior to the election. The nominee's primary work location must reside in the district.
 - 2. The nominee must file a petition with the Regional Tellers Committee. The petition must be endorsed by members of the district applied for.
 - 3. The term of office will be from the beginning of the first council meeting following the election to the beginning of the first council meeting following the next election.
- c. Once elected, Council Representatives will serve until their term expires and may be removed prior to the expiration of their term only by the recall process or by disciplinary action.
 - 1. A recall petition must be endorsed by the number of members in the district divided by twice the number of Council Representative positions in the district and presented to the Regional Tellers.
 - 2. Loss of a Council Representative position also means a loss of all or any Council Office positions.
- d. Vacancy of Office
 - 1. If a vacancy of a Council Representative position occurs, whether due to recall, disciplinary action, resignation, incapacity, death, or failure to meet the requirements of a Council Representative during a term of office, a replacement Council Representative shall be elected per the election procedures and hold office for the remainder of the term.
 - 2. In the event of a permanent relocation or transfer into a vacant Council District, the Council Representative shall submit a petition within thirty days for that vacant Council position. Upon election, the previous district position shall be declared vacant.

- e. Typical Council Representatives activities include:
 1. Becoming familiar with the Bargaining Unit contract
 2. Being responsible for investigating any workplace activities believed to be in violation of the Contract
 3. Advocating problem solving in the workplace
 4. Providing information to the membership
 5. Providing membership support
 6. Recruiting new members
- f. Council Representatives shall be responsible for:
 1. Representing employees during discipline and performance issue meetings
 2. Being the district delegate at Council meeting
 3. Completing all training requirements.

ARTICLE 5 - BARGAINING UNIT

Section 1 - Bargaining Unit

- a. Each Bargaining Unit is authorized to act on matters exclusive to the specific Bargaining Unit represented. Bargaining Unit membership exclusively act on:
 1. Electing Bargaining Unit Council Representatives;
 2. Approving collective bargaining agreements between the employer and their specific Bargaining Unit by a majority vote;
 3. Recommending legislative and lobbying action affecting the Bargaining Unit
- b. Bargaining Unit Meetings
 1. The membership of a Bargaining Unit may call a Bargaining Unit Meeting by any of the following methods:
 - a. A two-thirds (2/3rds) vote of the Bargaining Unit Council
 - b. A two-thirds (2/3rds) vote of the Executive Board
 - c. A petition signed by a minimum of ten percent (10%) of members, which states the reason for calling the meeting, and submitted to any Council Officer.
 2. The Regional Council Officers shall convene the meeting within thirty (30) days following authorization.
 3. A quorum of a Bargaining Unit Meeting shall consist of a majority of members as of the last calendar day of the preceding month.
- c. Addition of Bargaining Units
 1. The addition of any Bargaining Unit(s) shall require authorization by the SPEEA Council.
 2. The addition of any Bargaining Unit(s) which does not consist of employees of one of the entities listed below shall require ratification through referendum initiated by the SPEEA Council to the SPEEA membership.
 - a. Boeing, Spirit, Triumph and BAE
 - b. Wholly-owned subsidiaries of companies listed in a)
 - c. Joint venture of companies listed in a)
 - d. Successor company of companies listed in a)
- d. Regardless of size, each Bargaining Unit shall have at least one Council Representative.
 1. The ratio of Council Representative per Bargaining Unit members shall be no less than one (1) Council Representative per two hundred (200) members (or major portion thereof).

ARTICLE 6 – GOVERNING BOARDS

Section 1 – Requirements

- a. All meetings of all councils shall be conducted in accordance with the current edition of Robert’s Rules of Order, Newly Revised. Where a conflict exists between Robert’s Rules of Order and any SPEEA Governing document, SPEEA governing documents take precedence.
- b. Meetings of Boards and committees shall be conducted in accordance with the current edition of Robert’s Rules of Order, Newly Revised when invoked by a member.
- c. No member may concurrently serve on a Teller committee, on the Judicial Review Committee, as an Executive Board officer, as an Executive Board Vice President, as a Council Representative or as a Designated Alternate.

Section 2 – Bargaining Unit Councils

- a. The Bargaining Unit Council is comprised of:
 1. Council Representatives of the Bargaining Unit;
 2. Executive Board Members from the same Bargaining Unit;
 3. In the event that the number of Bargaining Unit Council Members, comprised of 1 and 2 above, falls below three (3), Alternate Council Representatives will be considered Bargaining Unit Council delegates for bargaining unit business only;
 4. In the event that the number of Bargaining Unit Council Members, comprised of 1, 2, and 3 above, falls below three (3), Area Representatives of the Bargaining Unit will be considered Bargaining Unit Council delegates for bargaining unit business only;
 5. In the event that the number of Bargaining Unit Council Members, comprised of 1, 2, 3 and 4 above, falls below three (3), and Bargaining Unit has 100 or less members, then the members of the Bargaining Unit will be considered Bargaining Unit Council delegates for bargaining unit business only
- b. Bargaining Unit Council procedures must exist if a Bargaining Unit Council elects officers. These officers shall fulfill the duties assigned to the Regional Council Officers for the Bargaining Unit and Bargaining Unit Council.
- c. Bargaining Unit Council Meetings:
 1. Meetings may be called by the Regional Council Chairman or upon written demand submitted to the Regional Council Chairman by a minimum of one-third (1/3rd) of the Council Representatives from the Bargaining Unit.
 2. The Regional Council Chairman or Chairman pro-tem shall preside at all Bargaining Unit Council meetings.
 3. The Regional Council Secretary shall record the minutes and maintain all relevant records.
 4. A majority of the Bargaining Unit Council Members constitutes a quorum, providing that alternate members do not exceed one-third (1/3rd) of the quorum count.
- d. Powers of the Bargaining Unit Council
 1. To act upon matters pertaining to the Bargaining Unit not exclusively reserved to the Bargaining Unit membership;
 2. To establish negotiation policies and strategies;
 3. To determine the means of selecting all contract negotiators;
 4. Approve contract amendments with the employer;
 5. To develop and adopt Bargaining Unit Policies and Procedures;
 6. To recommend legislative and lobbying action affecting the Bargaining Unit.
- e. Except where exclusive authority has been given to the Executive Board by this Constitution, all Executive Board actions are subject to review and subsequent direction by the Bargaining Unit Council on matters pertaining exclusively to the Bargaining Unit.
 1. The Bargaining Unit Council may reverse action taken by the Executive Board on such matter by a two-thirds (2/3rd) majority vote, providing that the number of persons who vote in the affirmative to reverse an action is equal to or above a majority of the entire number of Council Representatives, and further provided that any action to reverse Executive Board decisions is concluded within sixty (60) days of the Executive Board's actions(s).
 2. On any vote by the Bargaining Unit Council to overturn previous Executive Board action, Executive Board Members shall be excluded from the vote and the quorum requirements for the vote,

Section 3 - Regional Councils

- a. The Regional Council is comprised of Bargaining Unit Council members from the Region, who act as delegates to the Regional Council. Officers are the Chair, Treasurer and Secretary. There shall be Council Members and Alternate Members.
- b. At the first meeting following the Council Representative elections, the Regional Council shall elect from the Regional Council Representatives, a Chair, Treasurer and Secretary.
 1. The Regional Council may elect other officers, as it deems appropriate.
- c. The Regional Council Chair shall:
 1. Preside over all Regional Council Meetings;
 2. Act as, or designate, an observer at all Executive Board Meetings;

3. Be an Ex-Officio member of all Regional committees;
 4. Oversee, review action(s) and ensure coordination between Regional Council committees;
 5. Act as an observer, or his or her designee, at all Negotiations meetings within the Region;
 6. Represent the Regional Council in all business activities exclusive to the Regional Council;
 7. Oversee all Regional Council activities.
- d. The Regional Council Treasurer shall:
1. Be responsible to the Council for the deposit and withdrawal of all Regional Council funds;
 2. Be in compliance with all governing documents, policies and procedures as it relates to all Regional financial transactions;
 3. Be responsible for the presentation of reports from the Regional Council Treasurer, the SPEEA Council Treasurer and the SPEEA Treasurer at every regularly scheduled Regional meeting and at any special Regional meeting called for that purpose;
 4. Be accountable to the SPEEA Treasurer for all funds within the Treasurer's responsibility.
- e. The Regional Council Secretary shall:
1. Be responsible for the recording of all Regional meetings' minutes;
 2. Maintain and be responsible for all Regional Council Records in a secure environment;
 3. Maintain a roll of all Regional delegates;
 4. Notify officers and delegates of all Regional related appointments;
 5. Notify all Council delegates of all regular and special Regional meetings;
 6. Maintain all Regional Council correspondence;
 7. Furnish committees with any relevant document(s);
 8. Develop the agenda for Regional Council meetings in conjunction with Regional Council Officers and oversee the distribution of agendas to all Regional delegates a minimum of seven (7) days before the commencement;
- f. Regional Council Meetings
1. Regional Council meetings shall be called at the request of the Chair or by a petition signed by a minimum of twenty percent (20%) of Regional Delegates
 2. A quorum of Regional Council Meetings shall consist of a majority of Regional Council Members who are entitled to vote.
 - a. A maximum of one-third (1/3rd) of the quorum requirement may be alternate delegates.
 3. Regional Council meetings may be held concurrently at one or more locations by electronic communication providing every Regional delegate has equal access to all information presented.
 4. In the absence of the Chair, the Treasurer shall perform the duties of the Chair.
 5. In the absence of the Treasurer, the Secretary shall perform the duties of the Treasurer.
 6. In the case where only one officer is present to preside over the meeting or the Secretary is absent, a Secretary Pro Tem will be appointed from the Council Representatives. The Secretary Pro Tem will only be responsible for the recording of the minutes of that meeting.
- g. Powers of the Regional Council
1. To act upon matters pertaining to the Region not exclusively reserved to the Regional membership.
 2. To develop and adopt Regional Council By-Laws;
 3. To develop and adopt Regional Policies and Procedures;
 - a. The Regional Council shall not delegate any of its policy-making duties.
 4. To approve the Regional budget by a majority vote;
 5. To recommend legislative and lobbying action affecting the Region.
- h. Except where exclusive authority has been given to the Executive Board by this Constitution, all Executive Board actions are subject to review and subsequent direction by the Regional Council on matters pertaining exclusively to the Region.
1. The Regional Council may reverse action taken by the Executive Board on such matters by a two-third (2/3rd) majority vote, providing that the number of persons who vote in the affirmative to reverse action is equal to or above a majority of the entire number of Regional Council Representatives, and further provided that any action to reverse Executive Board decisions is concluded within sixty (60) days of the Executive Board's action(s).
 2. On any vote by the Regional Council to overturn previous Executive Board action, Executive Board members shall be excluded from the vote and the quorum requirements for the vote.

Section 4 - SPEEA Council

- a. The SPEEA Council is comprised of Regional Council members, who act as delegates to the SPEEA Council. Officers are the Chair, Treasurer and Secretary. There shall be Council Members and Alternate Members.
- b. Election of Officers - At the first meeting following the Council Representative elections, the SPEEA Council shall elect from the SPEEA Council Representatives, a Chair, Treasurer and Secretary.
- c. The SPEEA Council Chair shall:
 1. Preside over all SPEEA Council Meetings;
 2. Act as an observer, or his or her designee, at all Executive Board Meetings;
 3. Be an Ex-Officio member of all committees;
 4. Oversee, review action(s) and ensure coordination between SPEEA Council Committees.
- d. The SPEEA Council Treasurer shall:
 1. Be responsible to the Council for the deposit and withdrawal of all SPEEA Council funds;
 2. Be in compliance with all governing documents, policies and procedures as it relates to all financial transactions;
 3. Provide financial reports to the SPEEA Council whenever requested to do so by the Chair or by the agenda;
 4. Be accountable to the SPEEA Treasurer for all funds within the SPEEA Council Treasurer's responsibility.
- e. The SPEEA Council Secretary shall:
 1. Be responsible for the recording of all meetings' minutes;
 2. Maintain and be responsible for all SPEEA Council Records in a secure environment;
 3. Maintain a roll of all SPEEA Council delegates;
 4. Notify SPEEA Council officers and delegates of all SPEEA related appointments;
 5. Notify all SPEEA Council delegates of all regular and special meetings;
 6. Maintain all SPEEA council correspondence;
 7. Furnish committees with any relevant document(s);
 8. Develop the agenda for SPEEA Council meetings and the Annual Convention in conjunction with SPEEA Council Officers and oversee the distribution of agendas to all SPEEA delegates a minimum of seven (7) days before the commencement of a SPEEA Council Meeting and a minimum of twelve (12) days before commencement of the Annual Convention.
- f. SPEEA Council Meetings
 1. SPEEA Council meetings shall be called at the request of the Chair or by a petition signed by a minimum of twenty percent (20%) of SPEEA Council delegates.
 2. Sixty percent (60%) of all SPEEA Council delegates constitutes a quorum for SPEEA Council meetings – no business may be transacted without a quorum.
 3. SPEEA Council meetings may be held concurrently at one or more locations providing every SPEEA Council delegate has equal access to all information presented.
 4. In the absence of the Chair, the Treasurer shall perform the duties of the Chair.
 5. In the absence of the Treasurer, the Secretary shall perform the duties of the Treasurer.
 6. In the case where only one officer is present to preside over the meeting or the Secretary is absent, a Secretary Pro Tem will be appointed from the Council Representatives. The Secretary Pro Tem will only be responsible for the recording of the minutes of that meeting.
- g. SPEEA Annual Convention
 1. The SPEEA convention shall be held annually at a place and time to be determined by the SPEEA Council Officers.
 2. Sixty percent (60%) of all SPEEA Council delegates constitute a quorum for the annual convention.
- h. Powers of the SPEEA Council
 1. To develop and adopt SPEEA Council by-laws;
 2. To develop and adopt SPEEA Policies and Procedures;
 - a. The SPEEA Council shall not delegate any of its policy-making duties.
 3. To approve expansion transition plans requiring constitution exemptions for a maximum of two-years;
 4. To approve the SPEEA budget by a majority vote;
 5. To overturn line items of the SPEEA budget by a two-thirds (2/3rds) majority vote;
 6. To approve the SPEEA Council budget by a majority vote;
 7. To overturn line items of the SPEEA Council budget by a two-thirds (2/3rds) majority vote;

8. To recommend legislative and lobbying activities affecting SPEEA;
9. To identify Regions of SPEEA.
10. To hear appeals on Executive Board disapproved budget requests from the Regional Tellers, SPEEA Tellers and Judicial Review Committee.
 - a. The Council's decision (by majority vote) on said budget request shall be final and binding.
- i. Except where exclusive authority has been given to the Executive Board by this Constitution, all Executive Board actions are subject to review and subsequent direction by the SPEEA Council.
 1. The SPEEA Council may reverse action taken by the Executive Board on such matters by a two-third (2/3rd) majority vote, providing that the number of persons who vote in the affirmative to reverse an action is equal to or above a majority of the entire number of SPEEA Council Representatives and further provided that any action to reverse Executive Board decisions is concluded within sixty (60) days of the Executive Board's action(s).
 2. On any vote by the SPEEA Council to overturn previous Executive Board action, Executive Board members shall be excluded from the vote and the quorum requirements for the vote

Section 5 - Executive Board

- a. The Executive Board shall be the body of elected members that has executive control and administrative responsibility for SPEEA.
- b. The Executive Board is comprised of the Executive Officers and all Regional Vice Presidents, with a minimum of four regional Vice Presidents and a minimum of one regional Vice President per region.
 1. The Executive Officers of the Executive Board are: SPEEA President, SPEEA Treasurer, and SPEEA Secretary.
- c. In order to be eligible for an Executive Board position, the candidate must be a SPEEA member for the preceding twenty-four months prior to the election.
 1. Executive Board Officer candidates must file a petition with the SPEEA Tellers Committee. The petition must be endorsed by members.
 - a. Executive Board Officers cannot serve more than two full consecutive terms in the same office.
 2. Regional Vice President candidates must file a petition with the Regional Tellers Committee. The petition must be endorsed by Regional members.
 3. Executive Board positions will be published in all official SPEEA publications before the petition deadline.
- d. Election of Executive Board Members - The President, Treasurer, and Secretary shall be elected by the SPEEA membership every two years on even numbered years. The Regional Vice Presidents shall be elected by the Regional membership every two years on odd numbered years.
 1. The ballots shall be available to each member prior to the last Wednesday in February.
 2. The counting of the ballots shall occur on the second Wednesday in March.
 3. Term of office commences at 12:00 p.m. Pacific Time on the fourth Wednesday in March after the election and concludes at 12:00 p.m. Pacific Time two years later on the fourth Wednesday of March.
- e. Recall of an Executive Board member
 1. The Executive Board members may be recalled through the referendum process.
- f. Vacancy of Office
 1. In the event of a removal, resignation, succession, incapacity or death of an Executive Board member during a term of office, a replacement Executive Board member will hold office for the remainder of the term. A replacement Executive Board member will take office immediately following their selection.
 2. Should the office of President become vacant, the Treasurer shall succeed to that office.
 3. Should the office of Treasurer become vacant, the Secretary shall succeed to that office.
 4. Should the office of Secretary become vacant, the entire Executive Board shall be notified and the Executive Board will fill the position with a Regional Vice President within three weeks.
 5. Should the office of a Regional Vice President become vacant, the position shall be filled by a secret ballot election of the Regional Council.
 6. In the event that the number of Executive Board members falls below the minimum quorum requirement, the remaining members shall continue to conduct Union business by a unanimous vote of the remaining Executive Board members. The appropriate councils shall meet as soon as reasonably possible to fill the vacancies by an election during a Council meeting.
- g. The SPEEA President shall:

1. Preside as Chair of the Executive Board;
 2. Nominate appointments and removals from all Executive Board committees;
 3. Act as an ex-officio member of all Executive Board and SPEEA Council committees;
 4. At the president's discretion, serve as an observer or select a designee to observe all Negotiation Teams.
- h. The SPEEA Treasurer shall:
1. Be responsible for the receipt and distribution of all SPEEA funds;
 2. Supervise the collection of membership dues;
 3. Be responsible for the safekeeping all of membership dues records;
 4. Provide financial reports to the SPEEA Council, Regional Council and the SPEEA membership at all Regular Scheduled meetings;
 5. Perform the duties of the President and/or the Secretary in his/her absence.
- i. The SPEEA Secretary shall:
1. Maintain and be responsible for the recording of all Executive Board minutes;
 2. Maintain and be responsible for all SPEEA records in a secure environment;
 3. Validate petitions for referendums;
 4. Notify all Executive Council officers of their appointments;
 5. Maintain a roll of all SPEEA members;
 6. Develop the Agenda for all regular and special meetings;
 7. Furnish committees with any relevant document(s);
 8. Perform the duties of the Treasurer in his or her absence and the President when the Treasurer and the President are both absent.
- j. Regional Vice Presidents shall:
1. Represent their Region and bring any Regional issues to the Executive Board;
 2. Coordinate between the Executive Board and the Regional Council;
 3. Assist any Council within the Region with the employer;
 4. Assist in coordination and communication between the members, Executive Board, and Negotiation Teams within the Region;
- k. Executive Board Meetings
1. Regular scheduled meetings of the Executive board shall be held at a minimum of once monthly.
 2. Special meetings of the Executive Board may be called by the President or by a positive majority of the Executive Board membership.
 3. A majority of the entire Executive Board shall constitute a quorum for Executive board Meetings.
- l. The Executive Board shall:
1. Enforce SPEEA's collective bargaining agreements;
 2. Oversee day-to-day activities;
 - a. Administrate SPEEA's budget
 - b. Oversee legislative activities;
 3. Determine the number of delegates funded to attend the IFPTE Convention;
 4. Be responsible for all news releases, publications, correspondence and legal documents;
 5. Manage all SPEEA's assets, funds and liabilities;
 - a. Prior to any borrowing against fixed assets, the SPEEA Council shall approve these actions by a simple majority or may elect to submit a referendum to the membership.
 6. Have exclusive authority over SPEEA employees which is not subject to overturn by the members or any governing body of SPEEA;
 - a. Set personnel policies for the entire staff;
 - b. Have exclusive authority to hire and remove an Executive Director to manage the SPEEA staff;
 7. Be the high-level interface between:
 - a. membership and employer;
 - b. SPEEA and other unions;
 8. Establish the annual budget;
 - a. Provide adequate funds for the Tellers Committees, Negotiation Teams, and Judicial Review Committee to properly discharge their duties under law and SPEEA requirements.

- 9. Complete all training requirements
- 10. Be responsible to represent employees during discipline and performance issue meetings
- m. The Executive Board may direct and review the action(s) of any Executive Board member(s).
- n. With Executive Board concurrence, the President may designate himself/herself or another member of the Board to serve SPEEA as a full-time staff employee for no more than thirty (30) days each year.
- o. The Executive Board may delegate to the Executive Director, or another staff person the ability to manage such affairs of SPEEA as the Board sees fit, but under no circumstances shall the Executive Board delegate all or any part of its administrative authority or policy-making functions.

ARTICLE 7 – TELLERS COMMITTEES

Section 1 – Regional Tellers Committee

- a. The Regional Tellers Committee has the responsibility to supervise all Regional balloting and to hear charges related to the conduct of that balloting.
- b. The Regional Tellers Committee is comprised of members elected by the Region. The minimum number of Regional Tellers Committee members shall equal the number of Bargaining Units in the Region.
- c. In order to be nominated for a Regional Teller Committee position, the nominee must file a petition with the Regional Council. The petition must be endorsed by Regional members.
- d. Election of the Regional Tellers Committee - The Regional Tellers Committee shall be elected by the Regional Membership every two (2) years on even numbered years.
 - 1. The Regional Council shall oversee the election of the Regional Tellers Committee.
 - 2. The ballots shall be mailed to each member prior to the last Wednesday in February.
 - 3. The counting of the ballots shall occur on the second Wednesday in March.
 - 4. Term of office commences on the first day of April after elections and concludes on the last day of March following the subsequent election.
- e. Regional Tellers Committee Meetings
 - 1. The Regional Tellers Committee shall convene when called by the Committee Chair, or by a majority of the Committee.
 - 2. The Regional Teller Committee member who received the most votes shall be considered the Chair Pro-tem until officers are elected at the first meeting following the election.
 - 3. A majority of Regional Tellers Committee members shall constitute a quorum for Regional Teller Committee meetings.
- f. Recall of an Regional Teller Committee member
 - 1. A Regional Teller Committee member may be recalled by the Regional Council through the referendum process.
 - a. A recall petition must be approved by a two-thirds (2/3rd) majority vote, provided that the approval is also a positive majority vote of the Regional Council.
- g. Vacancy of Office
 - 1. If a vacancy of a Regional Teller Committee position occurs, whether due to recall, disciplinary action, resignation, incapacity, death or failure to meet the requirements of a Regional Teller Committee position during a term of office, a replacement Regional Teller Committee member shall be elected per the election procedure and hold office for the remainder of the term.
- h. The Regional Tellers Committee shall:
 - 1. Conduct and validate all nominations and elections in the region;
 - 2. Ensure that each Bargaining Unit maintains the ratio of members per Council Representative established by the collective bargaining agreement;
 - a. Expand, combine and/or create new districts before or after Bargaining Unit Council elections, providing there is no removal of an existing Council Representative;
 - b. Provide Council Representation to every employee in or near his or her work location whenever possible;
 - 3. Maintain all balloting and election records for a period of seven (7) years;
 - 4. Be responsible for the installation of the Regional Council and its members;
 - 5. Serve as a hearing board for all challenges related to Regional elections, with all decisions subject to review by the SPEEA Tellers;

6. Deputize temporary tellers for the purposes of counting ballots;
7. Develop and adopt procedures for:
 - a. Election of officers of the Regional Tellers Committee;
 - b. Regular and Special Meetings' requirements;
 - c. Recall and Replacement of Regional Teller Committee Officers.
- i. Budget requests disapproved by the Executive Board may be appealed by the Regional Tellers Committee to the SPEEA Council.
- j. The Regional Tellers Committee may elect to combine members from two or more Bargaining Units into combined districts within a region where there is a geographic or a community of interest consideration.

Section 2– SPEEA Tellers Committee

- a. The SPEEA Tellers Committee has the responsibility to supervise all SPEEA balloting and to hear charges related to the conduct of that balloting.
- b. The SPEEA Tellers Committee is comprised of three (3) to seven (7) members, elected by and from the Regional Tellers Committee(s). There shall be a minimum of one (1) SPEEA Teller Committee member per region with a maximum of three (3) SPEEA Tellers Committee members from a single Bargaining Unit.
- c. Election of SPEEA Tellers Committee members
 1. Election shall occur on even numbered years following the Regional Tellers Committee(s) election.
 2. Term of office commences on the day following the election.
- d. Meeting of the SPEEA Tellers Committee
 1. The SPEEA Tellers Committee shall convene when called by the Committee Chair or by a majority of the Committee.
 2. The SPEEA Teller Committee member who received the most votes shall be considered the Chair Pro-tem until officers are elected at the first meeting following the election
 3. A majority of SPEEA Tellers Committee members shall constitute a quorum for SPEEA Teller Committee meetings.
- e. The SPEEA Tellers Committee shall:
 1. Conduct and validate all SPEEA wide nominations and elections.
 2. Conduct and validate all constitutional amendments, referendums, and ratifications, including petitions.
 3. Serve as a hearing board for all challenges related to SPEEA elections, constitutional amendments, referendums, and ratifications, with all decisions subject to review by the Judicial Review Committee.
 4. Maintain and safeguard all relevant records for a period of not less than seven (7) years.
 5. Oversee the selection of CPAs for an audit of all financial records of SPEEA and all regions. The selection of CPAs must be finalized within thirty (30) days of the closing of the previous fiscal year.
 - a. Publish the results of the audit to the SPEEA membership within thirty (30) days of the completed audit.
 - b. Recommend or initiate charges against individuals responsible for the misappropriation of SPEEA funds, whenever appropriate.
 1. A lack of recommendation or action by the SPEEA Tellers shall not preclude any member from initiating charges
 6. Deputize temporary tellers for the purposes of counting ballots.
 7. Develop and adopt procedures for:
 - a. Election of officers of the SPEEA Tellers Committee;
 - b. Regular and Special Meetings' requirements;
 8. Recall and Replacement of SPEEA Tellers Committee Officers. Hear and make decisions on all appeals from the Regional Tellers Committee, with all decisions subject to review by the Judicial Review Committee.
- f. Budget requests disapproved by the Executive Board may be appealed by the SPEEA Tellers to the SPEEA Council.

ARTICLE 8 - JUDICIAL REVIEW COMMITTEE

Section 1- Judicial Review Committee

- a. The Judicial Review Committee has the highest authority in SPEEA to decide questions of interpretation of the Constitution and the By-Laws. The Committee also acts as a final SPEEA hearing body for charges within SPEEA.

- b. The Judicial Review Committee consists of three (3) SPEEA Members who within the last five years have served as a member of the Executive Board, the Council(s), the Tellers Committee(s), the Judicial Review Committee, Council Committees, or any combination thereof, for a minimum of two (2) years.
- c. Election of Judicial Review Committee members
 - 1. Judicial Review Committee members are elected by the SPEEA Council by a majority vote.
 - 2. The term of office is for three (3) years. The terms are staggered, so that the term of office of one member expires each year.
- d. Recall of Judicial Review Committee members
 - 1. A Judicial Review Committee member may be removed from office upon:
 - a. A two-thirds (2/3rd) majority vote of the SPEEA Council, but not less than a positive majority vote of the SPEEA Council, and;
 - b. A two-thirds (2/3rd) majority vote of the Executive Board but not less than a positive majority vote of the Executive Board.
- e. Vacancy of Office
 - 1. If a vacancy of a Judicial Review Committee position occurs, whether due to recall, disciplinary action, resignation, incapacity, death or failure to meet the requirements of a Judicial Review Committee member during a term of office, the SPEEA Council will elect a replacement Judicial Review Committee member to serve for the remainder of the term.
- f. The Judicial Review Committee shall convene when called upon by any member of the Committee.
- g. The Judicial Review Committee shall:
 - 1. Be responsible for interpreting the Constitution and all By-laws but only when specifically called upon to do so by the SPEEA Council, a Regional Council or the Executive Board;
 - a. On any request for interpreting the constitution and/or by-laws, the petitioning body shall submit a petition, their interpretation and their justification to the Judicial Review Committee.
 - b. The Judicial Review Committee may ask for additional interpretations from other parties.
 - 2. Be responsible for reviewing any adopted Policy for compliance with the Constitution and By-Laws but only when specifically called upon to do so by the SPEEA Council, a Regional Council or the Executive Board;
 - a. On any request for review of Policy for compliance with the Constitution and By-Laws, the Policy owners shall be given the opportunity, subject to the time limits defined in the SPEEA By-Laws to submit its interpretation and justification to the Judicial Review Committee prior to the Committee ruling.
 - 3. Have access to all relevant SPEEA records when fulfilling any obligations under this constitution;
 - 4. Hear and make final decisions on all appeals from the Hearing Board and from the SPEEA Tellers Committee.
 - 5. Make all decisions by majority vote of ballots cast from all three (3) Committee members.
- h. Budget requests disapproved by the Executive Board may be appealed by the Judicial Review Committee to the SPEEA Council.

ARTICLE 9 - HEARING BOARDS

Section 1 - Hearing Boards

- a. Hearing Boards are responsible for ensuring that parties are provided the opportunity for a full and fair hearing. A Regional Hearing Board will be established for each Region.
 - 1. Regional Hearing Boards are responsible for hearing charges against members in the region.
- b. Hearing Boards shall consist of:
 - 1. Regional Tellers when the charges are related to Regional elections
 - 2. SPEEA Tellers when charges are related to SPEEA elections, constitutional amendments, referendums, and ratifications.
 - 3. Three members with one selected from the Regional Vice Presidents, one selected from the Regional Council Officers, and one selected from the Regional tellers.
 - a. If a Region has more than one Regional Vice President, the Vice Presidents will meet to determine who will serve on the hearing board.
 - b. The Regional Council Officers will meet after being elected to determine who will serve on the hearing board.

- c. The Regional tellers will meet after being elected to determine who will serve on the hearing board.
- d. Plaintiffs, defendants and witnesses in an internal union hearing shall recuse themselves from serving as a hearing board participant. The Judicial Review Committee will select a replacement.
 - 1. If the Regional Vice President cannot serve due to recusal, the other Vice Presidents shall meet to determine a replacement. If all the Regional Vice Presidents cannot serve due to recusal, an Executive Board Officer from the same Region may serve in place of the Vice President. If there are no Executive Board Officers from the same Region, the Executive Board Officers shall meet to determine who will serve in place of the Vice President.
 - 2. If a Regional Council Officer cannot serve due to recusal, the other Regional Council Officers shall meet to determine the replacement. If all the Regional Council Officers cannot serve due to recusal, a Council Delegate selected by the Regional Council may serve in place of the Regional Council Officer.
- c. Hearing Boards shall:
 - 1. Hear any charges brought before them within thirty (30) days, providing the defendant has received notice of said charges a minimum of fifteen (15) days before the hearing commences;
 - 2. Allow all defendants the right of self-representation and/or member-representation;
 - 3. Allow defendants or their representatives to present evidence, examine and cross-examine all witnesses.
- d. Hearing Board members on internal union proceedings must avoid ex-parte contact with all parties with the exception of resolving administrative matters regarding the hearing.
- e. A hearing cannot be held without all three members of the Hearing Board present. All decisions shall be made by a majority vote of ballots cast from all three Hearing Board members.

ARTICLE 10 - CHARGES AND APPEALS

Section 1 - Charges

- a. A member may bring charges against another member who:
 - 1. Knowingly and/or willingly violates a provision of the Governing Documents or fails to perform duties or functions specified or required therein.
 - 2. Assists or affiliates with any group or organization that seeks to act as a bargaining agent for a group of employees for whom SPEEA has or is seeking jurisdiction.
- b. Charges against a member must be in writing and signed and dated by the plaintiff.
- c. Charges must be specific and clearly detailed by the plaintiff.
- d. Charges related to elections, Constitutional amendments, referendums and ratifications will be submitted to the appropriate Tellers Committee.
- e. Charges against an Executive Board Member shall be submitted to their respective Regional Council Secretary.
- f. Charges against a Council Delegate, excluding Executive Board Members, shall be submitted to the SPEEA Secretary.
- g. Charges against a Regular SPEEA Member shall be submitted to their respective Regional Council Secretary.
- h. All charges submitted to the appropriate Secretary will be submitted to the Regional Hearing Board within three days of receipt.
- i. No member shall be disciplined for any offense(s) until:
 - 1. Charges have been submitted in writing;
 - 2. A hearing has been conducted;
 - 3. The board assigned to hear the charges has found the charged party guilty;
 - 4. All Constitutional appeals have been exhausted or waived.
- j. A member may be suspended, expelled and/or subject to other appropriate disciplinary action, including the suspension or limitation on the right to attend and participate in meetings or the right to run for any union office, if found guilty of the charge(s).
 - 1. A disciplined member may reapply for membership after the term of discipline has been completed.

Section 2 - Appeals

- a. A plaintiff may appeal the decision of the Hearing Board to the Judicial Review Committee should the Hearing Board decide not to proceed on proffered charges.

- b. A defendant may appeal the decision of the Hearing Board to the Judicial Review Committee should the defendant be found guilty of the proffered charges.
- c. The Judicial Review Committee shall commence the hearing on any appeal within fifteen (15) days of the date of the receipt of the appeal

ARTICLE 11 – BY-LAWS

Section 1 – Amendments to By-laws

- a. By-laws may be adopted or amended by each Council providing:
 - 1. The proposal was submitted to the Council by either:
 - a. A petition bearing the signatures of a minimum of ten percent (10%) of the appropriate membership;
 - b. A motion adopted by the appropriate council; or
 - c. A motion adopted by a minimum of three-fourth (3/4th) of the full Executive Board
 - 2. The Council Secretary shall stamp the date of receipt on all proposed amendments.
 - 3. Proposed amendments are presented by the Council Secretary at the next Council meeting with a copy sent to each Council Member prior to the meeting.
 - 4. The proposed amendments are published in the SPEEA Newsletter or equivalent publication a minimum of two times before being acted upon by the Council.
 - 5. A two-thirds (2/3rds) vote of the Council present is required for approval of any By-laws amendment(s), providing a quorum is present.
- b. Amendment(s) take effect when approved by the Council.

ARTICLE 12 – NEGOTIATIONS

Section 1 - General

- a. All procedures for negotiation and ratification of collective bargaining agreements must be in compliance with this constitution and all governing documents.
- b. Each Bargaining Unit shall develop its own Negotiation Team with full authority for negotiation for that Bargaining Unit subject to the will of the Bargaining Unit membership.
- c. The negotiation team shall report progress to the Bargaining Unit Council, Regional Council Officers, and the Regional Vice President(s).
- d. Contract offers from the employer shall be reported directly to the Bargaining Unit Council.
- e. The vote on collective bargaining agreements shall be by secret ballot with the exception of Bargaining Unit Meetings when in compliance with Regional By-laws.
- f. A strike authorization vote may only be called by the Bargaining Unit Council.

Section 2 - Interim

- a. The Executive Board shall conduct any required interim negotiations between Bargaining Units(s) of SPEEA and the employer(s) whenever an existing collective bargaining agreement is in force, provided appropriate Council officers are informed early in the negotiation process.
- b. Final approval of any collective bargaining amendment(s) by the Executive Board must be ratified by a majority of Bargaining Unit Council Representatives.

ARTICLE 13 – REFERENDUMS AND CONSTITUTION AMENDMENTS

Section 1 – General

- a. Bargaining Unit members and Bargaining Unit Councils have the authority to submit a referendum petition on matters pertaining exclusively to their Bargaining Unit.
 - 1. The Bargaining Unit membership may, by referendum procedure, exercise control over, and give direction to, their Bargaining Unit Council

- b. Regional members and Regional Councils have the authority to submit a referendum petition on matters pertaining exclusively to their region.
 - 1. The Regional membership may, by referendum procedure, exercise control over, and give direction to, their Regional Council.
- c. SPEEA members, the SPEEA Council, and the Executive Board have the authority to submit a referendum petition on matters pertaining to the entire organization.
 - 1. The SPEEA membership may, by the referendum procedure, exercise control over, and give direction to, the SPEEA Council and the Executive Board.
- d. Petitions for referendums shall be submitted for validation providing;
 - 1. It bears the signatures of ten percent (10%) of the Membership, or;
 - a. Petitions proposing mergers, affiliations or disaffiliation shall require the signatures of thirty percent (30%) of the SPEEA members.
 - 2. It is adopted by a two-thirds (2/3rds) majority vote of the entire number of Bargaining Unit, Regional or SPEEA Council members, or;
 - 3. It is adopted by a three-fourths (3/4ths) vote of the entire Executive Board.
- e. Petitions shall be submitted to and be the responsibility of the SPEEA Secretary except for the following:
 - 1. Petitions to recall the SPEEA Secretary will be submitted to and be the responsibility of the SPEEA President.
 - 2. Petitions to recall the President and the Secretary of the SPEEA will be submitted to and be the responsibility of the SPEEA Treasurer.
 - 3. Petitions to recall the President, Treasurer and Secretary will be submitted to and be the responsibility of the SPEEA Council Officers.
- f. The petition and all copies shall be date stamped when received by the responsible officer(s).
- g. The petition will be reviewed for clarity and legality within twenty-eight (28) days of receipt by the responsible officer(s).
 - 1. The responsible officer may ask for additional interpretations from other parties except the Judicial Review Committee.
 - 2. Any changes to the petition for clarity, must be approved by the petitioner.
- h. If the submitted petition bears signatures from the Membership, the SPEEA Tellers will validate the signatures within twenty-eight (28) days of receipt by the responsible officer(s).
- i. After a review for clarity and legality and validation of signatures on the petition (if needed), copies will be forwarded to:
 - 1. the Executive Board;
 - 2. the SPEEA Council, on matters pertaining to the entire organization;
 - 3. the Regional Council, on matters pertaining exclusively to the specific Region;
 - 4. the Bargaining Council, on matters pertaining exclusively to the specific Bargaining Unit.
- j. The affected Council will have twenty one (21) days to develop pro/con statements for the referendum and submit them to the responsible officer(s).
- k. The responsible officer(s) will forward copies of the validated petition and pro/con statements to the SPEEA Tellers.
 - 1. Within forty-two (42) days of date of receipt by the SPEEA Tellers Committee a copy of the validated petition, the pro/con statements, and a ballot shall be forwarded to each member of the Bargaining Unit/Region/SPEEA .
- l. The SPEEA Tellers Committee shall count the ballots on a Wednesday within fifteen (15) to twenty-one (21) days of being forwarded to the members.
- m. A referendum shall be approved with a majority vote, unless otherwise specified in this Constitution.
- n. Referendums adopted shall be effective immediately unless otherwise stipulated in the petition.

Section 2 - Constitutional Amendments

- a. This constitution may be amended by the referendum process provided:
 - 1. A minimum of sixty percent (60%) of SPEEA members voting, vote in the affirmative.
- b. The SPEEA Council is responsible for the maintenance of the SPEEA Constitution and incorporating Constitutional Amendments into the Constitution.
- c. The SPEEA Secretary is responsible for validating that Constitutional Amendments have been incorporated into the Constitution

Section 3 – Challenges and Appeals

- a. Any member with a complaint or protest concerning the conduct of passing a referendum or ratifying a Constitutional Amendment may file a petition with the appropriate Tellers committee.
- b. The Tellers Committee shall rule upon the merits of the challenge and, if the challenge is found to have merit, shall take appropriate action to satisfy the complaint.
- c. If the challenge to the Regional Tellers is not upheld, the decision may be appealed to the SPEEA Tellers.
 - 1. If the appeal to the SPEEA Tellers is denied, the decision may be appealed to the Judicial Review Committee
- d. If the challenge to the SPEEA Tellers is not upheld, the decision may be appealed to the Judicial Review Committee.

ARTICLE 14 – ELECTIONS

Section 1 – Elections

- a. All elections shall be conducted in accordance with the governing documents and applicable statutes.
- b. All elections by the membership shall be conducted with the use of secret balloting unless specifically addressed in the By-Laws.
- c. Absentee ballots shall be provided by the Tellers Committee when a member signs a statement that one is required for reasons beyond that person's control.
- d. Ties will be settled by a coin-toss. The coin-toss will be facilitated by the Chair of the Tellers Committee or his or her designee in the presence of the candidates or his or her designees.
- e. After the submittal deadline and validation of petitions, any position determined to be unopposed by the Teller Committee shall be considered elected.

Section 2 – Challenges and Appeals

- a. Any member with a complaint or protest concerning the conduct of any election may file a challenge with the appropriate Tellers committee.
- b. The Tellers Committee shall rule upon the merits of the challenge and, if the challenge is found to have merit, shall take appropriate action to satisfy the complaint.
- c. If the challenge to the Regional Tellers is not upheld, the decision may be appealed to the SPEEA Tellers.
 - 1. If the appeal to the SPEEA Tellers is denied, the decision may be appealed to the Judicial Review Committee
- d. If the challenge to the SPEEA Tellers is not upheld, the decision may be appealed to the Judicial Review Committee.

ARTICLE 15 – SEVERABILITY

Section 1 – Severability

- a. In the event any sentence, paragraph or section of this constitution is held to be illegal or otherwise invalid by any court of competent jurisdiction or superior governing organization, the remaining articles, sections, sentences, and paragraphs shall remain valid and be presumed consistent with this constitution and all other applicable laws.

Section 2 – Legal Integrity

- a. SPEEA is a nonprofit organization. All funds, property and assets of whatever kind or description, or wherever located, presently owned or hereafter acquired by SPEEA are, and shall remain, the sole and separate property of SPEEA and shall be held in trust for the general membership thereof. In the event of a withdrawal of a group or division, there shall be no apportionment of funds, properties, or assets.