



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

SPEEA By-Laws

March 21, 2012

Certified by: */s/ Walt Ditlefsen*
Governing Documents Committee Chairman

Accepted by: */s/ Cheryl A. Johnson*
SPEEA Council Secretary

TABLE OF CONTENTS

PREAMBLE.....	1
1. INTRODUCTION.....	1
1.1. Separability.....	1
1.2. Legal Integrity of SPEEA.....	1
2. GENERAL.....	1
2.1. Composition of SPEEA.....	1
2.1.1. Addition of Bargaining Units.....	1
2.1.2. Regions.....	1
2.2. Affiliation, Merger and Association.....	1
2.2.1. Affiliation.....	1
2.2.2. Merger.....	1
2.2.3. Association.....	1
2.2.3.1. Labor Councils.....	1
2.2.4. IFPTE Affiliation.....	2
2.2.4.1. Governing Documents Precedence.....	2
2.2.4.2. IFPTE Delegates.....	2
2.2.4.3. IFPTE Vice Presidents.....	2
2.3. Requirements for Holding Office.....	3
2.3.1. Membership.....	3
2.3.2. Requirement.....	3
2.3.3. Training.....	3
2.3.4. Bonding.....	3
2.4. Reimbursement.....	3
2.5. Honorariums.....	3
3. MEMBERSHIP.....	3
3.1. Membership Requirements.....	3
3.1.1. Regular Membership.....	3
3.1.2. Associate Membership.....	4
3.1.3. Reciprocal Membership.....	4
3.2. Membership Meetings.....	4
3.2.1. Regular Membership Meetings.....	4
3.2.2. Informational, Educational, Social Meetings.....	4
3.3. Dues.....	4
3.3.1. Regular Members.....	4
3.3.2. Associate Members.....	4
3.3.3. Delinquency of Dues.....	4
3.4. Rights.....	4
3.4.1. Membership Vote.....	4
3.4.2. Nomination and Election of Representatives.....	4
3.4.3. Nomination and Election of Regional Vice Presidents.....	5
3.4.4. Membership Identification.....	5
4. BARGAINING UNIT.....	5
4.1. Composition.....	5
4.2. Meetings.....	5
4.2.1. Bargaining Unit Membership Meeting Quorum.....	5
4.2.2. Notice and Agenda.....	5
4.2.3. Allowable Business.....	5
4.3. Rights.....	5
4.4. Area Representatives.....	5
5. BARGAINING UNIT COUNCIL.....	5
5.1. Composition.....	5
5.1.1. Council Representatives.....	5
5.1.1.1. Delegated Responsibilities.....	5
5.1.1.2. Council Representative Responsibilities.....	5
5.1.1.3. Alternate Council Representative.....	5
5.1.1.4. Area Representative.....	5
5.1.1.5. District Residency.....	5

5.1.2. Districts.....	6
5.2. Meetings	6
5.2.1. Quorum	6
5.2.2. Notice and Agenda.....	6
5.2.3. Allowable Business	6
5.3. Election	6
5.3.1. Terms of Office.....	6
5.3.2. Nomination	6
5.3.3. Election Balloting.....	6
5.3.4. Recall and Replacement	6
5.4. Rights and Duties.....	6
5.4.1. Bargaining Unit Responsibilities.....	6
5.4.2. Executive Board Actions	6
5.4.3. Bargaining Unit Procedures	6
6. REGIONAL COUNCIL	7
6.1. Composition	7
6.2. Regional Council Officers	7
6.2.1. Regional Council Chairman	7
6.2.2. Regional Council Treasurer	7
6.2.3. Regional Council Secretary.....	7
6.2.4. Additional Officers	7
6.3. Meetings	7
6.3.1. Initial	7
6.3.2. Frequency	7
6.3.3. Quorum	7
6.3.4. Notice and Agenda.....	7
6.3.5. Allowable Business	7
6.4. Rights and Duties.....	8
6.4.1. Regional Council Responsibilities	8
6.4.2. Executive Board Actions	8
6.4.3. Signatories and Bonding.....	8
6.4.4. Regional By-Laws	8
6.4.5. Regional Policy.....	8
6.4.6. Regional Council Committees.....	8
6.4.7. Recall and Replacement of Regional Council Officers	8
6.5. Committees.....	8
6.6. Site Assemblies	8
6.6.1. Site Assembly Officers	8
7. SPEEA COUNCIL	8
7.1. Composition	8
7.2. SPEEA Council Officers	8
7.2.1. SPEEA Council Chairman.....	9
7.2.2. SPEEA Council Treasurer.....	9
7.2.3. SPEEA Council Secretary	9
7.2.4. Election.....	9
7.3. Meetings	9
7.3.1. Convention	9
7.3.1.1. Frequency.....	9
7.3.1.2. Quorum.....	9
7.3.1.3. Notice and Agenda.....	9
7.3.1.4. Allowable Business.....	9
7.3.1.5. Voting	9
7.3.2. SPEEA Council Meetings.....	9
7.3.2.1. Frequency.....	9
7.3.2.2. Quorum.....	10
7.3.2.3. Notice and Agenda.....	10
7.3.2.4. Allowable Business.....	10
7.3.2.5. Voting	10
7.4. Rights and Duties.....	10
7.4.1. Responsibilities	10
7.4.2. Executive Board Actions	11

7.4.3. Signatories and Bonding	11
7.4.4. SPEEA By-Laws.....	11
7.4.5. SPEEA Policy.....	11
7.4.6. Council Committees	11
7.4.7. Recall and Replacement of Council Officers	11
7.5. Committees.....	11
8. EXECUTIVE BOARD	11
8.1. Composition	11
8.2. Duties and Responsibilities.....	11
8.2.1. President	11
8.2.2. Treasurer.....	11
8.2.3. Secretary	11
8.2.4. Regional Vice Presidents	11
8.3. Executive Board Meetings	12
8.3.1. Frequency	12
8.3.2. Quorum	12
8.4. Elections	12
8.4.1. President, Treasurer, Secretary	12
8.4.1.1. Term of Office.....	12
8.4.1.2. Nominations.....	12
8.4.1.3. Election Balloting.....	12
8.4.1.4. Recall and Replacement	12
8.4.2. Regional Vice Presidents	12
8.4.2.1. Term of Office.....	12
8.4.2.2. Nominations.....	12
8.4.2.3. Election Balloting.....	13
8.4.2.4. Recall and Replacement	13
8.5. Rights and Duties.....	13
8.5.1. Responsibilities	13
8.5.2. SPEEA Budget.....	13
8.5.3. SPEEA Staff	13
8.5.4. Committees	13
8.5.5. Signatories and Bonding	13
8.5.6. Documents and Publications.....	13
8.5.7. Collective Bargaining Enforcement.....	13
9. TELLERS	13
9.1. Regional Tellers	13
9.1.1. Composition	13
9.1.2. Meetings.....	13
9.1.3. Elections.....	14
9.1.4. Recall and Replacement	14
9.1.5. Rights and Duties	14
9.1.5.1. Charges	14
9.1.5.2. Records	14
9.1.5.3. Districting	14
9.2. SPEEA Tellers	14
9.2.1. Composition	14
9.2.2. Meetings.....	14
9.2.3. Elections.....	14
9.2.4. Recall and Replacement	14
9.2.5. Rights and Duties.....	14
9.2.5.1. Charges	14
9.2.5.2. Records	14
9.2.5.3. Audit	14
10. JUDICIAL REVIEW	14
10.1. Composition	14
10.1.1. Meetings.....	14
10.1.2. Elections.....	14
10.1.3. Recall/Replacement	15
10.2. Rights and Duties.....	15

10.2.1. Constitution and By-Laws Interpretation	15
10.2.2. Hearing of Appeals.....	15
10.2.3. Records.....	15
11. NEGOTIATIONS	15
11.1. Negotiation Team.....	15
11.2. Selection of Negotiators.....	15
11.3. Negotiation Team Rights and Obligations	15
11.4. Ratification of Collective Bargaining Agreements.....	15
11.5. Strike Authorization Vote	15
11.6. Amendments to Collective Bargaining Agreements	15
12. ELECTION	16
12.1. Procedure	16
12.2. Challenges and Appeals.....	16
13. CHARGES.....	16
13.1. Charges	16
13.2. Hearing Boards	16
13.3. Disciplinary Action.....	17
13.4. Appeals.....	17
14. REFERENDUMS AND CONSTITUTIONAL AMENDMENTS	17
14.1. Methods	17
14.2. Processing	17
14.3. Affiliation Referendums from the Membership	18
15. BY-LAWS.....	18
15.1. Existence	18
15.2. Amendment Procedures	18
15.2.1. Methods.....	18
15.2.2. Processing.....	18
16. POLICY	18
16.1. Existence	18

PREAMBLE

The By-Laws of the Society of Professional Engineering Employees in Aerospace, hereinafter referred to as SPEEA, shall in conjunction with the SPEEA Constitution be the highest governing documents of SPEEA.

1. INTRODUCTION

The SPEEA Council shall maintain the SPEEA By-Laws consistent with the SPEEA Constitution. The Regional Councils shall maintain the Regional By-Laws consistent with the SPEEA By-Laws and the SPEEA Constitution.

The sections within the SPEEA By-Laws are subordinate to the SPEEA Constitution. It is strongly advise to consult the SPEEA Constitution first before implementing any procedure within.

Where the SPEEA By-Laws do not provide additional guidance from the SPEEA Constitution, the By-Laws will state such.

1.1. Separability

Should any section, part thereof, or any provision in these By-Laws become invalid by reason of existing law, subsequently enacted legislation, decree of any court of competent jurisdiction, or any regulation of any government agency with proper jurisdiction, the remaining sections, parts and provisions of these By-Laws shall remain in full force and effect.

1.2. Legal Integrity of SPEEA

The SPEEA By-Laws do not address this issue.

2. GENERAL

2.1. Composition of SPEEA

2.1.1. Addition of Bargaining Units

The addition of any bargaining unit(s) consisting of employees of Boeing, Boeing wholly-owned subsidiaries, Boeing joint ventures or successor employers shall require authorization by the SPEEA Council. The addition of any bargaining unit(s) consisting of employees in the Engineering, Technical & Scientific Community which does not contain either Boeing, Boeing wholly-owned subsidiary, Boeing joint venture or successor employees shall require the SPEEA Council to initiate a referendum to the membership per the requirements of the SPEEA Constitution.

2.1.2. Regions

The Midwest Region is composed of members covered by collective bargaining agreements that apply to employees located in Irving, Texas and Wichita, Kansas.

The Northwest Region is composed of members covered by collective bargaining agreements that apply to employees located in the Puget Sound; Portland, Oregon; Spokane, Washington; Utah; California; and Florida.

2.2. Affiliation, Merger and Association

2.2.1. Affiliation

The SPEEA By-Laws do not address this issue.

2.2.2. Merger

Any referendum from the Membership proposing merger shall require the same number of signatures as an affiliation referendum, as per SPEEA Constitution 14.3.

2.2.3. Association

Associations shall be determined by either the Regional or the SPEEA Council and shall be incorporated into Policy.

2.2.3.1. Labor Councils

SPEEA is encouraged to form associations with local Labor Councils. The Regional Councils shall determine these associations and additional requirements will be defined in the Regional Policies. For new associations with Labor Councils, the Executive Board shall determine the number of Regular Members within the jurisdiction. The Regional Council shall budget and fund future years.

2.2.4. IFPTE Affiliation

The Affiliation with the International Federation of Professional and Technical Engineers ("IFPTE") is defined in the SPEEA Constitution and in the affiliation agreement between SPEEA and IFPTE.

2.2.4.1. Governing Documents Precedence

The SPEEA By-Laws do not address this issue.

2.2.4.2. IFPTE Delegates

The IFPTE Constitution specifies that only delegates funded by the Local may attend the convention. The term delegate in the Regional By-Laws refers to delegates who are funded by SPEEA.

The number of SPEEA delegates assigned to each region shall be proportional to the number of Regular SPEEA Members in each region divided by the total number of Regular SPEEA Members, with a minimum number equal to two per region. The remaining delegate position, if any, resulting from a fraction allocation shall be allocated to the region with the largest fractional delegate position unfilled. The number of IFPTE delegates within each region may be allocated within the region as defined in the Regional By-Laws.

A nomination for an IFPTE delegate position shall be accomplished per the requirements specified in the Regional By-Laws. A candidate must be in continuous good standing as a Regular Member of SPEEA for at least two (2) full years prior to the election. The delegates shall be elected no later than forty-five (45) days or earlier than ninety (90) days prior to the start of the convention.

The SPEEA and Regional Council's may provide information and input to the delegates on matters expected to be raised during the convention. The Regular Members who were delegates to the IFPTE convention should provide a report to the Council within sixty (60) days of the IFPTE Convention.

2.2.4.3. IFPTE Vice Presidents

IFPTE Area Vice Presidents are formally nominated and elected at the IFPTE Convention by the Local's IFPTE delegates as required by the IFPTE Constitution. The SPEEA Regular Membership shall recommend SPEEA's nominees to the IFPTE delegates through a secret ballot election. The SPEEA IFPTE delegates should nominate and elect at the Convention the candidates selected by SPEEA's Regular Membership.

A nomination for an IFPTE Vice President position should be accomplished by filing a petition with the SPEEA Tellers Committee. The petition shall be endorsed by a minimum of twenty (20) Regular SPEEA Members in good standing. A candidate must be a Regular Member of SPEEA in continuous good standing for at least two (2) full years prior to the convention.

The SPEEA Tellers Committee shall be responsible for validating the petitions; specifying a final date for receipt of the petitions; and ensuring the candidates' statements meet the requirements as defined in SPEEA Policy.

The nominees shall be selected on a separate ballot or ballot section from any ballot used for any other purposes. Voting for the nominees will be accomplished as follows:

1. If SPEEA has more regions than eligible IFPTE Vice President positions
 - a. The SPEEA members shall select the IFPTE Vice President nominees from the list of candidates.
2. If SPEEA has as many regions as eligible IFPTE Vice President positions
 - a. The regional SPEEA members shall select one IFPTE Vice President nominee from their region of SPEEA.
3. If SPEEA has more IFPTE Vice President positions than regions
 - a. Each region will be allotted one position for regional SPEEA members to select an IFPTE Vice President nominee. Additional positions will be allocated to regions based on relative population such that the difference in the number of members represented by any two IFPTE Vice Presidents is minimized.

The candidates shall be selected no later than forty-five (45) days or earlier than ninety (90) days prior to the start of the convention. If a selected candidate is incapable of taking office due to resignation, incapacity, death, or failure to meet the requirements of the office prior to the convention elections, the next candidate from the member balloting will fill their position.

1. In the case of a member balloting from a region having no candidate for a replacement recommendation:
 - a. The IFPTE Delegates may choose to select a candidate from another region's member balloting.
2. In the case of a member balloting from SPEEA having no candidate for a replacement recommendation:
 - a. The IFPTE Delegates may choose to select a Regular Member in continuous good standing for at least two (2) years prior to the convention.

The IFPTE Vice Presidents are not eligible for IFPTE delegate positions.

The SPEEA and Regional Councils may provide information and input to the IFPTE Vice Presidents on matters pertinent to IFPTE and SPEEA. IFPTE Vice Presidents should provide periodic reports on IFPTE business to the SPEEA and Regional Councils.

In the event of a vacancy of a Vice President position during their term of office caused by the resignation, incapacity, death, or failure to meet the requirements of office, the SPEEA Council Officers shall advertise the vacancy in at least two (2) issues of an official publication of SPEEA. The SPEEA Secretary will forward to the IFPTE any notification of vacancy or replacement. The candidates for the vacant position will follow the above-established procedure for submitting a petition to be considered for selection.

1. Vacancies associated to a SPEEA region shall be filled by a candidate from that region. The selection shall be by secret ballot of the Regional Council; the Regional Council Officers shall forward the selection to the IFPTE Executive Council within fifty-five (55) days of the date of the vacancy. The replacement IFPTE Vice President shall hold office for the remainder of the term.
2. Vacancies by candidates not associated to a SPEEA region shall be filled from the total list of candidates. The selection shall be by secret ballot of the SPEEA Council; the SPEEA Council Officers shall forward the selection to the IFPTE Executive Council within fifty-five (55) days of the date of the vacancy. The replacement IFPTE Vice President shall hold office for the remainder of the term.

2.3. Requirements for Holding Office

2.3.1. Membership

The SPEEA By-Laws do not address this issue.

2.3.2. Requirement

Waivers for break in membership during approved leaves of absence as specified in the SPEEA Constitution Section 2.3.1 shall require a 2/3rd majority vote by the SPEEA Council.

2.3.3. Training

The SPEEA Executive Board shall ensure that a training course on grievance handling is established and conducted. The SPEEA Council and each Regional Council shall ensure that Council Members are compliant with the training requirements. The minimum training required will be defined in policy.

2.3.4. Bonding

The SPEEA By-Laws do not address this issue.

2.4. Reimbursement

Any SPEEA member performing authorized services for SPEEA shall be eligible to be reimbursed only for those expenses incurred while performing such services.

2.5. Honorariums

Each Executive Board member and Chairman of the SPEEA and Regional Councils shall receive an honorarium of five hundred dollars (\$500.00) per annum, pro-rated for the member's period of service. The honorarium shall be paid annually, following the anniversary of the term of office, or the last day of office, whichever is earlier. No one shall accrue more than a single honorarium at a time.

3. MEMBERSHIP

3.1. Membership Requirements

3.1.1. Regular Membership

Regular Members are eligible to be elected to a SPEEA office subject to the requirements of the SPEEA Constitution and By-Laws, and are entitled to receive copies of the SPEEA SPOTLITE or equivalent publication.

In return, these persons shall pay membership dues, which will be established, pursuant to Section 3.3.1 of the SPEEA Constitution.

3.1.2. Associate Membership

Associate Members are entitled to receive copies of the SPEEA SPOTLITE or equivalent publication. In return, these persons shall pay membership dues, which will be established, pursuant to Section 3.3.2.

3.1.3. Reciprocal Membership

The SPEEA Council shall determine and approve reciprocal memberships and agreements, which shall be incorporated into SPEEA Policy.

3.2. Membership Meetings

In the event of a Bargaining Unit Strike, the dues obligation for the striking Bargaining Unit may be waived by the Executive Board. In the event that a strike is in effect for the entire month, the dues obligation for that month shall be waived. Any departure from waiving dues during a strike is subject to overturn by the SPEEA Council as defined in the SPEEA Constitution. A voluntary dues payment is encouraged.

3.2.1. Regular Membership Meetings

A meeting agenda listing the business to be conducted shall be prepared by the Regional Council Officers and all regional members will be provided the agenda at least ten days in advance of the meeting.

Any SPEEA business may be conducted at a regular membership meeting at which a quorum is present and the item to be addressed is on the meeting agenda, unless it is specifically prohibited or reserved for another governing body by the SPEEA Constitution, SPEEA By-Laws or the Regional By-Laws. Items not on the agenda may be addressed, but no decision may be made. Quorum requirements for regular membership meetings are defined in the Regional Bylaws but in no case shall be less than forty percent.

3.2.2. Informational, Educational, Social Meetings

Informational, Educational, and Social meetings of SPEEA may be called as needed by a Council or the Executive Board. No SPEEA business shall be conducted at these meetings. Such meetings may be convened for any portion of the Regular Membership, but no SPEEA Regular Member may be excluded from any meeting so convened.

3.3. Dues

Dues that are not deducted by payroll deduction are the responsibility of the member. Dues and fees not deducted by payroll deduction shall be monitored and enforced by the Executive Board.

3.3.1. Regular Members

The SPEEA By-Laws do not address this issue.

3.3.2. Associate Members

The standard dues for Associate Members shall be one-quarter of the annual dues rate of Regular Members, rounded to the nearest cent. Dues for any Associate who was a former represented employee of a SPEEA Bargaining Unit by active layoff, retirement, non-military leave of absence or terminated from the employer for any reason shall be one-twelfth of the annual dues rate of Regular Members, rounded to the nearest cent. Dues shall be waived for any Associate Member who was a former represented employee of a SPEEA Bargaining Unit, is currently retired from the employer, and is a member in good standing of a SPEEA-recognized retirees association.

3.3.3. Delinquency of Dues

The Executive Board shall monitor and enforce payment of dues obligations.

3.4. Rights

3.4.1. Membership Vote

The SPEEA By-Laws do not address this issue.

3.4.2. Nomination and Election of Representatives

Any Regular member of SPEEA, who meets the requirements for holding office, may be nominated for a Council position by filing a petition with the Regional Tellers Committee. Petitions for the initial seating on the Council shall be presented on or before the first Wednesday in April of odd-numbered years.

Where the number of nominees exceeds the number of representative positions in a district, the election of persons to the Council shall be by ballot per the requirements for elections in the SPEEA Constitution.

Ballots for the initial positions on the Council shall be counted on the fourth Wednesday of April, and the Tellers Committee shall certify as elected all Council Representatives who were elected or nominated unopposed per SPEEA Constitution Section 12.1.

3.4.3. Nomination and Election of Regional Vice Presidents

Only Regular Members residing in the region can nominate and elect their Regional Vice President(s).

3.4.4. Membership Identification

SPEEA will issue membership identification cards to all of its members in good standing. This identification shall be valid for one year.

4. BARGAINING UNIT

4.1. Composition

The SPEEA By-Laws do not address this issue.

4.2. Meetings

Meetings of the regular membership of a bargaining unit may be called by any of the following methods:

- 1) Any Regular Bargaining Unit Member may appear before the Bargaining Unit Council to request a bargaining unit meeting. A Bargaining Unit Council, by 2/3rd of those voting, may call for a bargaining unit membership meeting.
- 2) The Executive Board, by 2/3rd of those voting, may call for a bargaining unit membership meeting.
- 3) Regular Members in good standing of a bargaining unit, by a petition signed by at least 10% thereof, presented to any member of the Council Officers, and setting forth the purpose of such a meeting, may call for a bargaining unit membership meeting.

4.2.1. Bargaining Unit Membership Meeting Quorum

The SPEEA By-Laws do not address this issue.

4.2.2. Notice and Agenda

The SPEEA By-Laws do not address this issue.

4.2.3. Allowable Business

The SPEEA By-Laws do not address this issue.

4.3. Rights

The SPEEA By-Laws do not address this issue.

4.4. Area Representatives

Requirements for Area Representatives are defined in the SPEEA Constitution Section 5.1.1. and in the Regional By-Laws.

5. BARGAINING UNIT COUNCIL

5.1. Composition

5.1.1. Council Representatives

5.1.1.1. Delegated Responsibilities

The delegated responsibilities of the Council are defined in the SPEEA Constitution.

5.1.1.2. Council Representative Responsibilities

The SPEEA By-Laws do not address this issue.

5.1.1.3. Alternate Council Representative

Each Council Representative shall designate by name one of the Area Representatives in their Council district as an Alternate Council Representative.

5.1.1.4. Area Representatives

No later than sixty days following election, each Council Representative shall appoint a sufficient number of Regular Members as Area Representatives to adequately serve and represent the Council Representative's jurisdiction.

Regular Members who wish to be an Area Representative and were not appointed by a Council Representative shall be required to obtain an endorsement by the members in the district to be served. The signatures shall be of five district Regular Members, or a majority of the district members, whichever is less.

5.1.1.5. District Residency

The SPEEA By-Laws do not address this issue.

5.1.2. Districts

The SPEEA By-Laws do not address this issue.

5.2. Meetings

The Council Chairman or designee shall preside at all Bargaining Unit Council meetings. The Regional Council Secretary shall ensure that records of the proceedings are kept. The presiding officer shall not have voting rights unless the officer is also a member of the Bargaining Unit Council, in which case, the power to vote may be defined by the rules of the body.

When deemed necessary, the Council Chairman, subject to the will of the Council, may close the meeting except to those who have business before the Council.

5.2.1. Quorum

The SPEEA By-Laws do not address this issue.

5.2.2. Notice and Agenda

The SPEEA By-Laws do not address this issue.

5.2.3. Allowable Business

Only business pertaining solely to a single bargaining unit may be conducted at Bargaining Unit Council meetings. The Council Chairman or designee shall decide whether an item of business pertains to a single bargaining unit, with such decision being subject to overturn by the Regional or the SPEEA Council. If an item is ruled not unique to that bargaining unit, the Bargaining Unit Council may only make recommendations to the affected Council.

5.3. Election

5.3.1. Terms of Office

No Council Representative may be removed from or denied the Council seat to which elected because of numerical changes in the population of that Council district, except by a successful recall.

5.3.2. Nomination

The Regional By-Laws shall specify the candidate qualifications, petition requirements, petition validation, and exceptions for small districts.

5.3.3. Election Balloting

The method of election balloting shall be defined in the Regional By-Laws.

5.3.4. Recall and Replacement

The deadline for filing a recall petition for a Council Representative position shall be specified in the Regional By-Laws.

5.4. Rights and Duties

5.4.1. Bargaining Unit Council Responsibilities

The SPEEA By-Laws do not address this issue.

5.4.2. Executive Board Actions

The SPEEA By-Laws do not address this issue.

5.4.3. Bargaining Unit Council Procedures

Any Bargaining Unit Council procedures, determined by the SPEEA or Regional Council, shall not infringe on or contradict the Bargaining Unit Council's power to act on matters exclusive to the specific Bargaining Unit represented.

Bargaining Unit Council procedures that are determined by the SPEEA Council shall not exclusively focus on individual Bargaining Units and shall be applicable to all Bargaining Units of SPEEA.

Bargaining Unit Council procedures that are determined by the Regional Council shall not exclusively focus on individual Bargaining Units and shall be applicable to all Bargaining Units of the Region.

6. REGIONAL COUNCIL

6.1. Composition

The SPEEA By-Laws do not address this issue.

6.2. Regional Council Officers

The Officers of the Regional Council, as established by the Constitution, shall manage the Regional Council in accordance with the Governing Documents. The Officers shall be responsible for initiating and managing the program of the Regional Council. No Regional Council Officer shall have the authority to contract debts for, pledge the credit of, or in any other way legally bind SPEEA without the consent and approval of the Executive Board, except to the extent of its authority over those funds allocated to the Regional Council. An elected Officer may not hold the same office for more than two consecutive terms.

6.2.1. Regional Council Chairman

The Regional Council Chairman shall be responsible for the general supervision of the Regional Council in all of its activities, preside at all meetings of the Regional Council and of its Officers, and represent the Regional Council at all meetings having business or activity of the Regional Council.

6.2.2. Regional Council Treasurer

The Regional Council Treasurer shall be responsible for the Regional Council funds and shall ensure that the Regional Council is presented with the Regional Council Treasurer's, SPEEA Council Treasurer's and SPEEA Treasurer's reports at every meeting.

6.2.3. Regional Council Secretary

The Secretary shall outline and schedule the Council's program of activities and shall be responsible to the Officers for initiation and monitoring this schedule of activities.

6.2.4. Additional Officers

The Regional Council may elect other officers, as the body deems appropriate. Election of additional officers is addressed in the Regional By-Laws.

6.3. Meetings

6.3.1. Initial

In odd numbered years, the Chairman of the Regional Tellers Committee or a designated Regional Teller shall convene the regular May meeting of the Regional Council. The first order of business shall be the election of a Regional Council Chairman, and thereupon the Teller shall relinquish the Chair to the newly elected Chairman.

The outgoing Regional Council Officers shall be responsible for preparing the agenda and the arrangements for the meeting.

6.3.2. Frequency

There shall be a minimum of one meeting per quarter and additional requirements shall be defined in the Regional By-Laws.

6.3.3. Quorum

The maximum quorum requirement, to be established in the Regional By-Laws, shall be no higher than sixty percent.

6.3.4. Notice and Agenda

The requirements for notice and agenda of the Regional Council are defined in the Regional By-Laws.

6.3.5. Allowable Business

Only business pertaining solely to the region may be conducted at Regional Council meetings. The Regional Council Chairman or designee shall decide whether an item of business pertains to the Region, with such decision being subject to overturn by the SPEEA Council. If an item is ruled not unique to the Region, the Regional Council may only make recommendations to the responsible Council.

6.4. Rights and Duties

The Executive Board shall ensure that a training course on grievance handling is established and conducted. The Regional Council shall ensure that Council Representatives are in compliance with training requirements. The minimum required training is defined in Policy.

6.4.1. Regional Council Responsibilities

The Regional Council shall establish an annual budget for the operation of the Regional Council, including Regional Council Committees, Labor Council Associations per SPEEA By-Laws Section 2.2.5, as well as the Regional Council itself, and funds for travel and for Regional Council Members to attend Regional Council Meetings.

Authorization for expenditure of approved funds for Council Members' travel shall be given by the Regional Council Officers based on reasons deemed appropriate to warrant the expenditure which, shall be reported at the next Regional Council meeting and recorded in the minutes thereof.

6.4.2. Executive Board Actions

Additional actions that can be taken with respect to Executive Board Actions may be defined in the Regional By-Laws.

6.4.3. Signatories and Bonding

Additional Officers shall not have signature authority unless so designated in the Regional By-Laws and shall be bonded per the SPEEA Constitution Section 2.3.4.

6.4.4. Regional By-Laws

The Regional Council, subject to the SPEEA Constitution and By-Laws, shall determine Regional By-Laws.

6.4.5. Regional Policy

The Regional Council shall determine Regional Policy on any question or issue exclusively affecting the Region, with such policy becoming a part of the body of rules governing the Region and its members. The Regional Council shall not delegate any of its policy-making duties.

6.4.6. Regional Council Committees

The SPEEA By-Laws do not address this issue.

6.4.7. Recall and Replacement of Regional Council Officers

The SPEEA By-Laws do not address this issue.

6.5. Committees

Additional requirements may be defined in the Regional Governing Documents.

6.6. Site Assemblies

Site Assemblies are addressed in the Regional By-Laws.

6.6.1. Site Assembly Officers

Site Assembly Officers are addressed in the Regional By-Laws.

7. SPEEA COUNCIL

7.1. Composition

The SPEEA By-Laws do not address this issue.

7.2. SPEEA Council Officers

The SPEEA Council Officers, as established by the Constitution, shall manage the SPEEA Council in accordance with the SPEEA Governing Documents. The Officers shall be responsible for initiating and managing the program of the Council. No Officer shall have the authority to contract debts for, pledge the credit of, or in any other way legally bind SPEEA without the consent and approval of the Executive Board, except to the extent that authority over such funds are allocated to the Council.

An elected Officer may not hold the same office for more than two consecutive terms.

The SPEEA Council may elect other officers as the body deems appropriate.

7.2.1. SPEEA Council Chairman

The SPEEA Council Chairman shall be responsible for the general supervision of the Council in all of its activities, preside at all meetings of the Council and of its Officers, and represent the Council at all meetings having business of the Council.

7.2.2. SPEEA Council Treasurer

The SPEEA Council Treasurer shall be responsible for the Council funds and ensuring that at every regularly scheduled meeting, the SPEEA Council is presented with a report on those funds and the SPEEA Treasurer's report.

7.2.3. SPEEA Council Secretary

The SPEEA Council Secretary shall keep, maintain, and provide accurate minutes and records of all activities of the Council and its Officers. The Secretary shall make such reports as are required by the Chairman or the Council pertaining to all activities of the Council.

The Secretary shall outline and schedule the Council's program of activities and shall be responsible to the Officers for initiation and monitoring this schedule of activities.

7.2.4. Election

Any seated Council Representative is eligible for nomination for a Council Officer, but evidence of agreement to serve if elected is required.

Elections when there are two or more candidates for one office shall be by secret ballot and require a simple majority of votes cast.

The Chairman shall be elected at the annual convention in odd-numbered years and shall then conduct an election for the remaining officers.

7.3. Meetings

7.3.1. Convention

7.3.1.1. Frequency

The Convention should be held in June of each year.

7.3.1.2. Quorum

The SPEEA By-Laws do not address this issue.

7.3.1.3. Notice and Agenda

The SPEEA By-Laws do not address this issue.

7.3.1.4. Allowable Business

The SPEEA By-Laws do not address this issue.

7.3.1.5. Voting

The SPEEA By-Laws do not address this issue.

7.3.2. SPEEA Council Meetings

The rules contained in "Robert's Rules of Order – Newly Revised" shall govern the SPEEA Council in all cases for which they are applicable, and in which they are not inconsistent with the SPEEA Constitution and the SPEEA By-Laws, except that the Chairman may elect to defer a call for the question if there has been no opportunity for three members to speak on each side of the question.

In exercising this option, the chairman may limit the time for each speaker and may recognize only those desiring to speak on the side that has not had three speakers. If the option to defer has been exercised, such option shall expire automatically when each side has had three speakers and the deferred call for the question shall be put to a vote and shall require 2/3rd vote for passage.

7.3.2.1. Frequency

Regularly scheduled meetings of the SPEEA Council should occur in the following months and their primary purposes are:

January – Approval of the SPEEA Council budget.

March – Approval of the SPEEA budget.

October – Election of a member to the Judicial Review Committee. Approval of Executive Board candidate questions on odd years.

Special meetings are called by the SPEEA Council Chairman, SPEEA President or written demand of the Council Delegates.

Written demand of any 20 percent of the SPEEA Council shall include the name of the Council Member, district or position in SPEEA and provide or refer to the special business to be addressed. Written demand may be e-mailed, faxed or hand delivered.

E-mail procedures are defined in SPEEA Policy and addresses can be verified to the address of record at the SPEEA Office.

7.3.2.2. Quorum

No more than one third of the quorum may be Alternate Council Representatives.

7.3.2.3. Notice and Agenda

The notice and agenda for special meetings shall be set by the SPEEA Council Officers and should be available to all SPEEA Council Delegates at least one week prior to the meeting.

The agenda shall be set to inform Council Representatives of issues affecting SPEEA. The agenda for a regularly scheduled meeting should include at a minimum: approval of minutes for the last meeting, old business, pre-submitted new business, new business, committee reports, report on actions taken by the Executive Board, SPEEA Treasurer's Report, Executive Director's report and good of the union. Items of business that are in conflict with the Constitution or government statute shall be ruled out of order by the Council Officers. The agenda shall include all business pre-submitted by a member of the Council or a Council Committee not ruled out of order.

7.3.2.4. Allowable Business

The SPEEA By-Laws do not address this issue.

7.3.2.5. Voting

When voting is not conducted formally at a single or simultaneous meeting of the SPEEA Council, individually cast delegate votes may be distributed and collected at Regional Council meetings. The Regional Council Secretary shall ensure that the delegate votes are returned to the SPEEA Council Secretary. If an emergent nature as determined by the SPEEA Council Officers arises, the SPEEA Council Secretary shall send ballots to verified addresses of the Council Delegates and should allow at least two days but not allow more than one week for votes to be cast. Approval shall require at least a simple majority of all Council Delegates.

7.4. Rights and Duties

Additional rights and duties of the members of the SPEEA Council are defined in the SPEEA By-Laws and SPEEA Policy.

7.4.1. Responsibilities

The SPEEA Council will approve expansion plans per the procedure defined in the SPEEA Policy. Expansion plans that require exemptions from the SPEEA Constitution shall require a 2/3rd-majority vote of the Council.

The SPEEA Council shall determine the Regions of SPEEA.

The SPEEA Council shall establish an annual budget for the operation of the Council, including Council Committees, Council travel including funds for Council Representatives to attend Council Meetings, as well as the Council itself.

SPEEA Council Committee budgets shall be provided to the Council Officers. The Council Officers shall be responsible for providing budget input for any special committee activated during that budget year, and shall include appropriate expenses for Council Representatives to attend the applicable training courses. The Council Officers shall review all input and submit the budget for that fiscal year to the SPEEA Council in January for approval.

Authorization for expenditure of approved funds for Council Members' travel shall be given by the Council Officers based on reasons deemed appropriate to warrant the expenditure, which shall be reported at the next SPEEA Council meeting and recorded in the minutes thereof.

Changes to the annual budget required for Council activities, subsequent to Executive Board action, shall be presented to the Council Officers for review. The Council Officers shall then recommend Council action and, if the Council approves the change, request Executive Board action.

7.4.2. Executive Board Actions

The SPEEA By-Laws do not address this issue.

7.4.3. Signatories and Bonding

Additional Officers shall not have signature authority unless so designated in the SPEEA By-Laws and shall be bonded per SPEEA Constitution Section 2.3.4.

7.4.4. SPEEA By-Laws

Additional requirements for maintenance of the SPEEA By-Laws may be found in the SPEEA By-Laws Section 15.

7.4.5. SPEEA Policy

The SPEEA Council shall determine SPEEA Policy subject to the SPEEA Constitution and the SPEEA By-Laws.

7.4.6. Council Committees

The SPEEA By-Laws do not address this issue.

7.4.7. Recall and Replacement of Council Officers

The SPEEA By-Laws do not address this issue.

7.5. Committees

Council Committees shall be composed of SPEEA Members, with a quorum consisting of a majority, but not less than three of the voting members. No Committee shall impose a ceiling on its membership.

These committees shall be defined in the SPEEA Policy. Each committee shall be headed by a chairman, and shall have the power to divide its work or create subcommittees of its own selection.

At the first, or re-organizational meeting of the Committee following the June Council meeting, the Committee members shall elect at least a Chairman, Vice Chairman, and Secretary. The committee at the first opportunity shall fill a vacancy of any committee officer.

Each committee shall ensure that minutes of each meeting are recorded, approved, and filed with the SPEEA Council Secretary within thirty days.

The Committee Chairman may only vote in all cases where the Chairman's vote would change the result.

The Council Chairman has the authority to accept or reject any individual as Chairman of a Council Committee. The Council may overturn such acceptance or rejection.

The Council Officers shall review any Council Committee activity, size and function.

8. EXECUTIVE BOARD

8.1. Composition

There shall be four (4) Regional Vice Presidents on the Executive Board.

8.2. Duties and Responsibilities

8.2.1. President

The SPEEA By-Laws do not address this issue.

8.2.2. Treasurer

The SPEEA By-Laws do not address this issue.

8.2.3. Secretary

As the custodian of the records, the Secretary shall be responsible for maintaining copies of SPEEA meeting minutes, correspondence, books, literature, and archives.

The Secretary shall also be responsible for transmitting all passed motions and directives of the Executive Board and from the membership to the person(s) directly concerned and to the Councils. This shall be accomplished within 14 days.

8.2.4. Regional Vice Presidents

Additional duties may be defined in the Regional By-Laws (i.e. Regional A By-Laws may define additional duties for Region A Vice Presidents).

8.3. Executive Board Meetings

8.3.1. Frequency

The SPEEA By-Laws do not address this issue.

8.3.2. Quorum

A quorum for Executive Board meetings shall consist of a simple majority of the Board.

8.4. Elections

8.4.1. President, Treasurer, Secretary

8.4.1.1. Term of Office

The SPEEA By-Laws do not address this issue.

8.4.1.2. Nominations

Prior to the second Wednesday of January of even-numbered years, the SPEEA Tellers Committee shall notify the membership of the nomination opening and closing dates, nomination requirements, election dates and requirements, voting directions and balloting procedures for the elections. Notification shall be made to each member's last known address.

Nomination shall be made by petition, signed by twenty or more Regular Members of SPEEA, and submitted at the business address of SPEEA after the second Wednesday of January but not later than 5:00 p.m. on the fourth Wednesday of January. The Chairman of the Tellers Committee shall be responsible for the validation of the petition. The petition must state the position sought and must include the signature of the nominee signifying the nominee's consent.

8.4.1.3. Election Balloting

The election shall be by secret ballot, which will be sent to the last known address of all Regular Members of SPEEA. Ballots shall be sent prior to the last Wednesday in February.

The SPEEA Tellers Committee shall assure that a single platform statement from each properly-nominated candidate shall, if available, be included with the ballot. The Tellers Committee shall be responsible for processing and sending the ballot package, and for ensuring the confidentiality of this material.

The Tellers Committee shall:

- 1) Specify a final date for receipt for platform statements from candidates, not to be earlier than four days after nominations close.
- 2) Put a limit on the length of platform statements, excluding the candidate's name and qualification(s).

No ballots received after noon local time the second Wednesday of March will be counted. Votes for a person not properly nominated shall not be counted and will invalidate only the vote for that office.

8.4.1.4. Recall and Replacement

Persons filling an unexpired term shall hold office for the remaining portion of that term.

8.4.2. Regional Vice Presidents

8.4.2.1. Term of Office

The SPEEA By-Laws do not address this issue.

8.4.2.2. Nominations

Prior to the second Wednesday of January of odd-numbered years, the Regional Tellers Committees shall notify the regional membership of the nomination opening and closing dates, nomination requirements, election dates and requirements, voting directions and balloting procedures for the elections. Notification shall be made to each member's last known address.

Nomination shall be made by petition, signed by twenty or more Regular Members of SPEEA from the petitioner's region, and submitted at the business address of the SPEEA Region as specified in the Regional By-Laws after the second Wednesday of January but not later than 5:00 p.m. on the fourth Wednesday of January. The Chairman of the Regional Tellers Committee shall be responsible for the

validation of the petition. The petition must state the position sought and must include the signature of the nominee signifying the nominee's consent.

8.4.2.3. Election Balloting

The election shall be by secret ballot, which will be sent to the last known address of all Regional Regular Members of SPEEA. Ballots shall be sent prior to the last Wednesday in February.

The SPEEA Regional Tellers Committee shall assure that a single platform statement from each properly nominated candidate shall, if available, be included with the ballot. The Tellers Committee shall be responsible for processing and sending the ballot package, and for ensuring the confidentiality of this material.

The Tellers Committee shall specify a final date for receipt of platform statements from candidates, not to be earlier than four days after nominations close and shall put a limit on the length of platform statements, excluding the candidate's name and qualification(s).

No ballots received after noon local time on the second Wednesday of March will be counted. Votes for a person not properly nominated shall not be counted. Such votes shall have no affect and will invalidate only the vote for that office.

8.4.2.4. Recall and Replacement

Replacement Officer(s) shall be Regular Members who meet the qualification requirements of the SPEEA Constitution who are elected by a majority of the Regional Council to an unexpired term.

8.5. Rights and Duties

8.5.1. Responsibilities

The SPEEA By-Laws do not address this issue.

8.5.2. SPEEA Budget

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.

The SPEEA Treasurer will keep the Council informed on the financial status of the Union via periodic updates.

8.5.3. SPEEA Staff

The SPEEA By-Laws do not address this issue.

8.5.4. Committees

The SPEEA By-Laws do not address this issue.

8.5.5. Signatories and Bonding

The SPEEA By-Laws do not address this issue.

8.5.6. Documents and Publications

The SPEEA By-Laws do not address this issue.

8.5.7. Collective Bargaining Enforcement

The SPEEA By-Laws do not address this issue.

9. TELLERS

9.1. Regional Tellers

9.1.1. Composition

For Bargaining Units with greater than 4000 represented employees, one additional member may be added to the Regional Tellers Committee for every additional 2000 employees, or part thereof. If there is no candidate from a bargaining unit, then this position shall be filled by a candidate from another bargaining unit.

9.1.2. Meetings

Additional requirements may be defined in the Regional By-Laws.

9.1.3. Elections

Additional requirements may be defined in the Regional By-Laws.

9.1.4. Recall and Replacement

Additional requirements may be defined in the Regional By-Laws.

9.1.5. Rights and Duties

Additional requirements may be defined in the Regional By-Laws.

9.1.5.1. Charges

The SPEEA By-Laws do not address this issue.

9.1.5.2. Records

The SPEEA By-Laws do not address this issue.

9.1.5.3. Districting

By the second Wednesday of March of each odd-numbered year, the Regional Tellers Committee shall establish Council Districts as defined in the Regional By-Laws.

On or before the third Wednesday of March of odd-numbered years, the Regional Tellers Committee shall provide to the Regular Members the districting plan for the next annual Council election, specifying for each bargaining unit the district boundaries and the number of Council positions within each district.

9.2. SPEEA Tellers**9.2.1. Composition**

The SPEEA By-Laws do not address this issue.

9.2.2. Meetings

The SPEEA By-Laws do not address this issue.

9.2.3. Elections

The SPEEA President shall oversee the election of the SPEEA Tellers.

9.2.4. Recall and Replacement

The SPEEA By-Laws do not address this issue.

9.2.5. Rights and Duties**9.2.5.1. Charges**

The SPEEA Tellers shall hear all election charges appealed from the Regions. The appealing party will submit in writing their appeal to the SPEEA Tellers.

9.2.5.2. Records

The SPEEA By-Laws do not address this issue.

9.2.5.3. Audit

The SPEEA By-Laws do not address this issue.

10. JUDICIAL REVIEW**10.1. Composition**

No member may concurrently serve on the Judicial Review Committee and any Governing Documents Committee.

10.1.1. Meetings

The SPEEA By-Laws do not address this issue.

10.1.2. Elections

The term of office commences on the first day of November. A member of the Judicial Review Committee may not hold the same office for more than two consecutive terms.

If concurrence by the Executive Board of a member nominated and elected from the floor is not obtained, the Executive Board shall submit at least three names of qualified members for that position.

10.1.3. Recall/Replacement

A replacement Judicial Review Committee member shall be elected by a majority vote of the SPEEA Council.

10.2. Rights and Duties

10.2.1. Constitution and By-Laws Interpretation

The Governing Bodies should attempt to reach consensus on questions rather than submitting them to the Judicial Review Committee since it is not its function to be involved in day-to-day controversies.

10.2.2. Hearing of Appeals

An appeal of a Tellers Committee ruling on voting charges must be submitted in writing to the Judicial Review Committee within thirty days of the ruling. Such request must include the ruling being challenged and the basis for the request to overturn the Tellers Committee ruling.

Upon receipt of a written request for a ruling, the Judicial Review Committee shall schedule a date to meet and deliberate the issue. Such meeting shall fall within one month of receipt of the request, if possible. The issue and the scheduled meeting date shall be published in the newsletter allowing one to two weeks for comments from the responsible bodies. The Judicial Review Committee may solicit input, which may include brief oral arguments, from members and all other appropriate sources to aid in reaching a decision on the issue. If the Judicial Review Committee decides that further deliberation is unnecessary, it may issue an immediate ruling.

10.2.3. Records

The SPEEA By-Laws do not address this issue.

11. NEGOTIATIONS

11.1. Negotiation Team

The process and policies for negotiations shall be defined in the Regional Policy.

11.2. Selection of Negotiators

The SPEEA By-Laws do not address this issue.

11.3. Negotiation Team Rights and Obligations

The Negotiation Team shall report to the Bargaining Unit Council per the requirements of the Regional By-Laws.

11.4. Ratification of Collective Bargaining Agreements

Each Bargaining Unit Regular Member in good standing shall be provided, at a minimum, the following items prior to counting of votes:

- 1) A ballot;
- 2) Any recommendation from the negotiation team and/or Bargaining Unit Council with respect to the contract offer;
- 3) A summary of all the changes that would be made to the contract being replaced.

The default method of balloting shall be by mail and each Bargaining Unit Regular Member shall be provided the required items at least ten days prior to counting of votes.

The Bargaining Unit Council shall have the authority to waive a mail ballot if, by a two-thirds vote, it decides instead to have the collective bargaining agreement voted on at a Bargaining Unit Membership meeting. Details of the offer shall be provided to each attending member prior to voting.

The Bargaining Unit Council shall fix the date, time, and place of the membership meeting.

11.5. Strike Authorization Vote

The process for validating a strike authorization vote is defined in the Regional By-Laws.

11.6. Amendments to Collective Bargaining Agreements

The SPEEA By-Laws do not address this issue.

12. ELECTION

12.1. Procedure

The Tellers Committee shall have the option of collecting ballots by satellite collection sites unless otherwise provided for by the SPEEA Constitution.

12.2. Challenges and Appeals

A ruling by the Regional Tellers Committee on an election may be challenged to the SPEEA Tellers Committee.

13. CHARGES

13.1. Charges

After preferring charges, if the charging party wishes to amend or supplement the charges, such changes shall be submitted in writing to the secretary determined per the Constitution. A copy of the charges must be given to all other parties. Once a hearing has been scheduled, no changes may be submitted except with the consent of the Hearing Board.

After receiving a copy of the charges, the accused may, but is not required to, submit to the Hearing Board a written response to the charges prior to the Board's deliberation. The response may be set forth why the accused should be found not guilty of the charges, including any defenses the accused may wish to assert. Failure to raise any claim, defense or issue in the answer shall not constitute a waiver of any kind. Such a response shall be served on the charging party in accordance with the By-Laws.

Charges preferred against more than one member or officer may be heard by the Hearing Board at a single hearing if the charges arise from the same alleged conduct or scheme. An accused member; however, may request in writing to the Hearing Board, not less than seven days before his or her scheduled hearing, that the charges against him or her be heard separately from those against another accused member. The Hearing Board shall grant such a request for good cause shown.

The charging party may withdraw a charge at any time prior to the hearing, by letter to the Hearing Board or by oral communication during the hearing. If a charging party voluntarily withdraws a charge, he or she may not subsequently prefer the same charge.

Either the charging party or the accused may request supporting documents from SPEEA. SPEEA shall honor such requests if:

1. the requests are made not less than seven days prior to the scheduled date of the hearing;
2. the requests are not substantially burdensome on SPEEA;
3. the documents requests are relevant to the dispute issue.

If the Executive Board has concerns about the confidentiality of documents, the Board may make the documents available to the requesting party, consistent with Federal statutes, at the offices of SPEEA, but not permit the requesting party to retain or copy the documents.

If required to honor a request for documents, the Board shall make such documents available not less than three days prior to the scheduled date of the hearing.

13.2. Hearing Boards

The Hearing Board shall consist of three members. In May of each year, a standing Hearing Board must be selected from the Regional Vice Presidents, the Regional Council Officers and the Regional Tellers. The process of selecting the Hearing Board shall be specified in the Regional By-Laws. The preferred board membership consists of one person from each named group.

All Hearing Boards that hear charges, except for charges related to elections, Constitutional amendments, referendums, and ratifications, will be regional. All decisions of the Hearing Board must be by a majority.

If a member of the Hearing Board must recuse himself or herself from hearing a complaint, the member shall be replaced as specified in the Regional By-Laws.

The charging party has the obligation to be present at the hearing on the charges they have filed and to present evidence to substantiate their allegations. The accused has the right to be present at the hearing on the charges.

Any materials relating to the hearing that are submitted to the Secretary or Hearing Board before or during the hearing, shall also be provided by the submitting party at the time or before the time of such submittal to all other parties involved in the matter.

Where the charging party or the accused makes a request for a delay, the Hearing Board may grant a postponement for good cause shown.

The Hearing Board may extend the time prescribed by the Governing Documents on request of any party. A request for more time shall be set forth in a letter submitted to the Hearing Board, stating the reasons for the request. A copy of any letter requesting an extension shall be served on all other parties.

The hearing shall be conducted in an orderly, fair, and impartial manner and should assure the presentation of the facts to the Hearing Board. The burden of proof shall be on the charging party.

If the accused fails to appear, the Hearing Board shall proceed with the hearing and receive all the facts and evidence available.

The charging party and the accused may offer such evidence as is relevant and material to the charges and necessary to an understanding and determination of the allegations.

The charging party and the accused may offer witnesses to testify during the hearing. Exhibits, when offered by the parties, may be received in evidence by the Hearing Board.

Either the charging party or the accused may offer signed statements from the witnesses who cannot attend the hearing, as well as any other testimony. The Hearing Board may consider such materials and enter them as evidence in the record. Hearsay evidence shall be deemed inadmissible.

The Hearing Board shall be the judge of the relevance and materiality of the evidence offered, and conformity to legal rules of evidence is not necessary. All evidence shall be taken in the presence of all members of the Hearing Board and all of the parties, except where any of the parties is absent for good cause.

The charging party shall first present their case to substantiate the charges. The accused shall have the right to cross-examine the charging party and any of the charging party's witnesses upon completion of their testimony.

After the evidence in support of the charges has been received, the accused shall have an opportunity to present a defense. The charging party shall have the right to cross-examine the accused and any of the accused's witnesses upon completion of their testimony.

The Hearing Board shall record minutes of its meetings and proceedings. The minutes of the hearing, together with any documents submitted, shall constitute the official record of Hearing Board. The SPEEA Secretary shall be the custodian of all Hearing Board records.

Audio and visual recordings of the proceedings may be permitted at the discretion of the Hearing Board.

The Hearing Board shall not dismiss the charges until the parties have presented all the evidence and the hearing has been otherwise completed.

Upon conclusion of the hearing, the Hearing Board shall consider all of the evidence and arguments submitted and proceed to make its findings and decisions. It shall include said findings and decision into the official record of the Hearing Board. The majority members of the Hearing Board shall sign the findings and decision. If a member of the Hearing Board dissents, they may issue and sign a dissenting opinion, which shall be included with the official record.

Within thirty days of the decision, the Hearing Board shall provide a copy of its findings and its decision to all parties.

13.3. Disciplinary Action

If the Hearing Board finds the accused guilty of any of the charges, it shall determine appropriate discipline, if any, within thirty (30) days of signing the findings and decision. The Hearing Board may issue a letter of reprimand to be published in a SPEEA publication.

13.4. Appeals

Upon being notified of the findings and decision of the Hearing Board, the guilty party has sixty (60) days with which to file an appeal of that decision to the Judicial Review Board.

14. REFERENDUMS AND CONSTITUTIONAL AMENDMENTS

14.1. Methods

The SPEEA By-Laws do not address this issue.

14.2. Processing

Each referendum submitted for the vote of the membership shall be accompanied by

- 1) The complete text of the referendum;
- 2) Written statements of no more than 250 words in length advocating the members' approval of the referendum and

- advocating the members' rejection of the referendum;
- 3) Written statement of no more than 150 words in length rebutting the statement advocating approval and the statement advocating rejection of the referendum;
 - 4) A listing of the names of the committee members composing the written statements; and
 - 5) If the referendum was initiated by a resolution of the Executive Board, SPEEA Council, or Regional Council, the total number of votes cast for and against the resolution.

The SPEEA Council Officers are required within 5 days after the receipt of the initiating document to appoint a committee to prepare the statement advocating approval of the referendum, and a committee to prepare the statement advocating rejection of the referendum.

- 1) The SPEEA Council Officers shall appoint the initial two members of each committee. In making these committee appointments, the officers shall consider Council Representatives, sponsors of the referendum, and other interested groups known to support or oppose the referendum issue.
- 2) The initial two members may select up to four additional members, and the committee shall elect a chairperson.
- 3) Each committee will be allowed 5 days after selection of the initial two members to prepare the written statements advocating approval or rejection of the referendum.
- 4) The SPEEA Council Officers will gather the written advocating statements and make them available to both committees.
- 5) Each committee will be allowed 3 days after receiving the written advocating statements to prepare written statements rebutting the statement advocating approval or the statement advocating rejection of the referendum.
- 6) The SPEEA Council Officers will gather all written statements for inclusion into the referendum package.

Referendum initiated by a resolution of the SPEEA Council or Regional Council may have the requirements for written statements removed by a vote of the initiating Council as long as the following conditions are met:

- 1) The referendum issue does not initiate a recall from office, affiliation, merger, or borrowing against fixed assets.
- 2) The vote must remove all requirements for written statements.

The SPEEA Council Officers are responsible for gathering the votes cast totals for any referendum resolution for inclusion into the referendum package.

14.3. Affiliation Referendums from the Membership

The SPEEA By-Laws do not address this issue.

15. BY-LAWS

15.1. Existence

The maintenance of the SPEEA By-Laws is the responsibility of the SPEEA Council governing documents committee.

The maintenance of the Regional By-Laws is the responsibility of the Regional Council governing documents committee.

15.2. Amendment Procedures

15.2.1. Methods

The SPEEA By-Laws do not address this issue.

15.2.2. Processing

When strict adherence is demanded, words such as "will", "shall", and "must" are to be used. When certain latitude is desired in a given area and users are to exercise their own judgment, words such as "may", "should", "generally recommended", or "in most cases" will be used.

The governing documents committee shall obtain a current copy from the certified electronic copy for markup. The committee will prepare the document revision and a non-incorporated revision sheet describing the sections revised and the description of the revision and the authorizing council authority. The committee Chairman or designee will certify the revised document prior to distribution. The SPEEA By-Laws will include both the endorsement (signatures) of the governing documents Chairman and the SPEEA Council Secretary.

16. POLICY

16.1. Existence

The maintenance of the SPEEA Policy Manual is the responsibility of the SPEEA Council governing documents committee.

The maintenance of the Regional Policy Manual is the responsibility of the Regional Council governing documents committee.

The Policy Manual shall include the following:

- a) Council motions which establish policy;
- b) Membership referendum items which establish policy;
- c) Membership meeting motions that establish policy.

Incorporation of policy items into the Policy Manual shall be accomplished as follows:

The Council Secretary, SPEEA Secretary, or Tellers Committee Secretary, as applicable, shall ensure that the governing documents committee receives a copy of the appropriate minutes, which show exact motions, and each referendum with the appropriate date and signature.

When an item is determined by the governing documents committee to be policy, its location in the manual shall be determined. If the policy should need to be reworded, the Council shall approve substantive changes. In such cases, both the prior action and the proposed rewording shall be provided to the Council.

When strict adherence is demanded, words such as "will", "shall", and "must" are to be used. When certain latitude is desired in a given area and users are to exercise their own judgment, words such as "may", "should", "generally recommended", or "in most cases" will be used.

The governing documents committee shall obtain a current copy from the certified electronic copy for markup. The committee will prepare the document revision and a non-incorporated revision sheet describing the sections revised and the description of the revision and the authorizing Council authority. The committee Chairman or designee will certify the revised document prior to distribution.

#####