



# 2017 Proposed Constitutional Amendments

## AMENDMENT 1: Article IV, Section 1

**A. A Chapter shall consist of members who either:**

- 1. Work within a department of the Commonwealth of Massachusetts, or a Commission; or**
- 2. Constitute a group of members with a common professional interest; or**
- 3. Any group of members as recognized by the Joint Executive Board.**

### Pro Argument (Authored by Dennis MacDonald)

Nine members of SEIU Local 509, from nine different chapters, served on a subcommittee for several months to look at the Chapter Executive Board and the Joint Executive Board Constitutional language. Changes in Amendments 1-7 are a result of those meetings. Changes to old language in Article IV Section 1 A have been proposed to reflect that Local 509 represents not just public sector workers but also members within the private sector, family child care providers, and the higher education chapter, with a catch all phrase in the newly proposed Section 1 A 3 that will recognize any future group of members, "as recognized by the Joint Executive Board." The nine members of the subcommittee unanimously support this and the next eight Constitutional amendments.

### No con argument submitted

## AMENDMENT 2: Article IV, Section 1.B through Article IV, Section 1.F

**B. If a group of members of an existing chapter wishes to form a new chapter, they shall submit to the Joint Executive Board:**

**1. A statement in writing explaining how they meet the standards set forth in Section 1A. Said statement shall include why the new chapter is needed, the members who will constitute the new chapter, and how the new chapter addresses the following criteria:**

- a. Why the existing chapter no longer meets the needs of the proposed new chapter or how the proposed new chapter will better serve the members;**
- b. The size of the proposed new chapter;**
- c. Any other factors that the proposed chapter believes are relevant for the Joint Executive Board to consider.**

**2. A petition signed and dated no earlier than one (1) year prior to the submission of the petition to the Joint Executive Board by at least fifty (50) members who would be part of the proposed new chapter.**

**C. At the Joint Executive Board meeting following the presentation of the above-mentioned petition and statement(s), the Joint Executive Board shall vote to accept, reject, or to accept with modifications the proposal to form a new chapter. The decision of the Joint Executive Board shall be final. A group denied authorization to proceed may submit a new request after the denial.**

**D. If the Joint Executive Board approves a proposed petition, then the members of the proposed chapter must obtain signatures from a majority of the proposed chapter within six (6) months from the date of Joint Executive Board approval.**

**E. Upon the collection of signatures from a majority of the members of the proposed new chapter, the signatures shall be submitted promptly for verification. Once the signatures are verified, the Joint Executive Board shall vote to affirm or deny the creation of the proposed chapter.**

**F. Existing chapters which fail to meet the standard or standards set forth in Section 1A for six (6) consecutive months will nominate a chapter or chapters to affiliate with. The members of the old chapter will decide by secret ballot which chapter they will affiliate with when a majority of those voting agree. The vote shall be conducted by the Trustees.**

**G. Members of SEIU, Local 509 who are affiliated within a specific group with no chapter who wish to affiliate with an existing chapter will nominate a chapter or chapters to affiliate with. They will decide by secret ballot which chapter they will affiliate with when a majority of those voting agree or when a majority of the members in good standing sign a petition to affiliate with a particular chapter. The vote shall be conducted by the Trustees.**

**H. All members shall be represented by a chapter.**

### Pro Statement (Authored by Dennis MacDonald)

Using the Private Sector Human Services Chapter as a concrete example, there are 6,300 members in 37 agencies. Roughly 600 of these members work in eleven Elder Services agencies. With this amendment, if the Elder Services agencies want to govern themselves and create their own Chapter Executive Board, they could focus their collective energies on House Bills such as reducing caseloads. Their unique problems could be brought to the forefront within the Local. Under the newly proposed Constitutional language, only a majority of the Elder Services' membership would have to sign a petition, 301 members vs. 3,151 if the whole chapter had to vote, as under the old language. 5,700 non-Elder Services members should not impede the Elder Services membership should they choose to create their own chapter.

### No con argument submitted

# Proposed Constitutional Amendments (Cont.)

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## **AMENDMENT 3: Article IV, Section 4 [N/B: This may become a newly numbered section]:**

When SEIU, Local 509 is elected to represent a new jurisdiction, that group of workers shall be allowed to participate in the governance of their chapter. That group of workers may be represented by non-voting, temporary Chapter Board members, and by one or more nonvoting, temporary representatives to the Joint Executive Board.

### **Pro Argument** (Authored by Dennis MacDonald)

This amendment was written because Local 509 no longer organizes in just the Private Sector. It eliminates “workers in the agency,” replacing the phrase with “group of workers” in order to reflect new members within the Family Child Care Providers and Higher Education chapters, and any future groups of workers we may receive jurisdiction to organize.

### **No con argument submitted**

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## **AMENDMENT 4: Appendix E, Committees, Section 7**

This appendix is governed by Article VII, Section 3F which reads: The Local 509 Joint Executive Board may establish standing committees. The names and responsibilities of the committees as well as rules for their governance, shall be described in Appendix E of this Constitution and may be adopted or amended by a two-thirds vote of the SEIU Local 509 Joint Executive Board and, when necessary, the approval of the International Union. The Board shall review bylaws for new committees and changes in bylaws for committees established by the JEB, and to approve or disapprove the proposals by majority vote.

Section 7. The Joint Executive Board of this Local Union shall appoint a Chapter Review Committee, to work collaboratively with the respective chapter leaders, to ensure their chapter’s success in governance and/or provide remedial chapter structure strategies.

Section 8. In order for standing committees to access money budgeted by the Local 509 Joint Executive Board (committee budget, travel and meal expenses) they must meet the following requirements: A. Hold annual elections for the position of chair and any other positions specified in their bylaws. Nominations will be held with notice to committee members and to the Local 509 president. If contested, elections will take place at the following meeting. B. Record and present to SEIU Local 509 minutes of the actions taken at each meeting. Minutes shall include a list of members and guests attending the meetings. C. Approve a schedule for meetings for the coming year including times and locations, so they can be posted on the Local 509 website. Meetings will be held at Local 509 offices or designated sites where people can attend by phone and members will be allowed to attend remotely as described in “Appendix D”. D. A quorum of not less than five (5) Local 509 members in good standing for COPE or four (4) for other committees will be required to approve the expenditure of money or to elect officers.

### **Pro Statement** (Authored by Dennis MacDonald)

After months of discussions within the Constitutional CEB and JEB Constitutional Language Subcommittee, we collectively decided to propose formation of a Chapter Review Committee in order to aid chapters if they are struggling with governance or any other chapter issues. It is the intent of this proposed committee to provide any chapter’s leadership with any structural help and the benefit of years of experience from members on this committee, most who will likely have served as chapter presidents in the past. There is a tremendous amount of knowledge that can be shared, to ensure future success of any chapters and their leaders. In some ways, this can be viewed as a mentorship to new chapter presidents and officers.

### **No con argument submitted**

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# Proposed Constitutional Amendments (Cont.)

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## AMENDMENT 5: Article V (ELECTIONS)

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**Section 1.** The officers of this Local Union shall consist of a President, Treasurer, Recording Secretary, Local Vice President/Chapter Presidents, Trustees, members of the Joint Executive Board and Sergeant-at-Arms. Chapter Officers shall include: Local Vice President/Chapter Presidents, Chapter Secretaries of Grievances, Chapter Recording Secretaries, Chapter Executive Board Members, Joint Executive Board Members and Stewards. Stewards shall be elected in accordance with Article IX. No President shall be elected to more than two consecutive full terms of office as President. No Local Vice President/Chapter President shall be elected to more than two consecutive full terms of office as Local Vice President/Chapter President. After a one-year absence from office, the former President or Local Vice President/Chapter President may again be nominated and elected to that office. In the event that the office of the Local President or any Local Vice President/Chapter President remains unfilled for six consecutive months, the one-year absence requirement for former Presidents to run for office shall be waived. No member may hold more than one elected Union office other than Steward. When an officer is elected to a higher office in mid-term, the lower office shall be declared vacant.

**Pro Statement** (Authored by Dennis MacDonald)

There have been occasions when smaller chapters have gone without a chapter president for a year because the prior president had reached their term limits and no one new stepped up to run for that chapter's president position. By allowing a former chapter president to run for the office after the position has remained vacant for six consecutive months already allowed someone new to step up. The chapter should not be penalized because no new leadership filled the position; allowing the chapter to be rudderless for an additional six months when someone with experience might wish to fill that position for a third consecutive term only makes sense, in the best interest of that chapter. An alternative solution might be to merge that chapter with another existing chapter but that could be avoided if the former chapter president decides to accept a third term if no one has stepped up.

**No con argument submitted**

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## AMENDMENT 6: Article VI (Chapter Executive Boards and Their Powers)

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**Section 3.** The Chapter Executive Board shall be the governing body of the Chapter. It shall enforce the laws of the International Union, the bylaws and the instructions of the Local, and its own decisions. The Chapter Executive Board shall be empowered to appropriate funds to incur and defray necessary expenses from the chapter budget as set forth in Article VIII, **Section 2.** The Chapter Executive Board shall be empowered to appoint subcommittees from its Chapter membership, and shall set policy for the Chapter, not inconsistent with the Constitution and Bylaws of the Local. A majority of the elected members of the Chapter Executive Board, its associated Joint Executive Board officers, and Chapter President shall constitute a quorum.

The decisions of the Chapter Executive Board shall be decided by a majority vote of those members present and voting. Whenever a majority of the Chapter Executive Board requests the Local Vice President/Chapter President to call a special meeting thereof, it shall be mandatory upon him/her to do so.

**Pro Statement** (Authored by Dennis MacDonald)

This amendment serves to clarify that Joint Executive Board Officers and Chapter Presidents are also members of their respective chapter's Chapter Executive Board and do count towards quorum for each CEB. This amendment also repairs a heretofore inconsistency amongst several of the current sixteen CEBs, i.e. there were CEBs who did not count their chapter's JEB officers towards quorum, thereby allowing only their chapter's CEB officers to vote on how their respective chapter's budget would be spent.

**No con argument submitted**

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## AMENDMENT 7: Article VII, Section 2

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**Section 2.** Members of the Joint Executive Board shall be voting ex-officio members of the appropriate Chapter Executive Board.

**Pro Statement** (Authored by Dennis MacDonald)

This Amendment serves to clarify that Joint Executive Board officers are voting ex-officio members of their respective chapters' Chapter Executive Boards.

**No con argument submitted**

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# Proposed Constitutional Amendments (Cont.)

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## AMENDMENT 8: Article II, Section E

Article II, Section E. To encourage and support women and members of diverse groups to participate fully in the activities of the Local.

**Pro Statement** (Authored by Peter MacKinnon)

There have been occasions when smaller chapters have gone without a chapter president for a year because the prior president had reached their term limits and no one new stepped up to run for that chapter's president position.

**No con argument submitted**

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## AMENDMENT 9: Article III, Section 5

4. Interpretation and translation for members whose primary language is not English.

**Pro Statement** (Authored by Peter MacKinnon)

This amendment serves to clarify that Joint Executive Board Officers and Chapter Presidents are also members of their respective chapter's Chapter Executive Board and do count towards quorum for each CEB. This amendment also repairs a heretofore

**No con argument submitted**

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## AMENDMENT 10: Article III, Section 5A

3.The only meetings that do not need to comply with this section are those where none of the members or officers eligible to participate are disabled and require special accommodation.

**Pro Statement** (Authored by Peter MacKinnon)

This Amendment serves to clarify that Joint Executive Board officers are voting ex-officio members of their respective chapters Chapter Executive Boards.

**No con argument submitted**

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## AMENDMENT 11: Article V, Section 14

Nominations shall be submitted electronically or in writing and shall state: the title of office, the name of the nominee and the name of the nominator.

**Pro Statement** (Authored by Peter MacKinnon)

This Amendment serves to clarify that Joint Executive Board officers are voting ex-officio members of their respective chapters Chapter Executive Boards.

**No con argument submitted**

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## AMENDMENT 12: Article VIII, Section 2

Deleting: The Treasurer shall not hold more than one hundred dollars (\$100.00) in his/her possession to meet the immediate demands of the Local Union.

**Pro Statement** (Authored by Peter MacKinnon)

This Amendment serves to clarify that Joint Executive Board officers are voting ex-officio members of their respective chapters Chapter Executive Boards.

**No con argument submitted**

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# Proposed Constitutional Amendments (Cont.)

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## AMENDMENT 13: Article VII, Section 3

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Article II, Section E. The Recording Secretary or his/her designee shall notify the International Secretary-Treasurer of the International Union of the names and addresses with proper zip codes of all officers elected to office fifteen (15) days after the election. The Recording Secretary or his/her designee shall, on behalf of the Local Union, receive all official communications and correspondence except that addressed to the Treasurer.

**Pro Statement** (Authored by Peter MacKinnon)

There have been occasions when smaller chapters have gone without a chapter president for a year because the prior president had reached their term limits and no one new stepped up to run for that chapter's president position.

**No con argument submitted**

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## AMENDMENT 14: Article XII, Section 9

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The Recording Secretary or his/her designee shall notify the parties in interest, Local President, the Joint Executive Board, and Trial Board. (re: trial board)

**Pro Statement** (Authored by Peter MacKinnon)

This amendment serves to clarify that Joint Executive Board Officers and Chapter Presidents are also members of their respective chapter's Chapter Executive Board and do count towards quorum for each CEB. This amendment also repairs a heretofore

**No con argument submitted**

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## AMENDMENT 15: Article XIV, Section D

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D. Interpretation and translation for members whose primary language is not English.

**Pro Statement** (Authored by Peter MacKinnon)

This Amendment serves to clarify that Joint Executive Board officers are voting ex-officio members of their respective chapters Chapter Executive Boards.

**No con argument submitted**

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