

SEIU Healthcare Michigan Constitution and Bylaws

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CONSTITUTION AND BYLAWS

SEIU Healthcare Michigan

(June 2009)

Article I – Mission and Goals

The purpose of SEIU Healthcare Michigan shall be to improve the conditions, and benefit the general welfare, of its members by every means, including but not limited to: securing economic advantages, including better wages, hours, and working conditions, through organization, collective bargaining, legislative and political action and the utilization of other lawful means; organizing and uniting in this union all working men and women eligible for membership herein; engaging in all such civic, social, political, legal, economic, cultural, educational, charitable, and other activities as will advance SEIU Healthcare Michigan's standing in the community and in the labor movement and further the interests of this organization and its membership, directly and indirectly; and advancing and strengthening the rights of working men and women to bargain collectively.

SEIU Healthcare Michigan is pledged to following democratic principles and to affording full respect for all differences of opinion and to build a strong union, which strives along with organized labor, the community and other organizations towards a more just society. SEIU Healthcare Michigan is committed to protecting and defending the rights of workers and to further encouraging their participation in all aspects of SEIU Healthcare Michigan and organized labor.

We are healthcare providers devoted to our patients. We nurture, save and extend lives. Patient satisfaction is our highest calling. We do this work because we care. Our vision is of a society:

- Where workers and their families live and work in dignity.
- Where workers have a meaningful voice in decisions that affect them.
- Where workers have the opportunity to develop their talents and skills.
- Where the collective voice of workers is realized in democratic and progressive unions.
- Where the highest quality healthcare is available and accessible to all.
- Where union solidarity stands firm against the forces of discrimination and hate and the unfair practices of exploitative employers.

- Where we are not divided by forces of discrimination based on race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability.
- Where we have achieved power and effectiveness based upon the active participation and commitment of our members.
- Where government plays an active role in improving the lives of working people and workers' voices are heard at every level of government.

To Achieve This Mission:

- We must organize unorganized Healthcare workers, extending to them the gains of unionism while securing control over the Healthcare industry.
- We must build political power to ensure that workers' voices are heard at every level of government to create economic opportunity and foster social justice.
- We must provide meaningful paths for member involvement and participation in a strong and democratic union.
- We must develop highly trained and motivated leaders at every level of SEIU Healthcare Michigan who reflect the membership in all its diversity.
- We must bargain collective bargaining agreements that improve wages and working conditions, expand the role of workers in workplace decision-making, and build a stronger union.
- We must build coalitions and act in solidarity with other organizations that share our concern for social and economic justice.
- We must engage in direct action that demonstrates our power and our determination to win.

To accomplish these goals, we must be unified – inspired by a set of beliefs and principles that transcends our diversity and guides our work. We believe we can accomplish little as separate individuals, but that, together, we have the power to create a just society. We believe unions are the means by which working people build power – by which ordinary people accomplish extraordinary things.

Article II – Name

This organization shall be known as SEIU Healthcare Michigan.

Article III – Membership

Section 1. Full Membership Status

Healthcare workers in the state of Michigan, persons employed in any employment over which this Local Union claims or exercises jurisdiction, and provisional officers of SEIU Healthcare Michigan appointed by the SEIU International President, shall be eligible for membership in SEIU Healthcare Michigan, with all the rights and obligations of SEIU members in accordance with the SEIU Constitution and Bylaws. Staff of SEIU Healthcare Michigan shall be eligible for full membership status in the Local Union, unless they are members of another labor organization and are represented in matters related to collective bargaining by that other labor organization .

Section 2. Organizing Committee Membership Status

An organizing committee member is an individual employed in one of the Healthcare industries that has not achieved full collective bargaining rights. Organizing Committee members shall pay dues in accordance with Article VI. Organizing Committee Members shall have Associate membership rights and responsibilities as detailed in Article III.

Section 3. Associate Committee Membership Status

Persons who are not eligible for membership through a collective bargaining agreement with this Local Union, or who are Local Union staff who are members of another labor organization and are represented in matters related to collective bargaining by that other labor organization, shall be eligible for Associate Membership in accordance with guidelines outlined by the Executive Board. Such an Associate member shall not be eligible to vote or run for Local Union office or be a member of the Executive Board, delegate or any other office but shall be entitled to the right to participate in benefit programs such as insurance, travel, discount buying services and other programs of the Union. An Associate Member shall pay dues in compliance with Article VI. However, the minimum dues to be paid by an Associate Member shall be that as established by the Local Union Executive Board.

Section 4. Lifetime Membership Status

A retired member whose age added to their years of membership total eighty (80) or more, and who has been paying dues continuously to the Local Union, either as a full member or retired member, for at least ten years immediately prior thereto, shall be given lifetime membership status, provided that life members shall not be eligible to vote or run for Local Union office or be a member of the Executive Board, Delegate or any other office. Life members shall have no continuing dues obligations, but they shall nevertheless be eligible to enjoy all the benefits and privileges of retired members in the Local Union.

Section 5. Membership in SEIU International Union

All members of the SEIU Healthcare Michigan shall be members of the International Union and shall be entitled to full participation in the affairs of the International Union including the right to run for office and serve on committees, advisory boards, and other bodies in the same manner and to the same extent as other members of the International Union.

Section 6. Non-Discrimination

Membership shall be open to all eligible persons who work within SEIU Healthcare Michigan's jurisdiction without regard to race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability. No member shall discriminate or advocate discrimination against any other member on the basis of race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability.

Section 7. Membership Disputes

Any disputes regarding eligibility for membership in SEIU Healthcare Michigan shall be decided by the Officers.

Article IV – Retired Members Division

The Union shall establish a Retired Members Division consisting of all retired members of the Local Union.

Section 1. Eligibility for Membership

A member who receives either Social Security retirement benefits and/or a pension from a fund in which SEIU Healthcare Michigan has an interest shall be eligible for membership in the Retired Members Division. The retired membership fee shall be \$7.00 annually in lieu of dues beginning with the first year of retirement. Membership status shall continue so long as the member pays the annual fee and does not violate any of the provisions of this Constitution and Bylaws or act in a manner detrimental to the welfare of the Union.

Section 2. Rights and Privileges of Retired Members

(a) The Retired Members Division shall elect a representative to the Executive Board, who shall have a voice but no vote on the Executive Board.

(b) The Retired Members Division may enact such rules and regulations, elect such officers and adopt such programs and policies as in its judgment will best effectuate the purpose for which the Division was formed, provided, however, that any such rules and regulations, programs and policies are not in conflict with this Constitution and Bylaws, the programs and policies of the Local Union, and the SEIU Constitution and Bylaws. Every retired member in good standing shall have the right to enjoy the following privileges:

- (1) To receive the Union's publication(s);
- (2) To participate in all social and cultural activities of the Union;
- (3) To utilize all the services provided by the Union;
- (4) To be reinstated to active membership upon resumption of work as an employee within the jurisdiction of the Union.

Section 3. Obligations of Retired Members

Retired members shall be bound by the same standards of conduct as other members.

Article V – Regional Structure

SEIU Healthcare Michigan will be divided into the following nine (9) regions: 1) Southern Border, 2) Wayne County, 3) Oakland/Macomb, 4) Mid-Michigan, 5) Western Michigan, 6) Bay Area, 7) Central Michigan, 8) Northern Michigan, and 9) Upper Peninsula. Each region will meet the program standards adopted by SEIU Healthcare Michigan. Regions may adopt their own committees and policies, such as requirements concerning attendance at meetings and volunteer work, subject to approval of the SEIU Healthcare Michigan President and the SEIU International President.

Article VI – Dues and Other Financial Obligations

Section 1. SEIU Healthcare Michigan Funds

Revenue for SEIU Healthcare Michigan may be raised through collection of membership dues, initiation fees, non-member agency fees, assessments and other lawful means.

Section 2. Good Standing and Delinquencies

All dues and other financial obligations are due and payable on or before the last day of the month in which the member is paid. The term “member in good standing” or members in good standing” as used in this Constitution and Bylaws is a full member who has paid her or his dues on or before the last day of each month that they are due and payable.

All dues and other financial obligations not paid on or before the last day of the month in which they are due and payable shall be deemed delinquent. Any full member in arrears in dues shall automatically be suspended from voting rights and other privileges, rights and benefits of SEIU Healthcare Michigan membership and shall not be in good standing for any other purpose.

Within thirty (30) days after a full member repays current dues owed, the member shall be readmitted to membership in good standing and shall resume her or his voting rights and other privileges, rights and benefits of SEIU Healthcare Michigan membership, with the exception of eligibility to run for any SEIU Healthcare Michigan position.

Section 3. Per Capita Taxes

SEIU Healthcare Michigan shall pay per capita taxes to the International Union for any person from whom the Local Union receives revenue, including dues and agency fees. SEIU Healthcare Michigan shall not pay any other bills before it pays its full obligations to the International Union each month unless per capita taxes are waived by the International Union.

Section 4. Dues and Initiation Fees

The Local Union will establish a dues and initiation fee system which will be decided by a vote of the entire membership, with recommendations from the Executive Board. The dues system will not change without a vote of the membership.

Article VII – SEIU Healthcare Michigan Officers

Section 1. Officers

The officers of SEIU Healthcare Michigan shall consist of the President and the Secretary-Treasurer and Recording Secretary. There shall also be an Executive Board. The Officers and Executive Board shall be elected by “SEIU HealthCare Michigan membership.

Section 2. SEIU Healthcare Michigan President

The duties and responsibilities of the President shall include the following:

1. The President shall serve as the chief representative of SEIU Healthcare Michigan in any dealings with employers, other unions, including other SEIU local unions, federal, state and local governments and agencies, and the public.
2. The President shall hire, fire, supervise, direct, and determine compensation and benefits of the staff employed by SEIU Healthcare Michigan. With respect to the Secretary-Treasurer, in addition to the duties, responsibilities and authority described in this Article VII at Section 3, the President may assign additional duties and empower the Secretary-Treasurer with additional authority, as s/he may deem appropriate.
3. The President shall be empowered to employ or retain counsel, accountants, or

such other assistants or personnel as required to assist in the operation and administration of SEIU Healthcare Michigan.

4. The President shall have general supervision and direction over the organizing, political, education, training and community activities of SEIU Healthcare Michigan.
5. The President shall direct and be in charge of collective bargaining on behalf of SEIU Healthcare Michigan, and shall sign all collective bargaining agreements on behalf of SEIU Healthcare Michigan after ratification of the affected members.
6. The President shall have the power to authorize strikes subject to the approval of the members directly affected.
7. The President shall sign all agreements on behalf of SEIU Healthcare Michigan, and shall counter-sign checks with the Secretary-Treasurer. No check shall be issued from SEIU Healthcare Michigan unless properly authorized.
8. The President shall call meetings of the members of SEIU Healthcare Michigan and preside over all such meetings.
9. The President shall appoint trial bodies to hear internal union charges against members of SEIU Healthcare Michigan.
10. The President shall enlist members in the work of building SEIU Healthcare Michigan, including creating committees and naming members to such committees.
11. The President shall serve as SEIU Healthcare Michigan's first delegate to all conferences, conventions and any other bodies for which SEIU Healthcare Michigan is eligible to participate and for which no election of delegates is required. The President shall appoint all other delegates where, and only where, elections of delegates to such conventions, conferences and other bodies are not required.
12. The President shall be responsible for the day-to-day operations of SEIU Healthcare Michigan, including the direction of all staff, and shall have the right to act in what s/he believes is in the best interest of the members in matters which require immediate attention.
13. The President shall have such other authority and responsibility as her or his office requires and as are consistent with the Constitution and Bylaws of SEIU Healthcare Michigan.

Section 3. SEIU Healthcare Michigan Secretary-Treasurer

The duties and responsibilities of the Secretary-Treasurer shall include the following:

1. The Secretary-Treasurer shall assist the President in the administration of SEIU Healthcare Michigan.
2. The Secretary-Treasurer shall be responsible for the administration and supervision of the health, welfare and pension programs for SEIU Healthcare Michigan and its community services.
3. The Secretary-Treasurer shall preside at meetings in the absence of the President.
4. The Secretary-Treasurer shall be authorized to counter-sign checks with the President. No check shall be issued from SEIU Healthcare Michigan unless properly authorized.
5. The Secretary-Treasurer shall be responsible for the proper performance of his/her duties to the President, the Executive Board, and the membership.
6. The Secretary-Treasurer shall be the chief fiscal officer of SEIU Healthcare Michigan and shall receive and collect all monies due to the Local Union.
7. The Secretary-Treasurer shall have the responsibility to disburse such funds as authorized by the President and/or the Executive Board.
8. The Secretary-Treasurer shall maintain and preserve proper books and records of the finances of the Local Union. Such books and records shall at all times be subject to inspection by the President and the Executive Board.
9. The Secretary-Treasurer shall be in charge of, preserve and maintain for safekeeping all monies, properties, securities and other evidence of investments of the Local Union.
10. The Secretary-Treasurer shall prepare and submit a certified annual financial report to the President and the Executive Board and such other additional reports as the President and Executive Board may require.
11. The Secretary-Treasurer shall submit all books and records of the Local Union for certified audit, examination and inspection each year at such times as the President or the Executive Board may require.
12. The Secretary-Treasurer shall serve as SEIU Healthcare Michigan's second delegate to all conferences, conventions and any other bodies for which SEIU Healthcare Michigan is eligible to participate and for which no election of delegates is required.

13. The Secretary-Treasurer shall forward to the International Union copies of any and all annual audit reports, or other financial statements, as well as LM-2 and other required filings, to the International Union.
14. The Secretary-Treasurer shall have the right to act with the President in what they believe is in the best interest of the members in matters which require immediate attention.
15. The Secretary-Treasurer shall be responsible for notifying the International Union of all activities and actions of SEIU Healthcare Michigan that are required to be reported to the International Union.
16. The Secretary-Treasurer shall have such other authority and responsibility as her or his office requires and as are consistent with the Constitution and Bylaws of SEIU Healthcare Michigan.

Section 4. SEIU HealthCare Michigan Recording Secretary

1. It shall be the duty of the Recording Secretary to keep a correct and accurate account of the proceedings of each meeting of the Union and Executive Board.
2. The Recording Secretary will sign and approve minutes within executive board meetings and all meetings requested by the president.
3. Present minutes within executive board meetings and membership meetings as requested by the president.
4. He/she 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 within fifteen (15) days after the election.

Section 5. Elections and Terms

The term of all present Officers shall expire following the election and installation of all Officers as herein provided.

Nomination of Officers shall take place at the regular membership meeting in January 2010 and in January every three (3) years thereafter. Eligibility for office of all nominees shall be determined by the Executive Board within three (3) days after nominations are closed. Nominees who are declared ineligible must be notified promptly. Appeals shall be made in writing to the Executive Board and filed with the Union no later than three (3) days after receiving notice of ineligibility. All nominees not complying with this notice requirement shall be considered a withdrawal.

At least forty-five (45) days notice shall be given of the time and place of such meeting and the fact that such nominations will take place. Election of Officers shall take place no

more than sixty (60) days and no less than thirty (30) days following the closing of nominations. The date of election shall be determined by the Executive Board who shall appoint a three-person committee to supervise and conduct the election.

For Statewide offices, nomination of officers shall be by written nominating petition, designating the name of the person nominated, the office for which he or she is nominated, and must be signed by at least two percent (2%) of the membership of this Local Union. For regional offices, nomination of officers shall be by written nominating petition, designating the name of the person nominated, the office for which he or she is nominated, and must be signed by at least two percent (2%) or 500 members, whichever is smaller, in good standing within that region.

Membership figures for the purposes of this Section will be fairly representative of the current year's membership and will be available at the Union no later than forty-five (45) days prior to the nomination meeting. Members may not sign nominating petitions for more than one (1) candidate for each office. The candidate nominated need not secure the signatures herself or himself. Nominations must be presented to the presiding Officer at the meeting or filed with the Union prior to the nomination meeting. Each nominee must file a signed written acceptance of nomination with the Election Committee before the close of nominations. Written acceptance of nomination may be on a nominating petition or on a separate sheet.

The Executive Board shall appoint an election committee that will oversee an election process that consists of election locations that are reasonably accessible to all members. Candidates may not serve on the election committee.

No member shall be eligible for nomination or election as an officer, member of the Executive Board, delegate, or any other office in this Local Union, unless he/she has been a member in continuous good standing in the Local Union for at least two (2) years immediately preceding the nomination and has during all of that time paid the full dues required for working members of the Local Union within each month when due. In regards to the initial election in January 2010, no member shall be eligible for nomination or election as an officer, member of the Executive Board, delegate, or any other office in this Local Union unless he/she has been a member in continuous good standing in the Local Union for six (6) months immediately preceding the election. For these purposes, membership in another SEIU Local Union prior to its merger into SEIU Healthcare Michigan will be counted in determining whether a member satisfies the continuous good standing requirement. No member shall be eligible for nomination or election to more than one office.

Proxy voting shall not be permitted in any election for an Officer, Member of the Executive Board, Delegate or any other office in the Local Union. Write-in candidates shall not be permitted in any election for an Officer, Member of the Executive Board, Delegate or any other Office in the Local Union, except if expressly approved by the International President upon request of the Local Union Executive Board. Any ballot containing a write-in candidate or proxy vote shall be voided, inasmuch as the vote for

that office is concerned and such ballot for that office shall not be considered as having been cast in determining the votes for that office. Officers shall be elected by plurality vote.

In the event only one (1) candidate is nominated for any office, a unanimous ballot shall be cast for the unopposed candidate or candidates at the nomination meeting.

All Officers shall take office at the next regular meeting following the date of their election.

The same minimum qualifications for holding office in the Local Union shall apply as those governing the holding of office in the International Union. No person who has been convicted of a felony, as defined in Section 504 of the Landrum-Griffin Act, shall, in accordance with the provisions of applicable law, be eligible to hold office in this Local Union.

Retired members, associate members and life members paying less than full dues required for working members of the Local Union shall not be eligible for nomination as an officer, member of the Executive Board, delegate, or any other office in the Local Union.

No candidate (including a prospective candidate) for any office in the Local Union or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of the International Union.

Section 6. Vacancies

In the event of a vacancy in the Office of President by reason of death, resignation or otherwise, it shall be the duty of the Secretary-Treasurer, in addition to his/her other duties, to assume the duties of President immediately. The Secretary-Treasurer shall serve in this capacity for the remainder of the current Presidential term.

In the event of a concurrent vacancy in both the Office of the President and the Office of the Secretary-Treasurer by reason of death, resignation or otherwise, the Executive Board shall be convened for the purpose of filling the unexpired terms by majority vote.

The President shall fill all other vacancies within no greater than sixty (60) days from the time the vacancy occurs.

Section 7. Bonding

All Officers of SEIU Healthcare Michigan and employees handling any monies of SEIU Healthcare Michigan shall be bonded in the amounts and in the form required by applicable statutes and the International Constitution and Bylaws. The bond shall be

procured immediately upon assuming office or employment, the premiums of which shall be paid for by SEIU Healthcare Michigan.

Section 8. Authorized Representatives of SEIU Healthcare Michigan

The Officers shall be the only persons authorized to act for or on behalf of SEIU Healthcare Michigan, and the action, declaration or conduct of any other person except for the Officers, whether performed or made with respect to the SEIU Healthcare Michigan or not, are not and shall not be considered to be the acts of any Officer or agent of the SEIU Healthcare Michigan and shall not constitute any authorized acts for and on behalf of the SEIU Healthcare Michigan, nor shall they cause or form the basis for liability of any nature whatsoever on the part of the SEIU Healthcare Michigan.

Article VIII – SEIU Healthcare Michigan Executive Board

Section 1. Executive Board Members

The Executive Board shall consist of the President, Secretary-Treasurer, Recording Secretary and members who represent: 1) SEIU Healthcare Michigan's nine (9) statewide regions, 2) the Local Union's Homecare, Nursing Home Hospital, and Healthcare Professionals Divisions and 3) the industries in which members of SEIU Healthcare Michigan are employed. The Executive Board shall also have Vice-Presidents for each of the four following divisions: Homecare, Nursing Home, Hospital, and Healthcare Professionals Division; and may have At Large Vice-Presidents for those facilities whose membership exceeds six-hundred fifty (650) members. Every effort will be made to ensure that the Executive Board is a diverse and unified body and that there is equal representation on the Executive Board of the Local Union's different regions, divisions and industries.

Section 2. Authority

The Executive Board shall be the highest decision-making body of SEIU Healthcare Michigan, and shall set policy and develop programs for the Local Union. The Executive Board shall have the following powers and responsibilities:

- To approve an annual budget authorizing and governing the expenditures of SEIU Healthcare Michigan.
- Executive Board members elected in conformity with applicable statutes shall be considered eligible delegates to any International Union Convention to which SEIU Healthcare Michigan is entitled to send delegates held during their terms of office. If the total number of elected officers and Executive Board members is greater than the number of delegates to which SEIU Healthcare Michigan is entitled at any International Union Convention, or is greater than the number of delegates that SEIU Healthcare Michigan determines shall represent it at any

Convention, the elected officers and Executive Board members shall attend as delegates to the Convention in the following order – President (1st delegate); Secretary-Treasurer (2nd delegate); Recording Secretary (3rd delegate); Division Vice Presidents (4th through 7th delegates); and other Vice Presidents and Executive Board members (in order of the number of votes each received in the last election -- in the event of a tie that affects attendance at the Convention, these other Vice Presidents and Executive Board members shall go in alphabetical order by last name among those tied).

- To approve or ratify any expenditures not provided for in the approved budget as may be necessary to promote legitimate aims and objectives of the SEIU Healthcare Michigan.
- The Executive Board shall meet at least ten (10) times per calendar year at the call of the President.
- Special meetings of the Executive Board shall be held upon reasonable notice at the call of the President or 2/3's members of the Executive Board. A majority of the Executive Board shall constitute a quorum. The decisions of the Executive Board shall be decided by a majority vote of those members present.
- The Executive Board shall, between meetings, be authorized to act for the Local Union.
- The President may poll the Executive Board by telephone, mail, electronic mail, facsimile or other means to authorize the action of the Local Union. An affirmative vote of the majority of the entire Executive Board is necessary for approval of any such action.
- The Executive Board shall serve as the appeals review board regarding any action taken by a Trial Body appointed pursuant to Article XVI, Section 3 of this Constitution and Bylaws.
- The Executive Board shall have the authority to take up any and all matters of grievances and to report to the regular meeting their recommendations and such recommendations, after being approved, shall become final. The Executive Board shall have the authority to develop a grievance review process to determine the merit of grievances, review offers of grievance settlements, and/or determine which grievances have a good probability of success in arbitration. Such process shall provide an opportunity for a fair and full review of grievances and an opportunity for the member to present her/his position. Such process must provide for an impartial appeal body. Such decision of the appeal body may be designated by the Executive Board as final in the process. Such process shall be presented to the membership at a regular meeting for vote and adoption.

Section 3. Terms

SEIU Healthcare Michigan Executive Board Members shall serve until elections are held as provided in the Local Union Constitution and Bylaws.

Article IX – Michigan Nurse Alliance and Healthcare Professionals

Section 1.

The Michigan Nurse Alliance and Healthcare Professionals (“Council”) shall consist of all members of this Local Union, in good standing, who are employed as Nurses and Healthcare professionals.

Section 2.

The Nurse Alliance shall have two (2) co-chairpersons who shall be appointed by the President of this Local Union and who shall serve terms not to exceed one (1) year.

Section 3.

The purpose of this Nurse Alliance shall be to advance the professional interests of Nurses and other Healthcare Professionals in Michigan. The Nurse Alliance shall provide all Nurses and Healthcare Professionals with a strong, effective and unified voice to have a positive impact on their wages, benefits, hours, staffing and other conditions of employment and the professional delivery of healthcare for the people of Michigan.

Section 4.

The Nurse Alliance shall be comprised of sections for: legislative and political action; professional organizing; collective bargaining; professional programs and education; publications and communication; health and safety; registered nurse issues; licensed practice nurse issues; and other healthcare professional issues.

Article X – Stewards-Worksite Leaders

Section 1.

There shall be at least one (1) steward-worksite leader at each worksite where members of the union work. There shall be as many steward-worksite leaders at each worksite as are necessary to fulfill the object of the Local Union. The appropriate number of steward-worksite leaders shall be determined by the Executive Board.

Section 2.

Nominations and elections of steward-worksite leaders shall occur at each worksite after the election of Officers as provided in Article VII, Section 5. Steward-worksite leaders

shall serve until the next election. The dates and procedures for nominations and elections of steward-worksites leaders shall be determined by the Executive Board.

Section 3.

If, in the judgment of the President and Secretary-Treasurer, any worksite requires one (1) or more steward-worksites leaders and the members fail to elect same and cannot agree on the selection of same, then they shall appoint the steward-worksites leaders as they may deem necessary and for such terms as they may determine.

Section 4.

Any steward-worksites leader may be removed by the Executive Board if, in its judgment, the actions or inaction of the steward-worksites leader are detrimental to the Local Union.

Section 5.

Qualifications to serve as steward-worksites leaders shall be established by the Executive Board.

Section 6.

The steward-worksites leader is the most important leader of the Local Union at the worksite. The steward-worksites leader works with the staff of the Union under the general direction of the President.

The duties and responsibilities of the steward-worksites leaders are as follows:

- To assist in the collective bargaining of the agreement covering the workers at their worksite as requested by the President;
- To assist in the enforcement of the collective bargaining agreement at their worksite as requested by the President;
- To assist in the organizing of workers who are not organized at their worksite or other worksites as requested by the President;
- To assist in the legislative and political effort of the Union as requested by the President;
- To attend all educational and training events, as requested by the President, to further their ability as leaders of the Union;
- To attend any meetings and events of the Union as requested by the President;

- To keep the member of the Union at their worksite informed about Union programs, plans, activities, and events;
- To keep the Union informed of the issues and concerns of the members at their worksites;
- To educate and inform members at their worksite about Union issues, workplace issues, political issues and other issues to enable the members to make informed decisions on issues that affect them;
- To conduct regular monthly worksite meetings among the members they represent at their worksite;
- To meet and conduct orientation for new members at their worksite;
- To submit important information from their worksite for publication in the Union's publications;
- To educate and inform employees who are working at their worksite and covered by the collective bargaining agreement regarding the advantages of becoming and remaining members of the Union;
- To engage in any other activities in furtherance of the objectives of the Union as requested by the President.

Section 7.

Ordinarily steward-worksites leaders act without compensation, but where a large number of members (20 or over) are employed on the job, the Secretary-Treasurer is authorized to make a reasonable allowance for expenses for services to the membership and trips to the office by the steward-worksites leader. To be eligible for the steward-worksites leader allowance, the steward-worksites leader must attend all trainings provided by the Local Union, unless excused by the President.

Section 8.

Steward-worksites leaders and committee members shall be compensated for time lost from the job or expenses incurred by reason of serving in such capacities. The amount and frequency of such compensation shall be determined by the Executive Board.

Article XI – Member Organizers

Section 1.

Member organizers are the most important aspect of the Union's ability to organize unorganized workers.

Section 2.

Any member who desires to become a member organizer will be eligible for training as determined by the President. Member organizers will be given assistance and support as determined by the President to be a successful organizer for the Union.

Section 3.

Members organizers shall become a part of the Union's Member Organizing Committee with the right to fully participate in the activities of the committee.

Section 4.

The duties of the member organizer include assisting the Union with organizing the unorganized and with internal, member-to-member organizing as requested by, and under the supervision of, the President.

Section 5.

Any member organizer may be removed by the Executive Board if, in its judgment, the actions or in-action of the member organizer are detrimental to the Union.

Article XII – Worksite Political Leaders

Section 1.

Worksite political leaders are the most important aspect of the Union's ability to develop an effective voice for working people on legislative and political issues.

Section 2.

There shall be at least one (1) worksite political leader at each worksite where members of the Union work. Questions about the appropriate number of worksite political leaders shall be determined by the Executive Board.

Section 3.

The dates and procedures for nomination and election of worksite political leaders shall be determined by the Executive Board. Worksite political leaders shall serve until the next election.

Section 4.

The President and Secretary-Treasurer may appoint a worksite political leader or leaders to fill vacancies as they deem necessary.

Section 5.

Any worksite political leader may be removed by the Executive Board if, in its judgment, the actions or in-action of the worksite political leader are detrimental to the Union.

Section 6.

Qualifications to serve as worksite political leader shall be established by the Executive Board.

Section 7.

The duties of the worksite political leader, to be performed as requested by and under the supervision of the President, include:

- To inform and educate members at their worksite on legislative and political issues;
- To inform the Union about the political concerns and issues of the members at their worksite;
- To organize the members at their worksite for political actions on legislative and other political matters;
- To inform members about political candidates to enable the members to make informed decisions;
- To register members to vote;
- To help ensure voter turnout among the members in elections;
- To assist the Union in raising voluntary political contributions among the members.

Article XIII – Negotiations and Strikes

Section 1. Ratification of Collective Bargaining Agreements

A majority vote of those voting shall be required to ratify collective bargaining agreements. Only members in good standing covered by the collective bargaining agreement shall be eligible to vote, unless otherwise required by law.

Section 2. Notice to the International Union

The International Union shall be notified in writing when collective bargaining agreements have been ratified and the number of employees covered and the expiration date of the contract.

Section 3. Filing of Collective Bargaining Agreements

Copies of ratified collective bargaining agreements shall be filed with the International Union.

Section 4. Strike Authorization

A majority of those voting shall be required to authorize a strike. Only members in good standing in the bargaining unit going out on the strike shall be eligible to vote.

Section 5. Strike Notice to International Union

The SEIU Healthcare Michigan shall not strike without previous notification to the International President or, where prior notice is not practical, without notification as soon as possible after commencement of the strike.

Article XIV – General Membership Meetings and Regional Membership Meetings

Section 1. The General Membership Meetings of the Local Union shall be held at least once every calendar quarter at a time, place and on a specific date to be fixed by the Executive Board.

The General Membership Meeting shall be open to all members of the Local Union and shall be attended by the Officers of the Union unless properly excused.

The agenda of the General Membership Meetings shall include the following:

- a) Approval of Financial Reports;
- b) Approval of Minutes of previous General Business Meetings;
- c) Approval of actions of the Executive Board;
- d) Debate and action on resolutions and motions.

Section 2. Regional Membership Meetings of the Local Union shall be held at least four (4) times each year in various locations throughout Michigan at a time, place and date to be fixed by the Executive Board. The Regional Membership Meetings shall be open to all members of the Local Union and shall be attended by the Officers of the Union unless properly excused. The agenda of the Regional Membership Meetings shall include a discussion about the general plans and programs of the entire Union with the members in a dialogue to increase the power of working people consistent with the object and purpose of the Union.

Article XV – International Union Convention

Section 1.

Executive Board members elected in conformity with applicable statutes shall be considered eligible delegates to any International Union Convention to which SEIU Healthcare Michigan is entitled to send delegates held during their terms of office. If the total number of elected officers and Executive Board members is greater than the number of delegates to which SEIU Healthcare Michigan is entitled at any International Union Convention, or is greater than the number of delegates that SEIU Healthcare Michigan determines shall represent it at any Convention, the elected officers and Executive Board members shall attend as delegates to the Convention in the following order – President (1st delegate); Secretary-Treasurer (2nd delegate); Recording Secretary (3rd delegate); Division Vice Presidents (4th through 7th delegates); and other Vice Presidents and Executive Board members (in order of the number of votes each received in the last election -- in the event of a tie that affects attendance at the Convention, these other Vice Presidents and Executive Board members shall go in alphabetical order by last name among those tied).

Article XVI – Hearing Procedures and Exhaustion of Remedies

Section 1. Charges

Charges may be filed against SEIU Healthcare Michigan and its officers and members. They must be in writing and may include the following:

- (a) Violation of any specific provision of the International Union Constitution and Bylaws;
- (b) Violation of an oath of office;
- (c) Gross disloyalty or conduct unbecoming a member;
- (d) If an officer, gross inefficiency which might hinder and impair the interests of the International Union or SEIU Healthcare Michigan;
- (e) Financial malpractice;
- (f) Engaging in corrupt or unethical practices or racketeering;
- (g) Advocating or engaging in dual unionism or secession;
- (h) Violation of democratically and lawfully established rules, regulations, policies or practices of the International Union or SEIU Healthcare Michigan;

- (i) The wrongful taking or retaining of any money, books, papers or any other property belonging to the International Union or SEIU Healthcare Michigan, or the wrongful destruction, mutilation or erasure of any books, records, bills, receipts, vouchers, or other property of the International Union or SEIU Healthcare Michigan;
- (j) Working as a strikebreaker or violating wage or work standards established by SEIU Healthcare Michigan; and
- (k) The bringing of false charges against a member or officer without good faith or with malicious intent.

Section 2. Filing Charges

Charges against any member or officer of SEIU Healthcare Michigan shall be filed in duplicate with the Secretary-Treasurer of SEIU Healthcare Michigan, who shall serve a copy thereof on the accused either personally or by registered or certified mail, directed to the last known address of the accused, at least ten (10) days before the hearing upon the charges. The charges must specify the events or acts that the charging party believes are the basis of the charges and must state which subsection(s) of Section 1 of this Article the charging party believes has been violated. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Article. No charges may be filed more than six months after the charging party learned, or could have reasonably learned, of the events or acts that are the basis of the charges.

Section 3. Trial Body

The President shall appoint the trial body. The accused may appear in person and with witnesses to answer the charges against him or her and shall be afforded a full and fair hearing. The accused may select a member of SEIU Healthcare Michigan to represent the accused in the presentation of a defense. If the charges, or any portion thereof, are sustained, then the trial body shall render judgment and impose disciplinary action as provided for in this temporary Constitution and Bylaws. If the charges are not sustained, the same shall be dismissed and the accused will be restored to full rights of membership or office in SEIU Healthcare Michigan.

Section 4. Written Decision

A written decision shall be issued by the trial body and sent to the charging party and the accused.

Section 5. Reporting Decision

The decision of the trial body may be reported to the next regular membership meeting of SEIU Healthcare Michigan.

Section 6. Appeals

If the charges are sustained, the accused may appeal the decision to the Executive Board. The appeal must be in writing and postmarked or hand-delivered within fifteen (15) days from the date of the decision. The final decision of the Executive Board on such matters may be appealed to the International Union pursuant to Article XVII of the SEIU Constitution and Bylaws.

Section 7. Agreement to Exhaust All Remedies

Subject to the provisions of applicable statutes and laws, every member, Officer and Executive Board member against whom charges have been made and disciplinary action taken, or who has a grievance, claim or dispute against SEIU Healthcare Michigan or any Officer or Executive Board member, agrees as a condition of membership, to exhaust all remedies provided for in the International Union's Constitution and Bylaws and this Constitution and Bylaws, and further agrees not to file or prosecute any action in any court, tribunal or other agency until those remedies have been exhausted.

Article XVII – Procedure and Debate

The meetings of SEIU Healthcare Michigan shall be governed by the Manual of Common Procedure, Rules of Debate and Order of Business as set forth in the International Union's Constitution and Bylaws. Every member shall follow and be subject to such rules governing debate at all meetings of SEIU Healthcare Michigan.

Article XVIII – Dissolution

SEIU Healthcare Michigan cannot dissolve, secede or disaffiliate while there are seven (7) dissenting members. In the event of secession, dissolution or disaffiliation, all properties, funds and assets, both real and personal, of SEIU Healthcare Michigan shall become the property of the International Union. Under no circumstances shall SEIU Healthcare Michigan distribute its funds, assets, or properties individually among its membership.

The International Union shall be notified by Registered or Certified Mail of any meeting scheduled by SEIU Healthcare Michigan for the purpose of taking a vote on disaffiliating from the International Union at least sixty (60) days prior to the date of such scheduled meeting and a representative of the International Union shall be afforded an opportunity to speak at such meeting. The International President shall direct whether the membership vote shall be conducted by secret ballot at a membership meeting and/or by mail referendum, and, if appropriate, a separate method by which dissenting members may assert their dissent. The vote shall be counted by an independent neutral party.

Article XIX – Amendment

To amend this Constitution, the proposed amendment or amendments shall be submitted in writing at a regular meeting of the Local Union and referred to the Executive Board for consideration and recommendation.

Whenever the Executive Board reports upon any amendment or amendments to the Constitution, proposed at a regular meeting or initiated by the Executive Board, the Recording Secretary of this Local Union shall send a written notice to all members of this Local Union to be present at the regular meeting of the Union at which such report and recommendation is to be considered.

A two-thirds (2/3) vote of the members present at such regular meeting of the Local Union shall be necessary to adopt any amendment or amendments to this Constitution.

No amendment shall be valid or become effective until approved by the International Union.

Article XX – Property Rights of Members

Membership in this organization shall not vest any member with any right, title or interest in or to the funds, property or other assets of this Union, now owned or possessed, or that may hereafter be acquired, and each member hereby expressly waives any right, title or interest in or to the property of this Union, including the funds of this Union.

The title to all property, funds, and other assets of this Union shall be at all times be vested in the Executive Board of this Local Union for the joint use of the membership of this Local Union, but no member shall have any severable proprietary right, title or interest herein.

Article XXI – Quorum

A quorum shall consist of seven (7) members assembled at a General Membership meeting as set forth in Article XIV, or special meeting, called in accordance with the Constitution and By-Laws and they shall be qualified to transact business.

Article XXII – Local Union Constitution Subordinate to International Union Constitution

The Constitution and Bylaws of SEIU HealthCare Michigan shall at all time be subordinate to the International Union Constitution and Bylaws, as it may be amended. If any conflict should arise between this Constitution and Bylaws, or any amendments thereto, and the International Constitution and Bylaws, or any amendments thereto, the provisions of the International Constitution and Bylaws shall control.

***SEIU MEMBER BILL OF RIGHTS AND
RESPONSIBILITIES IN THE UNION***

The right to have opinions heard and respected, to be informed of union activity, to be educated in union values and union skills.

The right to choose the leaders of the union in a fair and democratic manner.

The right to a full accounting of union dues and the proper stewardship over union resources.

The right to participate in the union's bargaining efforts and to approve union contracts.

The right to have members' concerns resolved in a fair and expeditious manner.

The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co—workers and all workers.

The responsibility to be informed about the internal governance of the union and to participate in the conduct of the union's affairs.

The responsibility to contribute to the support of the union.

The responsibility to treat all workers and members fairly.

The responsibility to offer constructive criticism of the union.

***SEIU MEMBER BILL OF RIGHTS AND
RESPONSIBILITIES ON THE JOB***

The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.

The right to have a meaningful and protected voice in the design and execution of one's work and in the long—term planning by one's employer as well as the training necessary to take part in such planning.

The right to fair and equitable treatment on the job.

The right to share fairly in the gains of the employer.

The right to participate fully in the work of the union on the scope, content and structure of one's job.

The responsibility to participate in the union's efforts to establish and uphold collective principles and values for effective workplace participation.

The responsibility to recognize and respect the interests of all union members when making decisions about union goals.

The responsibility to be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry.

The responsibility to participate fully in the union's efforts to expand the voice of workers on the job.

The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

Finalized January, 2010