

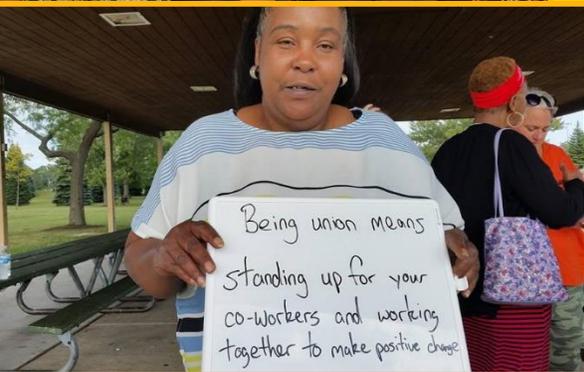
# Our Union, Our Future

SEIU Healthcare Michigan

Constitution and Bylaws  
January 24, 2019



Detroit Medical Center workers unite for a stronger voice in SEIU Healthcare Michigan



**SEIU**Healthcare®  
United for Quality Care

SEIU HEALTHCARE MICHIGAN CONSTITUTION AND BYLAWS

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# SEIU HEALTHCARE MICHIGAN CONSTITUTION AND BYLAWS

ADOPTED BY MEMBER RATIFICATION VOTE JANUARY 24, 2019  
(**Bolded** indicates a change from the 2015 Constitution and Bylaws)

## *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, their families, and the community by every means, including but not limited to: securing economic advantages, 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 with active participation, all working people 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, in the labor movement, and further the interests of this organization and its membership, directly and indirectly, advancing and strengthening the rights of working people to bargain collectively.

**We are workers devoted to all the people we serve. We nurture, save and extend lives, and serve our communities. Patient satisfaction and service to our communities is our highest calling. We do this work because we care. SEIU Healthcare Michigan pledges to achieve this by following democratic principles and 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, toward a more just society. SEIU Healthcare Michigan is committed to protecting and defending the rights of workers regardless of race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability.**

## *Article II – Name*

This organization shall be known as SEIU Healthcare Michigan.

## *Article III - Membership*

### *Section 1. Full Membership Status*

Workers in the state of Michigan, and persons employed in any employment over which this Local Union claims or exercises jurisdiction, and Officers of SEIU Healthcare Michigan 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. 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.

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## *Section 3. 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 or delegate or hold 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 4. 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 5. 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 6. Membership Disputes*

Any disputes regarding eligibility for membership in SEIU Healthcare Michigan shall be decided by the President, **subject to the approval of the Executive Board.**

## *Article IV - Retired Members Program*

**The President, with the approval of the Executive Board, shall appoint a Retired Members Advisory Committee, which shall include formerly active members who are now retirees, and shall be chaired by an Officer or staff member appointed by the President. The Advisory Committee shall work with the SEIU Retiree Program and local retirees to establish a Retired Members Program for the Local Union. The Executive Board shall have final approval of the program, including the establishment of the appropriate membership fee and Executive Board Representation.**

## *Article V - Regional Structure*

SEIU Healthcare Michigan will be divided into the following four (4) regions: (1) Detroit Metro Health Systems, (2) Detroit Metro Long Term Care, (3) Northeastern and Upper Peninsula of Michigan Health Systems and Long Term Care, and (4) Western Michigan Health Systems and Long Term Care. 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 Executive Board.

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## *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, 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 each month. A "member in good standing" is a full member who has paid her or his dues on or before the last day of each month.

Any full member who has not timely paid his/her current month's dues is delinquent. A delinquent member is automatically 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. A delinquent member will have a 15 day grace period to pay the prior month's dues (expressly designated as the prior month's dues) without loss of continuous good standing.

A delinquent member who pays the *then* current month's dues will be readmitted to membership in good standing on the first day of the *next* month; and he/she shall resume 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. 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*

**Members of SEIU Healthcare Michigan shall pay monthly dues based on the following schedule:**

- a) 2.5% of their regular monthly pay or a minimum dues, as establish by the International Union Constitution.**
- b) Dues for the current month shall be calculated based on the previous month's earnings, or based on the current earnings per pay, per each collective bargaining agreement or employer's practice.**
- c) Where an employer is unable to calculate the dues using the monthly % as called for in Sections 4 (a) and (b) above, the President, with the approval of the Executive Board may authorize an appropriate alternative formula.**
- d) The maximum dues for all members shall be \$55.00 per month.**

**Members who are on leave from their position and not receiving income from their employer shall pay dues of \$1.50 per month to retain their membership in continuous good standing.**

**The dues system will not change without a vote of the membership.**

# SEIU HEALTHCARE MICHIGAN CONSTITUTION AND BYLAWS

## *Article VII - Officers and Elections*

### *Section 1. Officers*

The Officers of SEIU Healthcare Michigan shall consist of the President and the Executive Vice President. There shall also be an Executive Board. The Officers and Executive Board shall be elected by the 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 in a full-time salaried position, and shall act 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 be responsible for the on-going development of the vision, strategy, and program of SEIU Healthcare Michigan. In consultation with the Executive Leadership Team, the President shall present the program including the annual budget to the Executive Board for approval.**
3. The President shall be responsible for the day-to-day operations of Healthcare Michigan, including the authority to hire, fire, supervise, direct, and determine compensation and benefits of the staff employed by SEIU Healthcare Michigan. With respect to the Executive Vice President, 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 Executive Vice President with additional authority, as the President may deem appropriate
4. **The President shall have the authority to appoint a full-time Staff and Program Director to assist the Officers in the overall direction, coordination, and supervision of various operations, staff, and programs of SEIU Healthcare Michigan. Along with the President and Executive Vice President, the Staff and Program Director shall be a part of the Executive Leadership Team. While this position is not a formal voting member, they shall be responsible to the Executive Board for the performance of their duties. 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.**
5. The President shall have general supervision and direction over the organizing, political, education, training and community activities of SEIU Healthcare Michigan.
6. **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. However, the President may delegate such authority for collective bargaining in specific industry sectors to the Executive Vice President, as the President may deem appropriate.**
7. The President shall have the power to authorize strikes subject to the approval of the members directly affected.

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8. The President shall sign all agreements on behalf of SEIU Healthcare Michigan, and shall counter-sign checks with the Executive Vice President. No check shall be issued from SEIU Healthcare Michigan unless properly authorized.
- 9. The President shall have the power to call all regular and special general membership and/or regional meetings and shall have the right to preside over such meetings or to delegate such authority to the Executive Vice President.**
- 10. The President shall appoint trial bodies to hear internal union charges against members of SEIU Healthcare Michigan, unless the charges are against or involve the President, in which case the Executive Vice President shall appoint the trial body. The appointment of trial bodies shall be subject to the approval of the Executive Board.**
- 11. The President shall enlist members in the work of building SEIU Healthcare Michigan, including creating committees and naming members to such committees, subject to the approval of the Executive Board. The President shall be an ex-officio member of all committees.**
12. 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.
- 13. The President shall be responsible for the proper performance of duties to the Executive Board, General Membership Meetings, Leadership Assemblies, and the membership.**
- 14. The President shall have the authority to decide all questions regarding the proper interpretation of this Constitution and Bylaws, subject to appeal to the Executive Board.**

### *Section 3. SEIU Healthcare Michigan Executive Vice President*

The duties and responsibilities of the **Executive Vice President** shall include the following:

- 1. The Executive Vice President shall serve in a full-time salaried position, and shall assist the President in the administration of SEIU Healthcare Michigan, including driving strategic program and responsibility for directing collective bargaining in specific industry sectors, as authorized by the President.**
2. The Executive Vice President shall be responsible for the administration and supervision of any health, welfare and pension programs for SEIU Healthcare Michigan and its community services.
- 3. The Executive Vice President shall be responsible for keeping and maintaining correct and accurate meeting records, and minutes, including Executive Board meeting attendance and minutes, as approved by the Executive Board, and shall preside at meetings in the absence of the President.**
4. The Executive Vice President shall be authorized to counter-sign checks with the President. No check shall be issued from SEIU Healthcare Michigan unless properly authorized.

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- 5. The Executive Vice President shall be responsible for the proper performance of duties to the President, Executive Board, General Membership Meetings, Leadership Assemblies, and the membership. The Executive Vice President shall chair the Finance Subcommittee of the Executive Board.**
6. The Executive Vice President shall be the chief fiscal officer of SEIU Healthcare Michigan and shall receive and collect all monies due to the Local Union.
7. The Executive Vice President shall have the responsibility to disburse such funds as authorized by the President and/or the Executive Board.
8. The Executive Vice President 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, Finance Committee, and the Executive Board.
9. The Executive Vice President 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 Executive Vice President shall be responsible for initiating an annual third-party CPA audit of SEIU Healthcare Michigan's finances, and submitting the annual certified audit to the President, Finance Committee, and the Executive Board, as well as such other reports as the President, Finance Committee, and Executive Board may require.**
- 11. The Executive Vice President, in consultation with the Executive Leadership Team, shall lead a process to develop an annual budget, which will be presented and discussed with the Finance Committee, and subject to final approval by the Executive Board.**
- 12. The Executive Vice President 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 are required.**
13. The Executive Vice President 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, including notifying 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.**
- 14. The Executive Vice President 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.**

### *Section 5. Elections and Terms*

The term of all present Officers and Executive Board Members shall expire following the election and installation of the new Officers and Executive Board Members as herein provided. The Installation shall occur as soon as possible, but no later than sixty (60) days, after the results of the election have been certified by the Elections Committee.

The first elections of Officers and Executive Board Members held after this Constitution and Bylaws has been adopted by the SEIU Healthcare Michigan membership in late 2018 shall take place in early 2019. Subsequently, the nomination and election of Officers and Executive Board Members shall take place every three (3) years after the 2019 elections.

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**Elections Committee - Except for the 2019 elections, the President, with the approval of the Executive Board, shall appoint an Elections Committee to oversee the Local Officer and Executive Board member elections, determine the nominations process, eligibility of candidates, election details, and how elections will be conducted.**

**For the 2019 elections only, the Elections Committee shall be appointed by the International President, upon the recommendation of the Local Trustees.**

**The Elections Committee shall be composed of five (5) members, representative of all four (4) Regions with the fifth (5) member being rotated for each election equally between the four (4) Regions, who are not candidates for any office and shall be appointed at least thirty (30) calendar days prior to the nomination period. The members of the Elections Committee shall choose a Chairperson. In order to maintain the integrity of the elections process, members of the Elections Committee shall not be public supporters of any candidate or slate of candidates for Local office. The President may assign staff and legal support to assist the Committee.**

**Nominations – The Elections Committee shall provide reasonable notice of the nominations process, which shall include the date, time, place and method of submitting nominations. The Elections Committee will distribute official nomination forms, which will be required to be used by all candidates. Nominations shall be in writing designating the name of the person nominated, and the office for which nominated. Nominations for at-large positions must be signed by at least three (3%) percent of the membership in good standing (based on the membership reported thirty (30) days prior to the appointment of the Elections Committee) with at least fifteen (15) signatures from each of the four (4) Regions as outlined in Article V above. Nomination petitions of Regional and Facility Officers must be signed by at least three (3%) percent of the members in good standing in their Region or Facility (based on the membership reported thirty (30) days prior to the appointment of the Elections Committee). The candidate nominated must sign such written nomination to indicate willingness to become a candidate.**

**Completed nominations forms must be presented to the Chairperson of the Elections Committee in accordance with the process established by the Elections Committee and communicated in the notice of nominations.**

**Members may sign nominating petitions for multiple candidates running for a position at-large or in their Region or Facility.**

**In the event only one (1) candidate is nominated for President, Executive Vice President, or any Facility Vice President or only the allotted number of candidates are nominated for any Region or Vice Presidents of the Nurse Alliance, no election shall be conducted for such office unless required by law. Such unopposed candidate shall be declared elected by acclamation effective as of the conclusion of the term of the previous incumbent.**

**Eligibility for Office of all nominees shall be determined by the Elections Committee within three (3) days after nominations are closed. Nominees who are declared ineligible must be notified promptly. Appeals shall be made in writing by certified mail, return receipt requested, to the Elections Committee and filed with the Union no later than three (3) days after receiving notice of ineligibility. Any nominee not complying with this appeal requirement shall be considered a withdrawal.**

**No member shall be eligible for nomination or election as an Officer, a member of the Executive Board, Steward-Worksite Leader, or any other Office in this Local Union, unless that**

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person has been a member in continuous good standing in the Local Union for at least two (2) years immediately preceding the nomination. No member shall be eligible for nomination or election to more than one Office.

Elections - Regular elections shall take place no more than sixty (60) days following the close of nominations. The date and method of election shall be determined by the Elections Committee. The election shall be by secret ballot and in accordance with state and federal laws.

The election of Officers and Executive Board Members shall be conducted by the Elections Committee. The Elections Committee shall make all necessary arrangements for the election and for notification to the members in good standing of the election not less than fifteen (15) days prior to the election to each member at their last known home address.

Proxy voting shall not be permitted in any election for an Officer, Member of the Executive Board, Steward-Worksite Leader 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, Steward-Worksite Leader or any other Office in the Local Union. Any ballot containing a write-in candidate or proxy vote for an Office shall be voided as the vote for that Office and shall not be considered as having been cast in determining the votes for that Office. Officers shall be elected by plurality vote (receiving the most votes).

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 (except as may be determined by the Executive Board as per the authority provided for in Article IV above), 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, Steward-Worksite Leader, or any other Office in the Local Union.

Appeals – All appeals of the election results shall be made to the Elections Committee, addressed to its Chair, within seven (7) calendar days of the closing of the official tally of ballots. Such appeal shall set forth the alleged violations of the Constitution and Bylaws of the Local, the International Union and/or applicable law.

The Elections Committee shall conduct such investigations and/or hearings as it deems necessary, and shall issue its decision on the appeal within fourteen (14) calendar days after receiving the appeal. Appeals to the SEIU International Union are governed by the SEIU International Constitution and Bylaws.

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, the Executive Vice President shall assume the duties of President immediately. The Executive Board shall be convened within sixty (60) days to elect an Executive Vice President for the unexpired term by majority vote.

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### *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, is not and shall not be considered to be the act of any Officer or agent of the SEIU Healthcare Michigan and shall not constitute any authorized act 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 following statewide Officers: President, Executive Vice President, and two (2) Vice-Presidents of the Nurse Alliance. The Executive Board also shall have a Vice-President elected from each facility whose membership exceeds five hundred (500) members. The Executive Board also shall have two (2) members elected as Regional Officers from each of the four (4) regions who are employed within their respective regions -- one employed by a nursing home; and one employed by a hospital 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 and divisions.**

### *Section 2. New Member Groups*

Should SEIU HCMI attain by any lawful means representational rights for any new group of 500 or more members, there may be added to the Executive Board one (1) member for each five hundred members as a new facility Vice-President or as new Division Vice-President or as an At-Large Executive Board Member or as new category of Regional Officers, as may be appropriate. Executive Board positions created by this Section will be filled in the same manner as any other vacancy until the next regular election.

### *Section 3. General 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:**

- A. To adopt an annual budget for the Local.**
- B. To receive and act upon reports of the President and Executive Vice President on the state of the Local, including but not limited to the financial condition of the Local, it's collective bargaining situation, and the status of the various funds in which the Local has an interest.**
- C. To invest or reinvest the funds of the Local, as it shall consider prudent, necessary and desirable in the interest of the Local and its members.**
- D. To appoint Trustees or alternates of all trust funds established by or in which the Local has an interest.**

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- E. To interpret these Constitution and Bylaws; and any such interpretations made by it shall be final, binding and conclusive and shall remain in full force and effect.**
- F. To formulate plans, programs and policies of the Local.**
- G. To fill any vacancies that occur pending elections.**
- H. To formulate the order of business for the General Membership and Regional meetings, and Leadership Assemblies.**
- I. To fix the salaries, compensation, and formulate expense reimbursement policies for the Officers of the Local.**

### *Section 4. Convention Delegates*

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); Executive Vice President (2nd delegate); Nurse Alliance Vice Presidents (3rd through 4th 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.

### *Section 5. Meetings*

**The Executive Board shall meet in person at least quarterly (4) 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 of the 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. Special or emergency short-notice meetings of the Executive Board may be held by teleconference, videoconference or other available electronic technology. 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.**

### *Section 6. Finance Committee*

**A Finance Committee shall at all times be constituted as a Standing Committee of the Executive Board that shall meet at least quarterly, prior to the regular Executive Board meetings. The Finance Committee shall have full authority to review the local's finances, as well as, all policies and programs that significantly impact the local's financial position, and shall function as directed by the Officers and the Executive Board.**

### *Section 7. Appeals and Grievance Review Process*

The Executive Board shall serve as the appeals review board regarding any action taken by a Trial Committee appointed pursuant to Article XVI, Section 3 of this Constitution and Bylaws.

The Executive Board shall have the authority to develop a grievance review and appeals 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

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a fair and full review of grievances and an opportunity for the member to present her/his position for review by an impartial appeal body. Such decision of the appeal body may be designated by the Executive Board as final in the process.

### ***Section 8. Expectations, Training, and Support***

**The development of a fully empowered, highly effective, and accountable Executive Board is critically important for the future of SEIU Healthcare Michigan and its members. The Officers working together with the Executive Board will develop a policy for the future regarding appropriate commitment expectations, orientation and on-boarding, mentoring, and recognition in order to meet that goal.**

### ***Section 9. Special Authority for Homecare***

**SEIU Healthcare Michigan remains strongly committed to winning representational and collective bargaining rights for Homecare workers in Michigan. In view of the changing circumstances regarding organizational rights and opportunities for Homecare workers in Michigan, the Executive Board may modify the provisions for Homecare representation on the Executive Board and their nomination and election; provided any such modification(s) are reasonably consistent with the other provisions of this Constitution and Bylaws regarding Executive Board composition and compliant with the Labor-Management Reporting and Disclosure Act.**

### ***Section 10. Terms***

**SEIU Healthcare Michigan Executive Board Members shall serve until elections are held as provided in the Local Union Constitution and Bylaws. Executive Board members will make every effort to attend all Executive Board meetings, unless they are excused by the President for legitimate reasons, subject to the approval of the Executive Board. Any Executive Board member that is absent for three (3) Executive Board meetings in a twelve (12) month period without being excused shall be removed and their Executive Board seat shall be declared vacant.**

## ***Article IX - Michigan Nurse Alliance***

### ***Section 1.***

The Michigan Nurse Alliance shall consist of all members in good standing of this Local Union who are employed as nurses (i.e. RNs and LPNs).

### ***Section 2.***

**The Nurse Alliance shall have a chairperson who shall be appointed by the President, subject to the approval of the Executive Board.**

### ***Section 3.***

The purpose of the Nurse Alliance shall be to advance the professional interests of nurses in Michigan. The Nurse Alliance shall provide all nurses 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.

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### *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; and licensed practical nurse issues.

### *Article X - Stewards-Worksite Leaders*

#### *Section 1.*

**The role of Steward-Worksite Leader is critical to building any local union. A strong, democratic, effective union is built on a solid foundation of trained and empowered steward-worksite leaders representing the members of every major work area at each worksite. There shall be at least one (1) steward-worksite leader at each worksite where members of the union work. There shall be as many stewards-worksite leaders at each worksite as are necessary to fulfill the object of the Local Union. The appropriate number of stewards-worksite leaders shall be determined by the Executive Board.**

**The expectations and role of steward-worksite leader shall include the following:**

- **Maintaining the highest level of membership possible in their worksite**
- **Being the voice of the union, leading on the program as set by the Executive Board with the members in their worksite, recruiting for and participating in Actions**
- **Conducting effective New Employee Orientation meetings as needed**
- **Organizing a strong and united worksite and leading worksite meetings**
- **Being the voice of members on the job, building support for negotiations, enforcing the collective bargaining agreement, representing members in problem solving (grievance meetings, L/M meetings, worksite actions)**
- **Working with union staff to help solve problems and build power for members**
- **Recruiting members for and participating in Political Action and COPE**
- **Support organizing unorganized worksites, and helping to connect the union to the community**
- **Participating in the stewards-worksite leaders training and development program**

#### *Section 2.*

**Nominations and elections of stewards-worksite leaders shall occur at each worksite after the ratification of the initial collective bargaining agreement, and each subsequent agreement. Stewards-worksite leaders shall serve until the next election. Interim elections may be held to fill vacant positions. The dates and procedures for nominations and elections of stewards-worksite leaders shall be determined by the Executive Board.**

#### *Section 3.*

Any steward-worksite leader may be removed by the Executive Board if, in its judgment, the actions or inaction of the steward-worksite leader are detrimental to worksite members and/or the Local Union. Complaints against a steward-worksite leader shall first be submitted in writing to the appropriate Regional Director of the Union and copied to the Executive Board within seven (7) days after the incident leading to the complaint.

A steward-worksite leader may be removed from their position, for the remainder of their current term, by a majority vote of the members in the appropriate work area/worksite. This vote shall

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only occur following a petition to the union signed by a majority of the members comprising the work area/worksites requesting the removal.

### *Section 4.*

The role of steward-worksites leader is normally a voluntary commitment that member leaders make in order to build the strongest, most effective union in the workplace. The President, with the involvement and approval of the Executive Board, will develop a policy for the future regarding expectations, training and support, as well as, any recognition, reimbursement, lost-time, and/or any other allowances. To be eligible for any steward-worksites leader recognition or allowance, the steward-worksites leader must attend all required trainings and meet the expectations as developed by the Executive Board.

### *Section 5.*

The President, with the approval of the Executive Board may establish additional worksites structures, including expanded member leadership roles or positions to promote the goal of more effectively organizing, mobilizing and engaging members.

## *Article XI - 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.

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### *Article XII - General Membership Meetings, Regional Membership Meetings, and Leadership Assemblies*

#### *Section 1. General/Regional Membership Meetings*

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. These regular quarterly meetings will be rotated among the four (4) areas of the regional structure. The purpose of the General Membership Meetings shall be to provide input and advice to the Officers and Executive Board on the program and policies, as well as the day-to-day operations of the Local.

The General Membership Meeting shall be open to all members of the Local Union and shall be attended by the Officers of the Union and Executive Board members from the region unless properly excused. The agenda of the General Membership Meetings shall be developed by the President, with the approval of the Executive Board.

#### *Section 2. Leadership Assemblies*

**In order to involve more member leaders and activists in the activities, program and vision of the union, beginning in 2020 and every four (4) years thereafter (after each SEIU International Union Convention), SEIU Healthcare Michigan will hold a statewide Leadership Assembly. All Officers, Executive Board Members, Stewards-Worksite Leaders, and other recognized union leaders and activists, as determined by the Executive Board will be invited and encouraged to participate. The President, with the involvement and approval of the Executive Board, will develop the program and Agenda of the Leadership Assembly. The Leadership Assembly will include the annually required Stewards-Worksite Leaders training for that year, as well as, training for all levels of leadership in the union. The Leadership Assembly shall act as an advisory body to the Officers and Executive Board of the Local.**

### *Article XIII - International Union Convention*

Officers and 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); Executive Vice President (2nd delegate); Vice Presidents of the Nurse Alliance (3rd through 4th 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 XIV- Hearing Procedures and Exhaustion of Remedies*

#### *Section 1. Charges*

Any member in good standing has a right to file charges against another member of SEIU Healthcare Michigan. Charges 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;

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- D. If filed against 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 must be in writing and signed by the complainant; must allege specific misconduct and the date(s) on which it occurred; and must allege sufficient facts to permit the accused to respond.

**Charges against any member or officer of SEIU Healthcare Michigan shall be filed in duplicate with the Executive Vice President of SEIU Healthcare Michigan, unless the charges are against or involve the Executive Vice President in which case the charges will be filed with the President, who shall promptly serve a copy thereof on the accused either personally or by registered or certified mail directed to the last known address of the accused. In the event that both Officers are involved in the charges the Executive Board will determine the appropriate person to direct the process.**

### *Section 3. Time for Filing Charges*

Charges must be filed within sixty (60) days of the time the complainant knew or should have known of the alleged misconduct.

### *Section 4. Trial Committee*

**The President shall appoint a Trial Committee consisting of three (3) members in good standing, subject to the approval of the Executive Board. In the event that the President is involved in the charges, the Executive Vice President shall appoint the Trial Committee. In the event that both Officers are involved in the charges the Executive Board will appoint the Trial Committee. Neither the complainant, nor the accused, nor any member with an apparent conflict of interest will participate on the Trial Committee or on the Executive Board when charges are considered.**

The Trial Committee shall choose its Chair. The complainant and the accused will be promptly notified of the Trial Committee members and will be directed to immediately provide to the Trial Committee any evidence and arguments each may have pertaining to the charges.

The Trial Committee will determine whether the charges are timely; whether the charges specifically state misconduct under this Article; and whether the charges are supported by sufficient evidence to warrant a hearing. If the Trial Committee determines that all or part of the charges are untimely

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or do not state chargeable misconduct or do not state misconduct with specificity or are unsupported by sufficient evidence to warrant a hearing, it will issue a report dismissing such charges.

### ***Section 5. Appeal of Trial Committee Dismissal***

If the Trial Committee issues a report dismissing the charges in whole or in part, the complainant may appeal to the Executive Board in writing within thirty (30) days. The appeal must set forth the complainant's arguments supporting his/her appeal. As soon as practicable, the Executive Board will decide the appeal by affirming the decision of the Trial Committee or by remanding all or part of the charges for hearing before the Trial Committee.

### ***Section 6. Hearings***

If the Trial Committee determines that a hearing on all or part of the charges is warranted (or the Executive Board remands all or a part of the charges for hearing), the complainant and the accused will be provided reasonable notice that a hearing will take place before the Trial Committee.

The hearing will take place as soon as practicable; provided that the complainant and the accused have at least 30 days advance notice. The Trial Committee Chair may grant reasonable extensions of time to any party.

At the hearing, the complainant and the accused may each represent themselves or may choose to be represented by another member in good standing. Each party will have a right to present evidence and arguments. The accused will be presumed innocent. The complainant will have the burden of proving the charges by a majority of the evidence. Only members of SEIU Healthcare Michigan may attend the hearing.

### ***Section 7. Decision of Trial Committee***

Within thirty (30) days of the conclusion of the hearing, the Trial Committee will issue a written report and its recommendation on guilt, innocence and penalty. The Trial Committee report and recommendation will be mailed to the complainant and the accused. The Trial Committee report and recommendation will become effective only upon approval by a majority vote of the Executive Board at a regular or special meeting.

### ***Section 8. Executive Board Action***

Within 14 days after issuance of the Trial Committee report, and prior to any action by the Executive Board, the complainant and the accused each may make additional written submissions to the Executive Board in support of their respective positions.

The Executive Board will approve, reject or modify the Trial Committee report and recommendation and issue SEIU Healthcare Michigan's final decision on the charges.

### ***Section 9. Appeal to SEIU International***

The complainant or the accused may appeal from the Executive Board's final decision in accordance with the provisions of the SEIU International Constitution and Bylaws.

### ***Article XV - Exhaustion of All Remedies***

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Subject to the provisions of applicable statutes, any member against whom charges have been made and disciplinary action taken, or any member (including any represented employee) who claims to be aggrieved by adverse rulings, decisions or actions of SEIU Healthcare Michigan or any Officer or Executive Board member, agrees to exhaust all remedies provided for in the SEIU International Constitution and Bylaws and this Local Union 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 XVI - 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 XVII - 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 XVIII - Amendment***

***Section 1.*** To amend this Constitution, the proposed amendment or amendments shall be submitted to the membership in any of the following ways:

- A. By petition, signed by fifty (50) members in good standing of SEIU Healthcare Michigan.**
- B. By two-thirds (2/3) vote of the Executive Board.**
- C. By recommendation of a membership committee delegated by the Executive Board subject to a 2/3 vote of final approval of the Executive Board.**

***Section 2.*** Following the submission of a proposed amendment(s) pursuant to Section 1: the President/Executive Board will call for a special meeting(s) to discuss the substance of the proposed amendment(s).

***Section 3.*** Amendments to this Constitution and Bylaws shall be adopted in the following manner:

- A. The proposed amendment and a secret ballot shall be mailed, or sent via electronic means as determined by the Executive Board and in compliance with the LMRDA, to all Local members in good standing at their last known address.**
- B. No amendment shall be approved without at least 100 eligible members casting ballots.**

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- C. The amendment shall be approved if a majority of voting members voting by mail ballot, or via electronic ballot as determined by the Executive Board and in compliance with the LMRDA, vote in favor.
- D. No amendment shall be valid or become effective until it is approved by the International Union.

**Section 4.** The Constitution and Bylaws of this Local Union shall at all times be subordinate to the International Constitution and Bylaws, as it may be amended. If any conflict should arise between the Constitution and Bylaws of this Local Union, or any amendment thereto, and the International Constitution and Bylaws, or any amendment thereto, the provisions of the International Constitution and Bylaws shall control.

### ***Article XIX- 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 XX - Ethics Policy***

**It is the policy of SEIU Healthcare Michigan to require all Officers, Executive Board Members, staff, statewide and local worksite elected leaders and activists to be familiar with and abide by the SEIU Code of Ethics and Conflict of Interest Policy as approved by the International Executive Board. The Policy shall be attached to this Constitution and Bylaws as an addendum.**

### ***Article XXI - 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.

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### ***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.

