

BYLAWS

BYLAWS OF THE LAKE COUNTY EMPLOYEES ASSOCIATION, INC.
Lakeport, California

ARTICLE I- NAME

The name of this corporation is the Lake County Employees Association, Inc., a nonprofit organization.

ARTICLE II- PURPOSE

The purpose for which this organization is formed is to promote and maintain the welfare of the employees of the County of Lake; and to stimulate and encourage the professional advancement of its members, and to encourage better communications between County Employees and the officials of The County.

The purposes for which this organization is formed are:

- A. To advance and improve public service.
- B. To represent its regular members in all matters relating to employment conditions and benefits.
- C. To promote friendship and harmony of action for mutual protection of LCEA members.
- D. To promote friendship and harmony among all Lake County employees.

ARTICLE III-OFFICERS

Section 1: Directors: The number of directors of this Association shall be twelve (12) including its elected corporate officers. Only regular members of LCEA (as defined in Article V, Section 1 (a)) may be eligible to become a director. Directors and officers shall receive no compensation for services, except as provided by resolution of The Board. Such resolution may not count the vote of the interested director or officer. Directors shall perform such duties as are provided by law and prescribed herein.

Section 2: Corporate Officers: The officers of this Association shall be the President, Vice-President, Secretary, Treasurer, Safety Representative and Past President, and shall exercise powers and perform such duties as authorized herein and as may be determined from time to time, by the Board of Directors. They shall be elected by the membership of the Association, except for the office of Past President, and shall hold office until their successors are chosen. The Past President will have the same voting privileges and powers as the Vice-President. In the absence of the President and Vice-President, the Past President will act as presiding officer.

ARTICLE IV- COMMITTEES AND STEWARDS

Section 1: The President may appoint such committees, with the approval of the Board of Directors, as deemed necessary to carry out the work and purposes of the Association, and shall appoint such committees as may be requested by the Board of Directors, for such terms as may be considered necessary.

Section 2: The President shall be an ex-officio member of all committees and stewards' organizations. If President is unavailable, the Vice President will represent LCEA.

Section 3: Stewards shall be elected representatives of specified County Employee groups, said groups to be determined by the Board of Directors, and shall be reelected by secret written ballot. Vacant Stewards positions shall be appointed by the President or by written ballot at next election. The term of office shall be two (2) years beginning January 1. after elections

Duties of the Chief Steward and Stewards shall be as follows:

- A Know employee rights and be available for information only regarding questions about grievance procedures and disciplinary actions.
- B Be responsible for distributing LCEA information and news (letters, announcements, etc) to members.
- C Approach all new employees with membership information and packets from LCEA
- D Attend regular steward meetings for best representation of designated groups of regular members.
- E Attend-regular and special meetings of the Association.
- F The Chief Steward shall be the stewards' representative at all regular meetings of the Board of Directors of LCEA. The Chief Steward shall have one vote.
- G Stewards shall follow the directions of the Board
- H The Board of Directors shall have the power to dismiss any steward for nonperformance of duties.

ARTICLE V- MEMBERSHIP

Section 1 Classes: There shall be three (3) classes of membership in the LCEA, as follows:

- A Regular Membership: Only a regularly paid, permanent, full-time or part-time employee of Lake County who is within a bargaining unit represented by LCEA is eligible to become a regular member of LCEA upon payment of specified fees and/or dues. A part-time employee is any person employed in a regular part-time position on a permanent year-round basis.
- B Associate Membership: Any other regularly paid, permanent, full-time or part-time employee of Lake County, or any other local government division of Lake County, and any elected or appointed department head or member of the Board of Supervisors may become an associate upon the payment of the specified

fees and or dues.

- C Life Membership: Anyone having been a regular member or associate member of LCEA for five (5) years will be eligible for life membership upon retirement and 50% of associate dues required to remain a member of LCEA and /or Operating Engineers Health and Welfare Group Insurance Plan must be paid by the retiree and not by LCEA.

Section 2 A Dues:

Eligibility for membership in this Association shall be contingent upon payment of monthly dues as set by the Board of Directors. Members shall pay such dues either by personal check, warrant or by written authorization for withholding said sums from payroll warrant.

B New Members:

After employees one year of service, employee is allowed 30 days from anniversary date to join LCEA. If employee joins after 30 days, they will be charged a fee of two months dues.

Section 3 Benefits: Benefits for the three (3) classes of membership shall be as follows:

- A. Regular Members: Regular members shall be entitled to all available benefits.
B. Associate Members: Associate members shall not be entitled to benefit from the Legal Trust Fund or any other benefit as set by the Board of Directors. They shall not be entitled to representation by Operating Engineers. They shall be entitled to join the Operating Engineers Health and Welfare Group Insurance Plan if available, but upon withdrawal may not be reinstated, unless said withdrawal was due to a break in service.
C. Life Members: Life members shall be entitled to benefits as set by the Board of Directors.

Section 4: Voting: All regular members who have made one payment of dues or more, shall be entitled to voting privileges. Associate members and life members shall not have any voting privileges.

Section 5: Holding Office: Associate members and life members shall not serve on the Board of Directors or hold any association office.

Section 6: Membership Withdrawal: Any Regular member may, upon written request to LCEA and County auditors, withdraw his/her membership at any time. Any Associate or Life Member upon written notice to LCEA may withdraw at any time

Section 7: Reinstatement of Membership:

- A. Any member who has withdrawn his/her membership in LCEA without a corresponding break in employment may apply for reinstatement but shall be charged a reinstatement fee of two months dues payable to LCEA. Such

reinstatement fee must accompany any application for reinstatement.

B. Any member who has withdrawn his/her membership in LCEA during a corresponding break in employment may apply for reinstatement and shall be exempt from being charged any reinstatement fee. However, any former member seeking reinstatement after a break in employment must do so within sixty (60) days of his re-employment. Requests for reinstatement beyond sixty (60) days from the time of re-employment must be accompanied by the requisite reinstatement fee.

C. Break in Service: A corresponding break in service shall not include sick leave, disability, leaves of absence, vacation or compensatory time off.

Section 8: Membership Cards: Each member shall receive a membership card within sixty (60) days of joining LCEA.

ARTICLE VI - MEETINGS

Section 1: General Meetings: There may be at least two (2) general membership meetings each calendar year. Meetings shall be held at the time and place designated by the President.

Section 2: Special Meetings: Special meetings of the Association or the Board of Directors may be called by the President or upon verbal or written request of three (3) members of the Board of Directors, and shall allow at least twenty-four (24) hours notice to the President. All special meetings shall be held no later than ten (10) working days after receipt of such request for the meeting.

Section 3: Annual Meetings: There may be an annual meeting of the Association during the month of October or November at which time there will be nomination and election of officers, directors and stewards to fill those positions on the Board of Directors whose term of office will expire. As an alternative to an annual meeting called for the purpose of nomination and election of officers, directors and stewards, the Board of Directors, at their discretion, may hold the nomination and election of officers by secret written ballot by the membership.

Section 4: Directors' & Stewards Meetings: The Board of Directors shall meet monthly at the time and place designated by the President. Meetings of the Board of Directors shall be open to attendance by the membership, who may be accorded the privilege of the floor. Any director who fails to attend two (2) consecutive meetings without being excused may be removed from office by a majority vote of the remaining board members.

Section 5: Notice of Meetings: Notice of each regular meeting of the Association shall be announced by the Secretary at least ten (10) working days in advance. Notice of each regular meeting of the Board of Directors shall be given by the Secretary in a manner to be determined by The Board. Notice of special meetings may be given in the manner prescribed by the Board of Directors. Notices of special meetings shall state the purpose of the meeting and the time and place of the meeting.

Section 6: Quorum: Seven (7) members of The Board shall constitute a quorum for the purpose of holding a Board meeting and ten (10) percent of the members of the Association shall constitute a quorum at regular and special meetings of the Association.

ARTICLE VII - ELECTIONS AND TERM OF OFFICE

Section 1: Directors: The FIVE (5) elected officers, six (6) elected directors and the Past President shall constitute the Board of Directors of the Association. Elections and terms of office shall be as stated in Article VII, Sections 2 and 3, contained herein. Vacancies shall be filled as stated in Article VII, Section 4, contained herein.

Section 2: Elections:

- A. Officers of the Association shall be elected by written ballot of the membership.
- B. The President shall appoint an election committee.
- C. The committee shall send out ballots with the incumbent listed, for each elective office to be filled, with space for write ins other nominations from within the regular membership. The Board of Directors may nominate other members for open positions. The members will return written ballots to the Board within two weeks and new ballots will be written for all the new nominations and sent to the members to vote.
- D. There shall be no more than one (1) director from a single department and there shall be a limit of a combination of one (1) director and one (1) elected officer from a single department.
- E. Nominations will close fifteen (15) days prior to a final ballot by the regular membership. Members shall be notified in writing thirty (30) days after elections of the new elected officials.

Section 3: Term of Office:

- A. The office of President, Secretary and Treasurer shall be a two year terms and shall be filled by the election process prescribed herein and shall take office each and every January 1 of the odd calendar years.
- B. The office of Vice-President and Safety Representative shall be a two year term and shall be filled by the election process prescribed herein and shall take office each and every January 1 of the even calendar year.
- C. The office of three of the Director positions shall be for a two year term and shall be filled by the election process prescribed herein and shall take office each and every January 1 of the odd calendar years.
- D. The office of three of the Directors positions shall be for a two year term and shall be filled by the election process prescribed herein and shall take office each and every January 1 of the even calendar years.
- E. Any officer or director elected or appointed out of sequence will fulfill the remaining term of office under Section 3: A, B, C and D above.
- F. Only one person from any given immediate family shall be eligible to serve on the Board of Directors.

Section 4: Vacancy: Any vacancy of the officers or directors shall be filled by appointment by the President, with the approval of the majority of the remaining Board of Directors for the unexpired term.

ARTICLE VIII - DUTIES OF OFFICERS

Section 1: President: The Association President shall call and preside over meetings of the Board of Directors and the Association members. He/she shall be subject to control of the Board of Directors and shall have the following duties:

- A. Appoint committee chairman and persons to fill vacancies of any office subject to the advice and consent of the Board of Directors.
- B. Sign and execute contracts and other obligations authorized by the Board of Directors.
- C. Present a written report to the members of the Association concerning activities during his term of office. Serve as ex-officio member of any committee, except election committee. At the termination of this office, deliver to his successor, all records and property belonging to the Association which may be in his possession within one calendar week.
- D. Perform such other duties and functions as the Board of Directors may jointly require.
- E. He/she has voting privileges except in Directors Stewards meetings unless there is a tie vote.
- F. Appoint an independent auditor to audit the Treasurer's books, upon vacancy of the President or Treasurer.

Section 2: Vice-President: The Vice-President of the Association shall, in the absence of the President, possess the power and perform the duties of the President as in Article VIII section 1. Will serve as ex-officio member of any committee. If a vacancy occurs in the office of the President, the Vice-President shall succeed to the office for the unexpired term. At the close of his term of office, he shall deliver to his successor all records and property in his possession belonging to the Association within one calendar week. The Vice-President will be acting Chief-Steward and will interact with stewards by keeping them informed.

Section 3: Secretary: The Secretary shall be the custodian of all papers, documents and records of the Association. In the event of the vacancy of the office of President and Vice-President, the Secretary shall succeed to the office of President for the unexpired term. In addition, the Secretary shall perform the following duties:

- A. Keep the minutes of all meetings of the Board of Directors and the Association membership.
- B. Either mail, announce or post notices of all meetings as required herein.
- C. Conduct the correspondence of the Association and maintain necessary files.
- D. Deliver to the next Secretary or President all records and property in their

possession belonging to the Association within one calendar week.

Section 4: Treasurer. The Treasurer shall collect and disburse all funds of the Association and keep a complete and accurate record of all receipts and disbursements. In addition, the Treasurer shall perform the following duties:

- A. Maintain a current roster of the membership, verifying eligibility and indicating the department in which each member is employed and the class of membership.
- B. Maintain a bank account in the name of the Lake County Employees' Association Inc.
- C. Pay all bills authorized, incurred by the Association.
- D. Prepare monthly financial reports to the Board of Directors and an annual report for presentation to the membership.
- E. Deliver to his/her successor all records and property in his/her possession belonging to the Association within one calendar week.

Section 5: Safety Representative Be liason between County Safety Director and LCEA.

- A. Attend county quarterly safety meetings
- B. Purchase any education materials and attend safety seminars or training.

ARTICLE IX - DUTIES OF THE BOARD OF DIRECTORS

Section 1: The Board of Directors shall be the governing body of the Association and shall have the following duties and responsibilities.

- A. To carry out the objectives and purposes of the Association and to enforce the requirements in the Bylaws.
- B. To employ legal counsel as may be necessary.
- C. To expend funds of the Association for any purpose necessary and not inconsistent with the Bylaws.
- D. To determine the compensation for any person employed to carry out the purposes of the Association.
- E. To serve as a grievance committee for the membership of the Association.
- F. To attend regular and special meetings of the Board of Directors / Stewards and the Association.

ARTICLE X - RECEIPTS AND DISBURSEMENTS

Section 1: The fiscal year of the Association shall be the period from January 1 to December 31, inclusive.

Section 2: All dues shall be received by the Treasurer and deposited in the general fund within seven calendar days.

Section 3: ALL expenditures of the Association shall first be approved by the President or Vice-President and upon approval, the Treasurer shall cause the same to be paid by check draft on the general fund of the Association and signed by one (1) of the following: President, Secretary, Treasurer or Vice-President.

Section 4: There shall be an audit of the books and accounts, by an independent auditor, of the association prior to the end of the term of the President or Treasurer. Such audit shall be presented to the Board of Directors for approval.

ARTICLE XI - RULES OF ORDER

Section 1: Parliamentary Procedure: Robert's Rules of Order, as revised and currently effective is hereby adopted as a guide in parliamentary procedure.

Section 2: Equal Rights: There shall be no discrimination or prejudice based on partisan politics, religion, race, sex or sexual preference at any meeting and no discussion of such topics.

Section 3: General Meetings: General meetings may be alternated between various sites in Lake County for more convenient attendance.

Section 4: Terms of Office: The President shall not serve more than four (4) consecutive elected terms.

Section 5: Days: As written in this document means specifically calendar days, unless otherwise noted.

ARTICLE XII - AMENDMENTS

Section 1: The foregoing By-Laws may be amended by the following procedure:

- A. The Board of Directors shall adopt amendments hereto and recommend said amendments to the general membership.
- B. The Secretary shall notify the membership in writing of the proposed amendments and certify as to the adoption thereof by the Board of Directors.
- C. Said notification must be mailed at least sixteen calendar days prior to, but not more than thirty-five calendar days prior to the date of the general meeting wherein the membership shall vote on the recommended amendments.
- D. Said notification shall contain the date, time and place of the general meeting called for the purpose of adopting the proposed amendments.
- E. Amendments to the foregoing By-Laws must be adopted by a vote of not less than ten (10) percent of the members of the Association. As an alternative to a general meeting, the Board of Directors, at their discretion, may call for adopting proposed amendments by written ballot.
- F. Whichever process is initially used to ratify or adopt proposed amendments, that

same process must be used subsequently if there is an intervening challenge and determination that there should be a re-submission to the membership. (By way of example: If initially proposed amendments are adopted by ballot, but there is a challenge for whatever reason and an determination is made to resubmit the proposed amendments, the balloting process must again be used. A membership meeting may be the vehicle whereby the initial balloting is challenged, but it may not in turn be the process for adoption or rejection. That must come, if at all, by resubmission through balloting).

ARTICLE XIII - AFFILIATION

Section 1: Lake County Employees' Association has elected to affiliate with Operating Engineers Local #3 and has contracted with Operating Engineers #3 to be Lake County Employees' Association's bargaining agent.

- A. This contract shall be in effect until repealed by the general membership.
- b. The Treasurer is authorized to make payroll deductions from the membership in the amount specified by the Board of Directors of Lake County Employees' Association and forward set portions of membership fees to Operating Engineers Local #3.

Note: The forgoing Bylaws were adopted February 21, 1973, amended November, 1974, December, 1978, November 29, 1984, December 17, 1985, December 11, 1991, and amended ????????????? and all previously attested, amended or adopted Bylaws are hereby repealed.