

LCEA BYLAWS

Adopted on August 18th 2020

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

This organization is formed 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 of this organization are as follows:

- 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: This Association shall have twelve (12) Directors, including elected corporate officers. Only regular members of the Association (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: This Association shall have the following Officers: President, Vice President, Secretary, Treasurer, Safety Representative, Chief Steward, and Past President. The Officers 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 his or her successor is elected. 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 Chief Steward will act as presiding officer. Seat officers first – no limit on where they are from. Of the remaining candidates seat the top vote-getter in units 3,4,5 & A & the non-represented departments. No director shall be seated who is already represented by an officer or bargaining unit representative already elected.

ARTICLE IV – COMMITTEES AND STEWARDS

Section 1: With approval from the Board of Directors, the President may appoint committees necessary to carry out the work and purpose 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 and Vice President shall be members of all committees.

Section 3: Stewards shall be nominated as necessary by the President of LCEA with the approval of the Board of Directors for consideration of appointment by the Business Manager of OE3. The President will take into consideration LCEA membership's recommendation for Steward. The term of office shall be two (2) years beginning January 1, after election.

Stewards shall follow the directions of the Board of Directors.

The Board of Directors may recommend to the Business Manager of OE3 the removal of any Steward. The OE3 Business Manager has the authority to dismiss any Steward even without a recommendation from the Board of Directors.

ARTICLE V – MEMBERSHIP

Section 1: Classes – There shall be two (2) classes of membership in the LCEA:

- A. Regular Membership: A 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 fees and/or dues or signing of an application committing to maintenance of membership.
- 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 member upon the payment of the specified fees 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-or by written authorization for withholding the dues from payroll.-

Section 3: Benefits for the two (2) classes of membership shall be as follows:

- A. Regular Members: Regular members shall be entitled to all available benefits as set forth by OE3 and LCEA Board of Directors.

- 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 are current with their dues or have signed a maintenance of membership form shall be entitled to voting privileges. Associate members and Life members shall not have any voting privileges.

Section 5: Holding Office: Only members who are in good standing and current on their dues are eligible to serve on the Board of Directors or hold any Association office.

Section 6: Membership Withdrawal: Any regular member may, upon written request to Operating Engineers Local Union No. 3, LCEA and County Auditors Office, withdraw his/her membership at any time. Any Associate or Life Member upon written notice to LCEA may withdraw at any time. The exception includes members who sign an application with a Maintenance of Membership Agreement.

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 a time and place designated by the President.

Section 2: Special Meeting: 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' and 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. 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-at least ten (10) working days in advance. Notice of each regular meeting of the Board of Directors shall be given in a manner to be determined by the Board. Notice of special meetings may be given in a 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: Five (5) 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. Teleconferencing considerations will be made for the provisions of securing a quorum.

ARTICLE VII – ELECTIONS AND TERM OF OFFICE

Section 1: Directors: The elected Officers, 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 For those candidates who were selected for a position as a “write in” and decided to decline the position, then the position will be considered a vacancy. The election committee will perform a count of all votes and submit a summary of the voting results to the Board.
- D. There shall be no more than one (1) Director from a Department and there shall be a limit of a combination of one (1) Director and one (1) elected Officer from a 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,-Treasurer and three of the Directors shall be a two year terms and shall be filled by the election process prescribed herein and shall take office January 1 of the odd calendar years.
- B. The office of Vice-President, Chief Steward, Safety Representative and three of the Directors shall be a two year term and shall be filled by the election process prescribed herein and shall take office January 1 of the even calendar year.

- C. Any officer or director elected or appointed out of sequence will fulfill the remaining term of office under Section 3–above.
- D. Only one person from any given immediate family shall be eligible to serve on the Board of Directors.
- E. The President shall not serve more than four (4) consecutive elected terms.

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.

Section 5: The Board of Directors shall establish procedures for conducting votes other than election of officers.

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. The President has voting privileges except while chairing a meeting, they may only vote to break a tie
- E. Appoint a committee to audit the Treasurer’s books, upon vacancy of the President or Treasurer.
- F. One of the directors may be appointed as a Sergeant of Arms. One may be appointed as a parliamentarian.

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/her term of office, he/she shall deliver to his/her successor all records and property in their possession belonging to the Association within one calendar week.

Section 3: Chief Steward: In the event of the vacancy of the office of President and Vice-President, the Chief Steward shall succeed to the office of President for the unexpired term. In addition, the Chief Steward shall perform the following duties:

- 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 meetings and trainings for best representation of ~~designated groups~~ of the regular membership.
- 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.

Section 4: Secretary: The Secretary shall be the custodian of all papers, documents and records of the Association. 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 5: 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 6: Safety Representative: Serve as a liaison between County Safety Director and LCEA.

- A. Attend county 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 Bylaws.
- B. To employ legal counsel as may be necessary.
- C. To expend the 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 review 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 January 1 to December 31, inclusive.

Section 2: The Treasurer shall receive all dues and deposit them in the general fund in a timely manner, which is no later than seven calendar days.

Section 3: The President or Vice President shall approve all expenditures of the Association.

ORDER OF AUTHORITY:

LCEA follows first federal law, then State Law, then OE3 Bylaws, then LCEA standing rules of order, then Robert's Rules.

ARTICLE XII – AFFILIATION

Section 1: Lake County Employees' Association has elected to affiliate with Operating Engineers Local Union No. #3 and has contracted with Operating Engineers Local Union No. #3 to be LCEA's bargaining representative in all employer and employee relations with Lake County.

- A. The Affiliation agreement shall be in effect until repealed by a majority vote of the LCEA general membership.-The petition to disaffiliate may only originate from the Board
- B. Any modifications to the Affiliation agreement shall be presented to the general membership for approval by majority vote.
- C. The Treasurer is authorized to set aside portion of the membership fees received by the Association from payroll deduction of members, to forward to Operating Engineers Local Union No. 3.

ARTICLE XIII – AMENDMENTS

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

- A. The Board of Directors may amend these by-laws by recommending proposed amendments to the general membership.
- B. The Secretary shall notify the membership in writing of the proposed amendments. Said Notification must be in writing and presented to members 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.
- C. Said notification shall contain the date, time, and place of the general meeting called for the purpose of adopting the proposed amendments.
- D. 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 the amendments by written ballot.

STANDING RULES

Standing rule one: 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.
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