

CONSTITUTION
OF THE
UNITED NURSES
& ALLIED PROFESSIONALS

AS ADOPTED
August 1, 1998

*As amended August 27, 1998
November 3, 1999
November 8, 2005
September 6, 2006
October 27, 2009
November 16, 2011
October 28, 2013*

ARTICLE I - NAME

This Organization shall be known as the United Nurses & Allied Professionals (“UNAP”).

ARTICLE II - OBJECTIVES

The Objectives of this organization shall be:

- Section 1. To provide an effective collective bargaining representative for nurses, allied health professionals, and other health care employees.
- Section 2. To bring locals affiliated with UNAP into relations of mutual assistance and cooperation with each other and with organized labor.
- Section 3. To actively support the organizing of new UNAP locals.
- Section 4. To improve the standards for registered nurses, allied health professionals and other health care employees by advancing economic status, promoting better preparation in basic education programs, encouraging and promoting continuing education, securing working conditions essential to the best performance of services and the most effective delivery of health care through UNAP.
- Section 5. To promote the welfare of the health care consumer by providing progressively better access to and utilization of health care resources in this country.
- Section 6. To right all forms of bias in health care delivery due to race, creed, sex, age, sexual preference, social, political or economic status, national origin or disability.
- Section 7. To promote UNAP local participation in community health programs, health systems, agencies, as well as any other regulatory body affecting the delivery of health care.
- Section 8. To work for passage and retention of just laws which will improve the climate for health care consumers, nurses, allied health professionals, and other health care employees.

ARTICLE III - MEMBERSHIP

- Section 1. This Organization shall consist of locals of the UNAP in good standing and complying with the Constitution of the UNAP.
- Section 2. The UNAP shall establish and maintain a Retired Members' Chapter.
- Section 3. No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, sex, sexual orientation, disability, social,

political or economic status, or national origin.

- Section 4. Each UNAP local shall annually submit to the UNAP President within sixty (60) days of the close of its fiscal year a copy of the local's 990 form, LM form(s), and certified audit or audit report from an audit committee composed of at least three (3) members of the local.

ARTICLE IV - OFFICERS

- Section 1. The Officers of the UNAP shall be a President, an Executive Vice President, two Vice-Presidents, a Secretary, and a Treasurer.

** Prior to the first convention, officers of the UNAP will be elected by the presidents of locals affiliated with the UNAP.

- Section 2. The Officers shall be elected for a term of two years by roll call ballot at the Biennial Convention.

- Section 3. A majority of the ballots cast shall be required to elect officers of the UNAP. In the event that the Elections Committee shall report that no majority has been obtained, a runoff election between the candidates receiving the highest number of votes shall be conducted by roll call ballot.

- Section 4. (a) The President shall be the chief executive officer. It shall be his/her duty to administer the affairs of the UNAP and the Executive Council. He/she or his/her designee shall appoint all committees. His/her position shall be on a part-time or full time basis commencing at the adoption of this constitution. The President may not concurrently serve as a president of a UNAP local.

- (b) The Executive Vice-President shall assist the President in the performance of his/her duties and shall be responsible to the President for designated UNAP activities. In the event that the President cannot complete his/her term, the Executive Vice-President shall fill the unexpired term.

Each of the three Vice-Presidents shall be responsible for coordination of a program or programs assigned to them. Such programs may include, but are not limited to, professional issues, political action, and organizing.

- (c) The Treasurer will be responsible for all moneys. The books of the Treasurer will be submitted to an accountant licensed by the State of Rhode Island for audit within one month after the end of the fiscal year.
- (d) The Secretary will be responsible for those duties usual to such office.

- Section 5. No person may be nominated or elected to office unless
- 1) it can be shown by written declaration or by witnessed verbal assent that s/he will accept the nomination or election; and

2) s/he is a member of an affiliated local.

- Section 6. Vacancies in any elective office shall be filled by election by the Executive Council at its next regular meeting after due notice to all member locals.
- Section 7. An Officer who misses three consecutive meetings of the Executive Council, without being excused by said Council, shall be notified by registered mail with return receipt and allowed to be present and have a hearing at the next regular Executive Council meeting. He/she may be removed at said meeting upon a motion, seconded, and a majority vote of the Executive Council.
- Section 8. With the exception of Article IV, Section 8, recall of any of the officers listed in Article IV may be proposed under the provisions of Article X of this Constitution.
- Section 9. Any salary, fringe benefit, or expense account for any officer will be incorporated in a memorandum of agreement upon adoption and annually thereafter.

ARTICLE V - BIENNIAL CONVENTION

- Section 1. The Biennial Convention shall be the supreme governing body of the UNAP, and except as otherwise provided in this Constitution, its decisions shall be by a majority vote.
- ** The first Convention shall be held no later than December 31, 1999.
- Section 2. (a) One delegate to the Biennial Convention may be elected by each affiliated local having a membership of twenty-five members or less. For each additional twenty-five members, an additional delegate may be elected.
- (b) On all roll call votes at the convention, each local represented shall be entitled to a number of votes equal to the membership of the local.
- (c) The votes of a local shall be distributed as evenly as possible among the delegates present at the time of the voting, but votes shall not be fractioned.
- Section 3. (a) For the purpose of this Article, membership shall mean the average number on which the per capita tax has been paid to the UNAP for the twelve-month period ending 60 days prior to the Convention.
- (b) In the case of locals that have been chartered during the year preceding the Convention, the average shall be computed on the basis of the number of months of affiliation, the minimum for such computation to be two.
- Section 4. (a) The Secretary shall notify each local President not less than sixty (60) days prior to the Biennial Convention, designating the time and place of said Convention, and shall furnish each local with a credential form in duplicate for the number of delegates and alternates to which the local is authorized in accordance with the

provisions of this Constitution.

- (b) The original credential form, properly executed, shall be returned to the Credentials Committee at least twenty (20) days prior to the convening of the Convention.
- (c) The duplicate credential form shall be retained by the delegate for registration with the Credentials Committee at the Convention.

- Section 5. Each local shall elect delegates to the Biennial Convention in accordance with the provisions of its Constitution.
- Section 6. To be represented at the Biennial Convention, locals may not be more than two (2) months in arrears.
- Section 7. The rules and order of business governing the proceedings of the Convention shall be the first order of business at the Convention.
- Section 8. The Biennial Convention shall be held at a time and place designated by the Executive Council.
- Section 9. Resolutions to be considered by the Convention shall be submitted to the Secretary no less than ten (10) days prior to the opening of the Convention or in accordance with the rules adopted for the conduct of said Convention.
- Section 10. The President shall appoint, with Executive Council approval, at least twenty (20) days prior to the opening of the Convention, such committees as are necessary to conduct the affairs of the Convention. Such committees may meet prior to the Convention to conduct their business and shall report to the Convention.

ARTICLE VI - EXECUTIVE COUNCIL

- Section 1. The Executive Council shall be composed of the six (6) elected officers and the Presidents of each of the locals. The President of each local may send a designee to act in his/her stead at any meeting of the Executive Council. Such designee must be the local officer who is authorized by the applicable local constitution to act in the absence of the local president.
- Section 2. Each member on the Executive Council shall cast one vote. In the event of a weighted vote, each member who is a local president, or his/her designee, shall cast a number of votes that corresponds to the number of members in the most recent month for which per capita payments were made.
- Section 3. Executive Council meetings will be held monthly unless voted upon by the Executive Council.
- Section 4. Special meetings of the Executive Council shall be called by the Secretary at the

request of the President or at the request of one-third of the members of the Executive Council.

Section 5. The Executive Council shall transact the business of the UNAP between Conventions.

Section 6. In the event of a permanent vacancy in the office of President between Conventions, the Executive Vice-President shall fill the unexpired term.

Section 7. The presence of at least one-third of the members of the Executive Council shall be necessary to conduct business. Locals must be in good standing for the Presidents or their designees to be counted as present.

Section 8. The Executive Council shall have the power to construe and/or interpret the Constitution and any provision thereof.

Section 9. The Executive Council shall have authority to issue and revoke the charters of local affiliates at its discretion.

Section 10. Whenever the Executive Council becomes aware that a UNAP local may be in violation of the UNAP Constitution, the local Constitution, and/or State or Federal law, the Executive Council shall review the matter, make recommendations and/or issue a report to the local Executive Board or membership, and/or take other appropriate actions to ensure compliance.

ARTICLE VII - REVENUE

Section 1. Effective July 1, 2013, all affiliated locals shall pay to the UNAP the following amounts per member, to be paid monthly, on or before the first of each month.

<u>Category</u>	<u>Hourly wage</u>	<u>Monthly Dues Rate</u>
Group 1	\$16.74 or more	\$26.57 *
Group 2	Less than \$16.74 or per diem	\$13.88
Group 3 (Non Professional/Service & Maintenance bargaining units only)	Less than \$16.74	\$11.77

* Bargaining unit members in Group 1 who earn less than \$15,000 in a calendar year are eligible to receive a rebate of the difference between Group 1 and Group_2 rates upon presentation of their W-2 form to the UNAP.

Twenty-five (25) cents of the above amount per member per month shall be allocated to the UNAP PAC account. For the purposes of this Article, membership shall mean the average number of members in the local for the month immediately preceding the due date for which said

local paid to the UNAP.

Effective July 1, 2007 and each July 1 thereafter, UNAP dues and the hourly rate upon which the dues rate is based, shall be adjusted by, but shall not exceed, the cost of living index (CPI-U) for the period April 1 through March 31 of the previous year as calculated for the Northeast region of the Bureau of Labor Statistics, U.S. Department of Labor. The dues adjustment shall be voted on by the Joint Executive Board after a comprehensive review of the current fiscal year's financial report and the proposed budget for the next fiscal year.

Section 2. Member(s) shall not be required to pay monthly dues to the UNAP more than once in any one month. (Any member who belongs to two or more UNAP Locals shall pay the UNAP dues through the Local UNAP affiliate where the member(s) has the greater gross earnings and shall not be required to pay UNAP dues through any other Local for the same time period.)

ARTICLE VIII - FISCAL YEAR

The fiscal year shall be from July 1st to June 30th.

ARTICLE IX - AMENDMENTS

Section 1. Proposed amendments shall be submitted to the Secretary in writing at least thirty days prior to the Biennial Convention. Amendments may be submitted by request to the Executive Council or at the request of a local. The Secretary shall communicate such proposed amendments to all delegates ten (10) days before said Convention.

Section 2. The Constitution shall be amended by two-thirds (2/3) of the votes cast at the convention.

Section 3. Notwithstanding the foregoing, amendments to this Constitution which effect only a change in name of the organization and/or change(s) in affiliation of the organization with other labor organization(s), shall be made by a two-thirds (2/3) vote of the Executive Council, calculated in accordance with Article VI, Section 2, at a meeting of the Executive Council.

ARTICLE X - PARLIAMENTARY AUTHORITY

Section 1. The Executive Council shall be empowered to call special UNAP Conventions after the Biennial Convention has adjourned. In order to issue such a call, a two-thirds vote of the Executive Council must be attained.

Section 2. Those delegates and alternates elected to serve at the Biennial Convention shall stand for all special conventions of the UNAP prior to the next Biennial Convention. Fourteen (14) days notice must be given to all serving at the special convention.

- Section 3. The business of the Convention shall be only that for which the Convention has been called as per the motion. The motion for a Special Convention must contain the specific call of the Convention.
- Section 4. For the purpose of recall of any officer, a two-thirds (2/3) plus one (1) majority delegate vote at the convention shall be necessary in order to take effect.
- Section 5. The rules contained in *Robert's Rules of Order Revised* shall govern the UNAP in all cases to which they are applicable and in which they are not inconsistent with rules regularly adopted by the UNAP.

ARTICLE XI – JOINT EXECUTIVE BOARD

- Section 1. The Joint Executive Board shall be comprised of the Executive Board members of each affiliated UNAP local.
- Section 2. The Joint Executive Board shall meet quarterly and shall be chaired by the UNAP President or her/his designee. Additional meetings of the Joint Executive Board may be convened as needed by the UNAP Executive Council.
- Section 3. The Joint Executive Board shall have authority over the following matters:
- approval of the UNAP annual budget;
 - endorsement of candidates for political office; and
 - other matters referred to it by the UNAP Executive Council
- Section 4. Each UNAP local Executive Board member present at a meeting of the Joint Executive Board shall cast one vote. A weighted vote may be called for by a UNAP Local president, in which case each UNAP local in attendance shall be entitled to cast the number of votes equal to the number of members in the most recent month for which per capita payments were made. The votes of each UNAP local shall be apportioned equally to each Executive Board member in attendance from the respective local.

ARTICLE XII – DEFENSE FUND

- Section 1. The UNAP shall establish and finance a Defense Fund. The Defense Fund shall be used as a financial resource to the UNAP or any member local for unplanned emergencies. It shall also be used to fund offensive strategies of major strategic importance for which expenditure is unanticipated and/or not budgeted. The Defense Fund shall be funded on a per capita basis at the rate of fifty (50) cents per member per month. All matters such as requests for funds, decisions on whether to grant or deny such requests, and the disbursement of funds shall be governed by the UNAP Defense Fund Guidelines. Such guidelines may be revised by the UNAP Executive Council.

ARTICLE XIII -- POLITICAL ACTION COMMITTEE

Section 1.

The UNAP shall establish and maintain a UNAP Political Action Committee (UNAP PAC). The purpose of the UNAP PAC is to achieve maximum political power and effectiveness in the political arena by concentrating and coordinating political action decision-making, strategy, activity and funding. Funding of the UNAP PAC, and the decision-making structure and by-laws of the PAC shall be determined by the UNAP Executive Council. Endorsement of candidates and other matters handled by the PAC shall be done pursuant to the *UNAP PAC Guidelines*, which may be revised by the UNAP Executive Council. The establishment and maintenance of a PAC in the state of Vermont shall be done consistent herewith, and consistent with the *UNAP PAC Guidelines*.

ARTICLE XIV – CONSTITUENT COUNCILS

Section 1.

The UNAP Executive Council shall have the authority to establish and maintain UNAP Constituent Councils as it deems necessary to further the objectives set forth in Article II herein. Such Constituent Councils may be based on geography, sector, job classification and/or other criteria. Constituent Councils may also be established for retired members and/or unorganized workers. The structure and governing documents of such Councils, i.e. by-laws, shall be determined by, and may be revised by, the UNAP Executive Council.