

Constitution of the UNAP Local 5086

Amended October 28, 1999

Amended June 5, 2001

Amended November 5, 2002 (Note: 5087 Constitution adopted on May 13, 2002 incorporated into 5086 Constitution with November 5, 2002 amendments)

Amended April 20, 2004

Amended April 13, 2011

ARTICLE I

NAME

This organization shall be known as the United Nurses & Allied Professionals, Local 5086.

ARTICLE II

OBJECTIVES

- Section 1.** To provide an effective collective bargaining representative.
- Section 2.** To improve the standards for 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.
- Section 3.** 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 4.** 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 5.** To promote local participation in community health programs, health systems, agencies, as well as any other regulatory body affecting the delivery of health care.
- Section 6.** 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.** All non-supervisory employees of Retreat Healthcare specified in NLRB certification, case # 1-RC-21455 and 1-RC-21034 are eligible for membership.
- Section 2.** Supervisory personnel shall not obtain membership. Members who are promoted to positions with the rank of supervisor automatically are removed from membership on the effective date of the promotion.
- Section 3.** No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, political activities or beliefs, sex, age, sexual preference, economic status, national origin or disability.

ARTICLE IV

OFFICERS

Section 1. The following officers shall be elected biennially in even numbered years by this union, one employee of Retreat Healthcare specified in NLRB certification, case # 1-RC-21455 and 1-RC-21034

2 Presidents

2 Executive Vice Presidents

1 Treasurer

1 Recording Secretary

Vice President – Adolescent

Vice President – Adult

Vice President – Support Staff

Section 2. The Vice Presidents shall be elected by their constituency groups.

Section 3. Membership in good standing for at least one (1) year is required to hold office except during the first three (3) years after the chartering of this local including employees of Retreat Healthcare are specified in NLRB certification, case # 1-RC-21455 and 1-RC-21034.

Section 4. An Election Committee shall be made up of at least two (2) interested non-candidate members.

Section 5. Elections shall be held by secret ballot during the month of June in even-numbered years beginning in the year 2002. Notice of the election shall be made by mail and received by the membership at least fifteen (15) days prior to the date of the election. A reasonable nomination period shall precede the election and petitions signed by at least ten (10) members must accompany nominations. Candidates receiving plurality shall be elected. The Election Committee installs candidates immediately upon certification of the election results.

Section 6. In the event of a vacancy in the office of President, the Executive Vice President shall assume the office of president for the remainder of the unexpired term. Vacancies in any other office shall be filled by the Executive Council.

ARTICLE V

COMMITTEES

Section 1. The following special committees shall be active in this union.

- (1) Audit Committee
- (2) Nominations & Elections Committee

Section 2. The following standing committees shall be active in this union.

- (1) Negotiating Committee
- (2) Grievance Committee, one from employees specified in NLRB certification, case # 1-RC-21455 and one from employees specified in NLRB certification, case # 1-RC-21034.
- (3) Legislative Committee
- (4) Budget Committee

Section 3. The chair of all committees shall be appointed by the President with the consent of a majority of the Executive Council.

ARTICLE VI

THE EXECUTIVE COUNCIL

Section 1. The Executive Council shall consist of the following:

- (1) All elected officers.
- (2) Unit Representatives.

Section 2. The Executive Council shall administer the policy of this Union as set by the membership at regular membership meetings. It shall have the power to act for the good of the Union in emergency situations where policy cannot be set by the membership.

Section 3. The Executive Council shall be chaired by the President of the Union.

Section 4. The time and place of the Executive Council meeting shall be set by the Executive Council and announced at the previous membership meeting.

Section 5. The Executive Council shall have the power to employ all personnel including an executive secretary, clerical help, and other persons on a full or part-time basis as may be determined by the needs and finances of the Union.

Section 6. The Executive Council shall have the power to make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of its purposes; to borrow money for Union purposes at such rates of interest and terms and conditions as they may deem appropriate; to issue notes, bonds, and other obligations; and to secure any of its obligations by mortgage, pledge, or deed of trust of all or any of its property and income.

Section 7. The Executive Council shall report its activities at each regular membership meeting.

Section 8. The Executive Council shall have the authority to endorse candidates for political office.

ARTICLE VII

AFFILIATIONS

This organization shall be affiliated with the United Nurses and Allied Professionals.

ARTICLE VIII

DUTIES OF OFFICERS

Section 1. The President shall preside at all meetings of the Union and of the Executive Council. The President shall be ex-officio member of all committees (except the Audit Committee), shall sign all necessary papers and documents, and represent the Union when and where necessary. The President shall make a report to the membership at least once each year summarizing the accomplishments of the Union and outlining plans for next year.

Section 2. The Executive Vice president shall perform all duties of the President in the absence of that officer.

Section 3. The Vice Presidents are charged with the responsibility of ensuring that the collective bargaining goals of the Union are carried out on behalf of their constituent members. In addition the Vice Presidents will assist the President in handling matters of mutual concern to Union members.

Section 4. The Recording Secretary shall issue all notices, shall answer correspondence to the President and the Executive Council. The Secretary shall record the minutes of the Executive Board and of general membership meetings.

Section 5. The duties of the Treasurer shall be:

- a. To receive, record, and deposit in the name of the Union all moneys from dues and all other sources.
- b. To keep the membership roll, issue receipts, and delinquent notices.
- c. To be Chairperson of the Budget Committee. He/she shall present a written report to all members once a year.
- d. To pay all bills authorized by the adopted budget, retaining voucher or invoice for same. Expenses not authorized in the budget must be presented to the Executive Council for authorization.

ARTICLE IX

UNIT REPRESENTATIVES

The following Unit Representatives specified in NLRB certification, case # 1-RC-21455 shall be elected by members in their respective units biennially.

Osgood 1
Osgood 2
Osgood 3
Tyler 3 1 MHW, 1 RN
ARCC
Meadows School, Tower Program, Adolescent PHP, Teachers -2

Tyler 1 1MHW, 1 RN
Tyler 2 1MHW, 1 RN
Clinic/Pharmacy TAS, Psychological Testers
MHW Floats
MHW Per Diems /Float
Starting Now, Adult Treatment Center
Admissions Medical Records, UR, Transcriptionists Finance (payroll clerk)
Switchboard, Transportation, Central Supply
Mulberry Bush
Social Workers, Therapists, AMBCC Bratt.
RN Per Diem/Floats

Section 1. Unit Representatives shall be elected biennially in even – numbered years beginning in the year 2002, by the members in good standing of the Union in each unit. The units are defined as each individual treatment program plus special area departments. Members who work in more than one unit shall have their membership counted in one unit.

Section 2. The duties of the unit Representatives shall be to be a member of the Executive Council and represent their constituency in all of the activities engaged in by the Union at the direction of the President.

Section 3. Term of office. Duly elected unit representatives shall serve a two - year term.

Section 4. Elections shall be held by secret ballot during the month of June in even - numbered years beginning in the year 2002. Notice of the election shall be made by mail and received by the membership at least fifteen (15) days prior to the date of the election. A reasonable nomination period shall precede the election and petitions signed by at least 33% of the members in the area, unit or department must accompany nominations. Candidates receiving plurality shall be elected. The Election Committee installs candidates immediately upon certification of the election results.

Section 5. Vacancies. If a unit representative position becomes vacant a special election shall be held by the members of that unit or filled by the executive council.

ARTICLE X

DUTIES OF COMMITTEE

A. SPECIAL COMMITTEES

Section 1. The Audit Committee shall be composed of three to five members. The Treasurer and President are prohibited from serving on this committee. The Audit Committee shall audit the Treasurer's books and yearly Financial Report. They shall present their yearly report to the membership.

Section 2. The Election committee shall conduct all elections in accordance with Article IV of this constitution.

B. STANDING COMMITTEES

Section 1. The Negotiating Committee shall survey the membership and prepare and substantiate contract proposals. It shall present these proposals for approval of the membership and then negotiate the proposals for approval of the membership and then negotiate these proposals with Retreat Healthcare. The Negotiating Committee shall be composed of the bargaining unit President, Vice Presidents and other members subject to the approval of the Executive Council.

Section 2. The Grievance Committee shall act on all grievances and determine whether or not a grievance is taken to arbitration. This Committee shall cause the grievance procedure to be widely publicized and understood.

Section 3. The Legislative Committee shall consider recommendations of the membership, the UNAP office pertaining to all levels of government. It may draft proposed legislation and lobby for its passage.

Section 4. The Budget Committee shall prepare a budget for adoption by the membership at least one (1) month prior to the beginning of the next fiscal year. The fiscal year shall be July 1 through June 30.

ARTICLE XI

MEETINGS

Section 1. The time and place of meetings shall be fixed by the membership. Special meetings will be fixed by the Executive Council.

Section 2. There shall be at least one (1) membership meeting per calendar quarter and additional membership meetings as needed.

Section 3. A quorum shall consist of five (5) percent of the total membership.

Section 4. Membership meeting notices shall be posted on union bulletin boards.

ARTICLE XII

FINANCE

Section 1. Regular dues shall be equal to the amount of dues required by affiliates plus local dues. Changes in local dues are subject to a majority vote in a regular membership meeting.

Section 2. Additional finances may be obtained by various fund-raising activities.

ARTICLE XIII

RULES OF ORDER

Robert's Rules of Order, Revised, shall govern in all cases not covered by this Constitution or by the By-Laws of this local.

ARTICLE XIV

AMENDMENT

Section 1. This constitution may be amended as follows:

The proposed amendment shall be mailed to the membership or submitted at any regular membership meeting and read to the assembled members. A $\frac{3}{4}$ vote of those present at the following membership meeting held within six (6) weeks shall be sufficient to adopt the amendment.

Section 2. Bylaws shall be submitted at any regular membership meeting and read to the assembled members. A majority vote (show of hands) is necessary for their adoption.

ARTICLE XV

AVAILABILITY OF CONSTITUTION

Copies shall be available for any member of this Union upon request to the Secretary.