

**Constitution**  
**for**  
**University of California Employees**  
**Local 3299**

**Preamble**

Worker unity is the strongest weapon we have against powerful employers, arrogant politicians, and corporate greed. Using our collective power through the union allows us to solve problems on the job, improve wages, secure stronger contracts, and win the respect all workers deserve, but too few enjoy. True respect involves much more than common courtesy; it requires a voice on the job and control over our work.

Our fight for respect and justice goes beyond our daily work. We dare to dream of a world with more compassion and less suffering, more education and less ignorance, more time for our families and less toil on the job. We want an economy where working families will come first.

But we can't build a better world or solve problems on the job until more workers understand that together we have the power to make dramatic democratic change. Helping our co-workers organize to use our collective power is the most important task in our union. Building a democratic union where participation and different views are encouraged is an essential part of that process.

Many have sacrificed before us to build the foundations of democracy and the right to join a union. Our legacy goes back to ancient times and distant lands when slaves first fought the Pharaohs and workers revolted against royalty. It continued with the fight to end slavery, the Civil Rights movement, and lives on today as we seek fairness for all working families and respect for new immigrant workers.

We owe it to those who came before us and to our children to make this world a better place for everyone. Together we're stronger: Si se puede!

**Bill of Rights for Union Members**

1. No person otherwise eligible for membership in this union shall be denied membership, on a basis of unqualified equality, because of race, creed, color, national origin, sex, age, sexual orientation, disability, or political belief.
2. Members shall suffer no impairment of freedom of speech concerning the operations of this union. Active discussion of union affairs shall be encouraged and protected within this organization.
3. Members shall have the right to conduct the internal affairs of the union free from employer domination.
4. Members shall have the right to fair and democratic elections, at all levels of the union. This includes due notice of nominations and elections, equal opportunity for competing candidates, and proper election procedures, which shall be constitutionally specified.
5. Members shall have an equal right to run for and hold office, subject only to constitutionally specified qualifications, uniformly applied.
6. Members shall have the right to a full and clear accounting of all union funds at all levels. Such accounting shall include, but not be limited to, periodic reports to the membership by the appropriate fiscal officers and periodic audits by officers

ected for that purpose or by independent auditors not otherwise connected with the union.

7. Members shall have the right to full participation, through discussion and vote, in the decision-making processes of the union, and to pertinent information needed for the exercise of this right. This right shall specifically include decisions concerning the acceptance or rejection of collective bargaining contracts, memoranda of understanding, or any other agreements affecting their wages, hours, or other terms and conditions of employment. All members shall have an equal right to vote and each vote cast shall be of equal weight.
8. Charges against a member or officer shall be specific and shall be only on grounds provided in this constitution. Accused members or officers shall have the right to a fair trial with strict adherence to due process. The accused shall be considered innocent until proven guilty.

### **Article I Name**

The name of this organization shall be University of California Employees, Local 3299 of the American Federation of State, County and Municipal Employees, AFL-CIO.

### **Article II Affiliations**

This local union shall be affiliated with the California Labor Federation, AFL-CIO and the appropriate central bodies of the AFL-CIO.

### **Article III Objectives**

The objectives of this local shall be to increase unity among co-workers so we can help solve problems on the job, win better contracts, fight for justice at work and in our communities, strengthen our voice by organizing unrepresented workers into our union, and carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

### **Article IV Membership and Dues**

Section 1. All employees of the University of California are eligible for membership in this local union, subject to the requirements of the constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The monthly membership dues of the local shall be two percent (2%) of each member's actual regular gross base pay received each pay period, up to a maximum dues rate per pay period. As of January 1, 2018, the maximum dues rate per pay period will be based on a \$120 monthly average yielding a \$1,440 annual maximum dues rate, divided by the number of annual pay periods for the member. The \$1,440 annual dues maximum results in a maximum dues rate of \$60.00 per pay period for members with semimonthly payrolls and a maximum dues rate of \$55.38 per pay period for members with biweekly payrolls. The maximum dues payable shall be increased in

direct proportion to the percentage of general salary increases for University of California employees, effective the month of implementation of said increases or no later than January 1 of each year for increases realized during the prior year.

Section 4. To the extent possible, membership dues shall be payable by payroll deduction. Should dues deduction not be possible, dues shall be paid monthly in advance to the local secretary-treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages.

### **Article V Meetings**

Section 1. An annual meeting of the members of this local shall be held once each year between June 1 and September 30, at a time and place to be fixed by the local executive board.

Section 2. Membership meetings at each campus or medical center shall be held at least quarterly, at a time and place to be fixed by the membership.

Section 3. Special meetings may be called by the local president, the local executive board, or by petition filed with the local president and signed by 25% of the members of the local. Special campus meetings may be called by the executive committee member from such campus, by petition signed by 25% of the members at such campus, by the local president or by the local executive board. Special meetings may also be called by the International President or his/her authorized representatives.

Section 4. The quorum for meetings of this local shall be five percent (5%) of the members in good standing and for campus meetings shall be fifteen percent (15%) of the membership in good standing at such campus, respectively.

Section 5. Regular meetings of the local union executive board shall be held at least twelve (12) times per year, called by the president. A majority of the members of the executive board shall be required for a quorum.

Section 6. An annual meeting of the Member Action Team (MAT) of this local shall be held once each year between June 1 and September 30, at a time and place to be fixed by the local executive board.

### **Article VI Officers, Nominations, and Elections**

Section 1. The officers of this local shall be a president, an executive vice-president, a recording secretary, and a secretary-treasurer, elected at large. In addition, a service bargaining unit vice president and a patient care technical bargaining unit vice president shall be elected by and from the members of the respective units. There shall also be executive board members elected from each of the ten campuses as follows:

1 – 300 members	1 executive board member
301 – 750 members	2 executive board members
751 – 1,250 members	3 executive board members

1,251 – 2,000 members	4 executive board members
2,001-- 3,000 members	5 executive board members
3001 and over	6 executive board members

The campuses electing such executive board members are: Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, Santa Cruz, and Lawrence Berkeley National Laboratory. The number of members to be elected from each campus shall be based upon the actual membership at each campus for the month of July of the election year. In the event a new campus is opened, the members of such campus shall be entitled to elect executive board members in accordance with the formula above.

These executive board members and the six chair officers shall constitute the local union executive board.

All officers shall be elected for a term of three years beginning in 2002.

Section 2. Nominations shall be made by mail during the month of September, with members provided at least twenty days' advance notice for the mailing of nominations. All regular elections shall be held in the month of October.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held following adoption of this constitution; provided, however, that no retired member shall be a candidate for office. For a member who is transferred or promoted into this local from another AFSCME local, this requirement shall be satisfied if such member's combined membership in good standing in both locals is one year at the time of election.

Section 4. Officers shall be elected by secret ballot vote, and the balloting shall be conducted so as to afford to all members a reasonable opportunity to vote with at least one polling place on each of the ten campuses. At least fifteen days' advance notice shall be given the membership prior to the holding of the election.

Section 5. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 6. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

Section 8. Any officer who is absent from three consecutive meetings of the local executive board and/or executive committee without acceptable excuse shall be removed from office and the vacancy filled in accordance with the provisions of this constitution.

## **Article VII**

### **Duties of Officers and Executive Board**

Section 1. The president shall:

- a. preside at all meetings of the local union, and the executive board.
- b. be a member of all committees except election committees.
- c. countersign all checks drawn against the funds of the local.

- d. appoint all standing committees and all special committees of the local, subject to the approval of the executive board.
- e. report periodically to the membership regarding the progress and standing of the local and regarding the president's official acts.

Section 2. The executive vice-president shall:

- a. assist the president in the work of the president's office.
- b. in the absence of the president or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- c. upon approval by the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.

Section 3. The bargaining unit vice-presidents shall:

- a. act as representatives of the membership of their respective bargaining units with the local union executive board.
- b. perform such other duties as the executive board may require.

Section 4. The recording secretary shall:

- a. keep a record of proceedings of all membership meetings and all executive board meetings.
- b. carry on the official correspondence of the local, except as the executive board may direct otherwise.
- c. perform such other duties as the executive board may require.

Section 5. The secretary-treasurer shall:

- a. receive and receipt for all monies of the local union.
- b. deposit all money so received in the name of the local union in a bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer.
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board.
- d. prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer.
- e. keep an accurate record of receipts and disbursements and shall, once each month submit to the membership a monthly operating statement of the financial transactions of the local for the previous month.
- f. act as custodian of all properties of the local union.
- g. give a surety bond for an amount to be fixed by the executive board of the local union, at the expense of the local union and through the International Union.

- h. see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall hold regular meetings at least twelve (12) times per year, at the call of the president. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

### **Article VIII Miscellaneous Provisions**

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

Section 3. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with the constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. The executive board shall see that an audit of the local's finances, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of such local, is performed annually by an independent certified public accounting firm. The results of such audit shall be reported to the executive board and the membership of the local.

Section 5. Contracts shall be made available to any member upon request. The contract shall be translated into Spanish. Summaries of key contract provisions shall be translated into Chinese, Tagalog, Vietnamese, or any other language if requested by at least twenty (25) members.

### **Article IX Member Action Teams**

Section 1. Member Action Teams (MAT) shall be established at every campus consisting of members who volunteer to help organize their co-workers.

Section 2. MAT Organizers shall:

- a. take responsibility for working with up to ten (10) co-workers in her/his department. (less or more depending on the size of the department/work site)
- b. sign-up new members in their department, especially in their immediate workplace, including PEOPLE at the MVP level.
- c. follow-through on assignments from MAT Captains.

- d. explain to co-workers how we organize to solve problems and mobilize when action is needed.
- e. attend MAT meetings and training.
- f. distribute the union newsletter, flyers, petitions, surveys, and other information as needed.
- g. listen carefully to concerns of co-workers, have one-on-one conversations to explain what our union is doing and how we can solve problems better by working together.
- h. support the goals, values and principles of our union.

Section 3. MAT Captains are MAT Organizers who take extra leadership responsibility as follows:

- a. in addition to the duties of being a MAT Organizer in their own workplace, captains are responsible for supervising several MAT Organizers beyond their immediate work area.
- b. captains take responsibility for helping MAT Organizers learn new skills and train them how to do their jobs.
- c. captains take a leadership role to help plan and coordinate actions, petition drives, and other union events.
- d. captains help chair, facilitate, and speak at MAT meetings, rallies, and other union events.
- e. captains teach MAT Organizers and members about the goals, values and principals of our union.

## **Article X Delegates to Conventions**

Section 1. The number of delegates sent to the national convention shall be determined by the executive board up to the amount allotted by the national union. Local 3299 shall always be represented at the convention by the local's president and executive vice-president, who shall serve as automatic delegates by virtue of office. Additional delegates shall be elected according to the Election Code of the national constitution. If the number of eligible delegate nominees is equal to or less than the number of delegate positions allowed by the local executive board, all eligible nominees shall be declared elected.

## **Article XI Amendments**

This constitution may be amended, revised, or otherwise changed by a two-thirds vote of the members voting on such proposed change, providing proper and adequate notice has been given to all members of the proposed change to amend, revise or otherwise change the local constitution. Such change shall take effect only upon written approval of the International President.

Any proposed amendment may be approved by a majority vote of the members in attendance at the annual meeting, provided that the proposed amendment was submitted to the recording secretary not less than 45 days prior to the annual meeting and a copy

mailed by the recording secretary to all members not less than 30 days prior to the annual meeting.

The constitution shall be made available to any member upon request, and shall be translated into Spanish.

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive style with a large, prominent initial "L".

LEE SAUNDERS  
President

Approval date: January 8, 2018



January 8, 2018

Lee Saunders  
President

Elissa McBride  
Secretary-Treasurer

**Vice Presidents**

Se'Adoreia K. Brown  
Miami Springs, FL

Richard L. Caponi  
Pittsburgh, PA

Stacy Chamberlain  
Portland, OR

Connie Derr  
Albuquerque, NM

Greg Devereux  
Olympia, WA

Danny Donohue  
Albany, NY

Denise Duncan  
San Dimas, CA

David R. Fillman  
Harrisburg, PA

Henry A. Garrido  
New York, NY

Johanna Puno Hester  
San Diego, CA

Danny J. Homan  
Des Moines, IA

Nicholas J. LaMorte  
Cromwell, NY

Salvatore Luciano  
New Britain, CT

John A. Lyall  
Worthington, OH

Kathryn Lybarger  
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Roberta Lynch  
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Christopher Mabe  
Westerville, OH

Glenard S. Middleton Sr.  
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Douglas Moore Jr.  
San Diego, CA

Frank Moroney  
Boston, MA

Michael Newman  
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Henry Nicholas  
Philadelphia, PA

Randy Perreira  
Honolulu, HI

Steven Quick Sr.  
Indianapolis, IN

Lawrence A. Roehrig  
Lansing, MI

Joseph P. Rugola  
Columbus, OH

Eliot Seide  
South St. Paul, MN

Alan F. Shanahan  
Los Angeles, CA

Paul Spink  
Milwaukee, WI

Mary E. Sullivan  
Albany, NY

Braulio Torres  
San Juan, PR

Anthony Wells  
New York, NY

Kathryn Lybarger, President  
AFSCME Local 3299  
2201 Broadway Avenue, Suite 315  
Oakland, CA 94612

Dear Sister Lybarger:

We have completed our review of the dues-rate amendment to the Local 3299 Constitution, which was submitted by Western Regional Assistant Director Walter Blair on your behalf. The amendment has been approved.

Enclosed are two complete copies of the local constitution, as amended, with my signature of approval on the final page. Should the local amend this constitution in the future, please submit the amendments for approval after they have been adopted by the membership.

In solidarity,

LEE SAUNDERS  
President

LS/TP:nw

Enclosures

cc: Mike Sukal, Director, O&FS  
Joseph Guzynski, Western Regional Director, O&FS  
Walter Blair, Western Regional Assistant Director, O&FS  
Elizabeth Perlman, Executive Director, AFSCME Local 3299  
Lakeisha R. Collins, Recording Secretary, AFSCME Local 3299

