

MSEA/(NAME OF UNIT _____) BARGAINING UNIT OPERATING POLICY

DATE APPROVED BY MEMBERSHIP: _____

Date approved by MSEA Board: _____

**ARTICLE I
NAME**

Section 1. The name of this MSEA bargaining unit shall be the MSEA/ (Bargaining Unit Name _____).

Section 2. This Operating Policy governs the following bargaining units of the Minnesota School Employees Association: (name MSEA bargaining units in the school district covered by this policy).

**ARTICLE II
PURPOSE**

As MSEA bargaining units we strive:

- To unify all classified employees in order to improve wages, hours and all other conditions of employment;
- To enable members to speak with a common voice in matters of policy pertaining to their positions;
- To work for the welfare of school children, the advancement of education and the improvement of instructional opportunities for all.

**ARTICLE III
MEMBERSHIP**

Section 1. Membership in the bargaining unit consists of positions in I.S.D. No. ____ that meet the requirements prescribed in the negotiated Agreements and the Minnesota Public Employment Labor Relations Act, as determined by mutual agreement of the District and the MSEA or Order of the Minnesota Bureau of Mediation Services.

Section 2. Employees whose positions are included in the bargaining unit are encouraged to become members of the MSEA. The privileges, services, and benefits of such membership shall continue from year to year.

Section 3. Employees whose positions are included in the bargaining unit but who fail to join the MSEA will be charged a fair share fee for bargaining unit services and representation. Fair share fee payers are entitled to fair representation in matters that arise from the unit's negotiated Agreements pursuant to PELRA. Fair share fee payers are prohibited from holding elected or appointed office and from participating in contract ratification votes or other governance votes and decisions.

ARTICLE IV QUORUM

Section 1. A majority of a Committee's members shall constitute a quorum for Committee meetings.

Section 2. A quorum for general membership, special, or contract ratification meetings shall consist of the members present at any such meeting.

ARTICLE V OFFICERS

Officers of this bargaining unit must be MSEA members. The officers of this bargaining unit shall be the Chief Steward, Vice Steward, Secretary, Treasurer, and Membership Steward. Co-Chief Stewards are permitted; further references to "Chief Steward" in this Operating Policy include Co-Chief Stewards. A member may hold more than one officer position simultaneously. However, no member may serve simultaneously as both Chief Steward and Treasurer.

ARTICLE VI EXECUTIVE COMMITTEE; AUDIT COMMITTEE

Section 1. Executive Committee. The Executive Committee shall consist of the officers as defined in Article V.

Section 2. Audit Committee. The Audit Committee shall consist of the officers and an at-large member who is not an officer and who is appointed by the officers. Notwithstanding the preceding sentence, the Treasurer shall not serve on the Audit Committee and shall not participate in the process or decision for appointing the at-large member of the Audit Committee.

ARTICLE VII MEETINGS

Section 1. Executive Committee: The Executive Committee shall meet whenever necessary. Meetings may be called by the Chief Steward or a majority of the members of the committee.

Section 2. (Optional) Building Rep. Committee: The BRC shall meet a minimum of one (1) time during each school year. The purpose of the BRC will be to facilitate communication to the members and to foster a spirit of active participation in each individual building.

Section 3. Negotiations Committee: The Negotiations Committee shall meet whenever necessary. Alternates shall be allowed and are encouraged to attend any meetings of the Negotiations Committee to remain informed on all issues before the Committee. Any Negotiations Committee member who is unable to attend meetings shall be responsible for contacting an alternate to serve in his/her absence. The purpose of the Negotiations Committee will be, in conjunction with the Field Representative, to survey the

membership as to negotiation concerns, to plan negotiation strategy, and to negotiate with the District on behalf of the membership.

Section 4. Audit Committee: The Audit Committee shall meet as necessary but at least once each membership year.

Section 5. General Membership: A minimum of three (3) meetings shall be held during each school year. General membership meetings shall be set by the Chief Steward. At least three (3) days notice shall be given before each meeting, and the agenda for the meeting shall be included with the meeting notice, and shall include notice of any officer elections. Notice of General Membership meetings will be mailed to all members from the state MSEA office unless otherwise determined by the Executive Committee.

Section 6. Special Meetings: Special meetings of the bargaining unit shall be held at the call of the Chief Steward, or upon a written petition of ____ members of the bargaining unit.

Section 7. Contract Ratification: A meeting of the members of the MSEA members in the bargaining unit(s) shall be called by the Chief Steward for the purpose of ratifying any contract negotiated under the provisions of PELRA. Whenever possible, a minimum of forty-eight (48) hours notice shall be given before the meeting time, along with a copy of the tentative agreement. Notice of contract ratification meetings will be mailed to all members from the state MSEA office unless otherwise determined by the Negotiations Committee. A majority vote of those votes cast shall be required to ratify or approve any such contract. Absentee ballots will be available only if permitted by the Executive Committee and using a method approved by the Executive Committee.

OPTIONAL: Members shall have a period of at least three calendar days from the first meeting to review the proposed changes prior to conducting a vote at a second meeting or within school buildings.

ARTICLE VIII DUTIES AND POWERS OF THE OFFICERS

Section 1. The names of all officers and their addresses shall be filed by the Chief Steward with the MSEA office immediately upon their election.

Section 2. Chief Steward: The Chief Steward shall preside over meetings of the general membership and the Executive Committee. The Chief Steward shall represent the bargaining unit before the public either personally or through delegates and shall perform all other functions usually attributed to this position.

Section 3. Vice Steward: The Vice Steward shall perform the functions usually attributed to this position. In the absence of the Steward, he/she shall assume the duties of that position. The Vice Steward shall serve as chair of the Audit Committee.

Section 4. Secretary: The Secretary shall keep accurate minutes of all general membership and Executive Committee meetings; shall prepare such minutes for review and edit by the Chief Steward and

the Executive Committee; shall prepare minutes for reproduction and distribution, upon approval of the Executive Committee, to the membership; shall maintain official files that date back for a maximum of five (5) years; and, shall assist the Chief Steward with District unit correspondence.

Section 5. Treasurer: The Treasurer shall keep accurate records of the unit's local funds and expenditures; shall maintain the unit's bank accounts; shall distribute payment for all unit expenditures upon authorization of the Chief Steward; and make an itemized financial report at each Executive Committee meeting and general membership meeting.

Section 6. Membership Steward: The Membership Steward shall maintain the membership records of the bargaining unit; track new members of the bargaining unit and ensure they receive new membership kits and contract information; and inform and recruit new members of the bargaining unit and existing fair share fee payers on becoming MSEA members.

ARTICLE IX OFFICER ELECTION AND TERMS

Section 1. Nominations: Nominations for various officer positions in the bargaining unit may be submitted to the Executive Committee or Chief Steward during March and April. Nominations may also be placed at the general membership meeting during which the officer elections are conducted, until a majority vote is cast to close nominations.

Section 2. Balloting: Members shall vote for officer positions by secret ballot according to the method determined by the Executive Committee. New officers shall be installed at a membership meeting conducted between April 1 and the end of the school year.

Section 3. Absentee Ballots: Absentee ballots will be made available to members not in attendance, according to the method determined by the Executive Committee.

Section 4. Terms: All officers shall serve a two-year term of office. Terms begin no later than July 1. Elections for at least one of the officer positions shall be scheduled in a year other than the year in which the Chief Steward is elected.

Section 5. Vacancies: An open officer position in mid-term shall be filled by appointment of the Executive Committee.

Section 6. The Negotiations Committee will be elected by the membership. The Chief Steward or designee will also serve as a member of the committee. The Negotiations Committee shall consist of no more than ____ members with the possibility of ____ alternates. All Negotiations Committee members shall serve until negotiations are completed. A committee position that opens during contract negotiations shall be filled by appointment of the Executive Committee.

ARTICLE X DELEGATES

Delegates to the MSEA Assembly shall be elected annually by the unit's MSEA members and in accordance with the numbers prescribed by the MSEA. Any Delegate who is unable to attend the Assembly shall be replaced through an appointment of the Executive Committee.

ARTICLE XI PROCEDURES FOR CONTRACT RATIFICATION, OFFICER ELECTION AND REMOVAL OF A SITTING OFFICER

Section 1. Notice: Notice of a contract ratification vote shall be per Article VII, Section 7. Notice of an officer election shall be per Article VII, Section 5.

Section 2. Eligibility: Only members of the MSEA who are part of this bargaining unit are allowed to vote on contract ratification and election of local officers. Fair share fee payers do not have voting rights. Ballots will be distributed to MSEA members upon verification of their membership status. Membership status shall be verified using a current membership list from the state office. In addition, membership packets, containing membership applications, shall be made available at the time of the contract ratification vote for any fair share fee payer who wishes to change their status to MSEA member. MSEA membership status is effective when the Chief Steward, other unit officer, or field representative receives the completed application.

Section 3. Ballots and Vote Reporting: Ratification of any MSEA contract and/or election of unit officers will be by written, secret ballot only. Completed ballots shall be tallied and verified by more than one member of the bargaining unit in a leadership position, recorded by the Chief Steward and reported to the MSEA field representative assigned to the bargaining unit. For contract ratification, there will be two final tally sheets and both shall be signed and dated by the unit's Chief Steward and the individual counting the ballots. One tally sheet shall be forwarded to the state office for filing and the second tally sheet shall remain with the local leadership for filing. For election of a local officer(s), there will be one final tally sheet that shall be signed and dated by the unit's Chief Steward and the individual counting the ballots and filed with the local secretary or other appropriate officer. Results of a contract ratification vote shall not be announced to the employer until the expiration of the challenge period as noted in this article, Section 4, Subd. 1.

Section 4. Voting Challenges: The Executive Committee will determine a process for investigating challenges to either a contract ratification vote or an officer election. If the Executive Committee consists of fewer than three officers, the Chief Steward shall appoint at least one member at-large to serve on the Executive Committee for the sole purpose of determining a process for investigating any challenges listed herein.

Subd. 1. Contract Ratification: If a member of the bargaining unit wishes to challenge any portion of the contract ratification procedure, that member shall present to the bargaining unit Chief Steward, in writing, the specific details of their challenge within 24 hours of the vote taking place. The Chief Steward shall call together the Executive Committee of the bargaining unit to

investigate the challenge. Upon a thorough investigation of the challenge, one of the following shall apply:

- a.) If the local Executive Committee should determine that there was any failure to properly execute or adhere to the contract ratification procedure, it shall have the power to call for another vote per the provisions as outlined herein. The Executive Committee shall notify the member who filed the challenge of its decision and further notify all MSEA members in the bargaining unit of the reasons for the decision to conduct another vote.

- b.) If the Executive Committee should determine that no failure to properly execute or adhere to the contract ratification procedure occurred, it shall notify the member who filed the challenge of its decision and the reasons for the decision. Should the member filing the challenge be unsatisfied with the finding of the Executive Committee, the member may appeal the decision using the MSEA Member Discipline Procedure as outlined in MSEA Bylaw 1.8.

Subd. 2. Removal of Elected Officers During Their Stated Term: Any member wishing to remove a properly elected officer of the local bargaining unit must put the name, officer title and reason for such removal in writing to the Executive Committee. A petition to call a special meeting shall accompany the written reason for seeking removal of the officer per Article VII, Section 6 of this bargaining unit operating policy. Once a special meeting has been called for the purpose of dealing with the officer removal request, the member seeking removal shall have a maximum of ten (10) minutes to present the evidence supporting removal. The officer being challenged shall have ten (10) minutes to answer the charges made against him/her.

All members present at the meeting shall be allowed to vote on the removal of the officer in question by a secret, written ballot. An affirmative vote of a two-thirds majority of those members present at the meeting shall be required to remove said officer. The results of the balloting shall be recorded with the signature of a unit officer, the individual tallying the ballots and the officer in question if willing. The vote of the members at this meeting regarding this matter shall be final and binding.

ARTICLE XII UNIT DUES

EITHER

The only funds authorized to be collected from MSEA members and/or fair share fee payers are dues and/or other funds authorized to be collected pursuant to PELRA, the MSEA Bylaws and/or by the approval of the MSEA Delegate Assembly.

OR

UPON APPROVAL OF THE MEMBERSHIP

Unit members shall pay unit dues and unit fair share fees as approved by its membership in accordance with the MSEA Unit Treasury Code of Standards.

ARTICLE XIII AMENDMENTS

Section 1. This document may be amended at any regular or special meeting by a two-thirds vote of all members present, provided that notice of the proposed amendment has been posted in each building at least two weeks prior to the date when action is to be taken. Prior to presenting the amendment to the membership for adoption, all amendments must be reviewed by the MSEA Executive Director for consistency with the MSEA's governing documents, and are subject to final approval by the MSEA Board, per Section 2.2 of the MSEA Bylaws.

ARTICLE XIV AUTHORITY

Robert's Rules of Order Newly Revised shall be the parliamentary authority for the bargaining unit on all questions not covered by the Bargaining Unit Operating Policy and such standing rules as the general membership may adopt.