

# PACIFIC NORTHWEST STAFF UNION



## CONSTITUTION AND BY-LAWS

EFFECTIVE DECEMBER 16, 2024

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## **ARTICLE 1: NAME**

This organization shall be known as the Pacific Northwest Staff Union (PNWSU).

## **ARTICLE 2: VISION & OBJECTIVE**

We believe that having a powerful and independent organization of labor movement staff is essential for rebuilding the labor movement and fighting for social and economic justice. We do this through developing strong contracts, empowering staff to advocate for themselves and practicing robust union democracy that leads to career sustainability in a changing world. We succeed by organizing ourselves around member-driven advocacy and professional development, sharing of resources, and localized chapter decision making.

The object of this organization shall be to organize all workers within its jurisdiction; to achieve for its members fair wages, hours and working conditions, together with active participation in the policies and operations of their workplace; to promote recognition and respect for the values of its members' work; and to follow democratic principles.

## **ARTICLE 3: PRINCIPLES & VALUES**

The Pacific Northwest Staff Union believes the success and revitalization of labor movement depends on understanding and committing to a clear set of principles and living those principles through a values-based approach to our everyday life as labor movement staff. PNWSU will educate and model principled action and values-based decision making to ourselves, the union members we support, workers in our communities both organizationally and as individuals. Furthermore, PNWSU commits to hold ourselves, as an organization and as individuals who are members of this Union, and the labor movement employers who employ us to the Union principles and values that are inherent and have been inherited from the generations of union members who came before us.

### **Guiding Principles & Values**

1. **Unity/Solidarity:** The power of the Employer flows from the boss or the board and is consolidated. In opposition, the power of working people is diffuse and to be effective requires union members act in solidarity. Nothing of significance can be achieved acting alone or in discrete cliques of workers.

Values:

- a) Commitment To Relationship Building
  - b) An Injury to One, is an Injury to All
  - c) Move as One
2. **Open Robust Democracy:** A union cannot act in solidarity if members do not, or cannot, participate in the decision-making process. To that end, PNWSU requires open democratic

processes and structures of leadership that provide rigorous opportunity for representation and participation in the governance and decision-making of this Union.

Values:

- a) Mobilizing/Organizing
  - b) Accessibility for a Range of Abilities
  - c) Transparency
3. Independence: An effective union must be governed by the membership and not by employers or other entities outside the membership. Employers act in their own interests and too easily attempt to subvert the interests of union members when given the opportunity. There is an inherent conflict of interest between the goal of improving the working conditions and professional lives of union staff industry-wide and unions whose primary industry is not representing union staff. This organization will not subvert its independence and ability to affect change to any employer or other labor organization.
- a) Member Driven
  - b) Sanction our own Strikes
  - c) Challenging the Notion that Labor Staff Aren't Workers

#### **ARTICLE 4: JURISDICTION**

This Union shall have jurisdiction over all non-supervisory workers employed by any union local, labor movement organization or its affiliates in the western United States (Alaska, Washington, Oregon, Idaho, California, Nevada, Montana, Wyoming, Utah, Arizona, Colorado, New Mexico, Texas)).

#### **ARTICLE 5: MEMBERS**

**Section 1: Membership** - Any person employed in any employment over which the PNWSU claims to exercise jurisdiction shall be eligible for membership.

**Section 2: Full Membership** – Unless otherwise specified by this Constitution, any person employed in a bargaining unit represented by PNWSU, or a subordinate organization, affiliated with PNWSU may be eligible for full membership. A full member has the right to vote in PNWSU elections, nominate, hold office, attend meetings, and may be eligible to receive any other benefits offered to members as consistent with provisions of these Constitution & Bylaws and individual chapter bylaws.

**Section 3: Associate Membership** – Any person who was a past member, on leave or lay-off status and does not meet the requirements for full membership status may be approved for associate member status within a specific chapter by the PNWSU Executive Board upon recommendation of the associated chapter leadership. An associate member has the right to attend PNWSU membership meetings as observers, but may not otherwise vote, nominate, or hold office. Other benefits offered to members may be authorized for associate members by the Executive Board anytime or the General Membership at a general membership meeting.

**Section 4: Non-discrimination** - There shall be no discrimination against any members or any applicant for membership by reason of race, creed, color, religion, gender identity, sexual orientation, national origin, ancestry, disability, political belief or affiliation or age.

**Section 5: Members' Rights and Responsibilities** – Every member is entitled to full rights and privileges of union membership conferred by statute, including the right to participate and vote at membership meetings, run for office, have a copy of these by laws and a copy of the collective bargaining agreement pertaining to them, provided they hold Full Membership status.

Every member, by virtue of his or her membership, authorizes this union to act on his or her behalf as exclusive bargaining representative for collective bargaining and dispute resolution.

**Section 6: Good Standing** – In order for a members to be in good standing, his/her dues must be current and paid when due, and no other monies owed to PNWSU, or he/she must have his/her dues and/or debt excused by the Executive Board.

## **ARTICLE 6: STRUCTURE AND GENERAL MEMBERSHIP**

**Section 1: Structure** – The structure of this Union will consist of a General Membership at Large, and an Executive Board made up of both officers elected at large and a chapter representative elected by each individual chapter, Chapter Membership, and Chapter Leadership.

The General Membership shall consist of all members represented by each bargaining unit represented by this union who are in good standing.

The Executive Board shall consist of a President, Secretary, Treasurer, Organizing Officer, Professional Development Officer, and Chapter Representatives.

Each bargaining unit represented by this Union shall be organized into a Chapter and the Chapter Membership shall consist of all bargaining unit employees who are members in good standing.

Each chapter shall determine a chapter leadership structure, consistent with these Constitution and Bylaws.

### **Section 2: Membership Meetings** –

As a fundamentally democratic organization, we endorse and support the principal of face-to-face meeting between members to encourage participation and sharing of ideas, consensus building, and transparency as well as collegial solidarity.

Understanding the complexity of building an organization across large geographical areas and the cost associated with travel, lodging and all other associate costs, the Executive Board shall determine the best means of achieving this end by the end of 2018. This process must include a mechanism for notification to the membership, general membership to call a meeting, and a

minimum frequency of meetings. Each Chapter shall then ratify the E-board decision under the bylaws amendment process.

Chapters shall have membership meetings periodically, but the specific frequency shall be determined by each individual chapter.

### **Section 3: Membership Meeting Quorum –**

**General Membership Meeting:** A membership meeting quorum shall be twenty (20%) percent of the at-large membership, with at least two (2) of the elected Executive Board Officers present. If a minimum of two thirds of the general membership is present at a meeting the Executive Board Officer minimum shall be waived.

**Chapter Membership Meeting:** A membership meeting quorum shall be a minimum of 30% of the membership, with at least two (2) of the elected chapter officers present. If a minimum of two thirds of the chapter membership is present at a meeting the elected chapter officer minimum shall be waived.

## **ARTICLE 7: EXECUTIVE BOARD**

**Section 1: General Authority and Responsibility** – The Executive Board described in Article 5, Section 1 above will conduct and direct the general affairs and policies, and adopt the budget of the Union. Upon approval of a budget, the Executive Board shall disseminate that budget to each chapter representative for dissemination to the general membership. The purpose of the Executive Board is to ensure that policies and directives of the General Membership at large are being followed.

The Executive Board shall be empowered to appropriate funds to defray necessary expenses that are incurred. The Executive Board shall have the authority to manage, invest, expend, contribute, use, and acquire funds and properties, and others as required by the membership, in pursuit and accomplishment of the vision and objectives set forth in this Constitution and Bylaws.

**Section 2: Grievances and Arbitration Authority** – The authority to evaluate the merit of grievances and submit such for arbitration shall be held by each individual chapter and consistent with those chapter bylaws, provided the chapter has available the financial resources to prosecute the arbitration. Should an individual chapter not have available the financial resources or chooses to not arbitrate a grievance and a member(s) of the chapter request an appeal, the Executive Board shall exercise authority to review the merit of an individual grievance and determine whether the grievance shall proceed to arbitration utilizing funds from the General Fund. In such case, a grievance panel shall be appointed by the PNWSU President made up of the Chapter Representative from the involved chapter, and two other members of the Executive Board not from the involved chapter. In the case of an adverse decision, the grievant may appeal the decision to the full Executive Board.

**Section 3: Applications for Membership** – The Executive Board shall determine any disputed applications for full or associate membership or requests of reinstatement to such and shall notify the applicant of the decision rendered in a timely manner.

**Section 5: Executive Board Meetings** – The Executive Board shall confer at least four times per year at a date, time and place it may decide. Special meetings of the Executive Board may be called by the President. Whenever a majority of the Executive Board requests the President to call such a meeting, it shall be mandatory upon him/her to do so. A majority of the Executive Board shall constitute a quorum at such meetings.

## **Article 8: Duties of PNWSU Officers, Chapter Officers, Trustees, and Stewards**

**Section 1: Officers** - The officers of the PNWSU shall consist of a President, Secretary, Treasurer, Organizing Officer, Professional Development Officer and Chapter Representatives. All officers shall be elected at large except the Chapter Representatives which shall be elected by the respective chapters.

**Section 2: President** – The President shall be the principal executive officer of this organization and, subject to the oversight of the Executive Board, shall conduct and control all of the business and affairs of this organization. The other duties of the President to include: the right, by virtue of office, to preside at all meetings of this union and conduct same in conformity with established practices; to execute the laws and orders thereof; to vote on all questions whenever his or her vote will affect the result; to appoint all committees, unless otherwise provided for, of which committees he or she shall serve on by virtue of office; to be a delegate to all conventions and meetings where the union is entitled to representation; to perform Executive level leadership responsibilities that are necessary to move the union forward in its work and mission, including but not limited to contract bargaining, campaign strategy, planning and program implementation, staff and leader training; and to perform all other duties as needed. The President along with the Treasurer shall have the authority to sign checks and documents for or on behalf of the union.

**Section 4: Secretary** – The Secretary shall keep a correct and impartial record of the proceedings of each meeting of the union and the leadership bodies. In addition, the Secretary shall be responsible for developing and maintaining communication structures and interfaces, access and dissemination of organizational relevant documentation and records retention.

**Section 5: Treasurer** – The Treasurer, in collaboration with the chapter representative from each chapter, shall be responsible for all financial records and transactions of the union. Duties shall include: to receive and disburse all funds under established protocols, to prepare an annual financial report for the membership; to prepare a periodic financial report for the each chapter representative; to keep open for inspection by any member of the organization its accounts. In addition, the Treasurer shall prohibit business or financial interests of its officers and agents, in conflict with the fiduciary obligation of such persons to the organization. The Treasurer along with the President shall have the authority to sign checks on behalf of the union. The Treasurer shall promptly complete and file all annual audit reports and copies of all financial reports setting forth a statement of liabilities and a statement of receipts and disbursements which are required by law.

**Section 6: Organizing Officer** –This officer shall direct and implement the new organizing and/or organizational outreach plan as well as coordinate human resource needs regarding assignment of volunteer bargaining leads or consultants for chapters requesting assistance outside of their chapter.

**Section 7: Professional Development Officer** – This Officer shall work with the Chapter Representatives specifically, and Executive Board generally, to develop an annual professional development plan. The Executive Board shall take the professional development plan into consideration when developing an annual budget.

**Section 8: Chapter Representatives** – Each chapter shall have a Chapter Representative, elected by their chapter membership. Upon election, each Chapter Representative shall represent their chapter on the Executive Board, be responsible for assisting the Treasurer with maintaining accurate financial records related to their chapter, report to the Executive Board activity in their chapter, including, but not limited to, any steward work, labor management, or bargaining, and assist in the fulfillment of the vision and objectives of this Union. Chapters may elect an alternate Chapter Representative.

**Section 9: Chapter Officers** – Each chapter shall determine their leadership structure through chapter bylaws. Chapter officers shall be responsible for representing the interests of their members within their chapter, consistent with Article 2 Vision & Objective of these Constitution and Bylaws. PNWSU Officers, including Chapter Representatives, may also be Chapter Officers.

**Section 10: Stewards** – Stewards shall be either appointed by their chapter officers or elected by their chapter membership, determined by their chapter bylaws, and shall assist members with answering contract questions, resolving conflict in the workplace, and assisting members in processing grievances.

**Section 11: Trustees** - Each Chapter shall elect a PNWSU Trustee who may not also be the Chapter Representative, whose term of office shall be on the same schedule as the PNWSU officer elections. The Trustee is a not a member of the Executive Board. The Trustee shall periodically review the Union fiscal activity, but not less than once per year, and shall collaborate on a report to the General Membership at Large. The treasurer shall provide the fiscal records to the Trustees as requested.

**Section 12: Leadership Transition** All officers shall work to facilitate successful transitions between officers by ensuring they are available to answer questions and provide resources, documents and any other information as necessary.



## **ARTICLE 9: NOMINATIONS, ELECTIONS, TERMS OF OFFICERS AND STEWARDS AND RECALL**

**Section 1: General Officers of the Union** – All PNWSU Officers shall be elected consistent with the sections contained within this Article.

**Section 2: Term of Office** – The term of office of the PNWSU Executive Board and Trustees shall be two consecutive years commencing each odd year on May 1 following the nomination and election processes held not before January but by the end of March preceding the May 1 transition.

**Section 2: Nomination Process** – Nominations for all Elected Officers are to be made in accordance with the procedure adopted by the Election Committee, as outlined below. Members shall be provided a notice of election and opening of nominations at least thirty (30) days prior to the election. The official Election Committee may decide to use a protected online forum, as approved by the Executive Board. Nominations will close at the end of the designated time period decided by the Election Committee. If there is more than one candidate nominated, elections shall be conducted.

**Section 3: Elections Process** – Elections shall be by secret ballot, which will include an online/electronic option that may open for voting prior to and run concurrently with the Annual membership Meeting for those members who cannot attend. The Election Committee shall notify the Membership of the specific date, time and location of the vote a minimum of 15 days in advance of the election. Should the Elections Committee set-up an online/electronic balloting option the date and specific time of the start and close of online/electronic shall be published to the membership. No write-ins or proxy voting will be permitted. The officers shall hold office until their successors are duly elected and installed. The candidate receiving the most votes among those voting shall be deemed the winner.

**Section 4: Eligibility for Nomination** – No member shall be eligible for nomination or election as an officer, member of the Executive Board or any other office of the union unless he or she is a member in good standing, and must maintain such status. An officer who fails to maintain membership in good standing for 60 days shall be determined to have vacated the position, and, unless otherwise specified under this Constitution, the Executive Board shall appoint a replacement.

**Section 5: Position Vacancies** – In the event of a vacancy in the office of President, the Executive Board shall elect from the remaining members of the Executive Board a temporary President and, if the remaining term of office is greater than six (6) months, shall within thirty (30) days call for an election to fill the unexpired term of office. If the Treasurer appointed, and second executive board officer must be financially authorized to ensure two executive board members have access to Union funds.

In the event of a vacancy in a chapter representative position, the Executive Board shall ask the affected chapter to elect a chapter representative to fill the unexpired term.

In the event of a vacancy in any other executive board position, the remaining executive board officers shall appoint a successor to fill the unexpired term.

**Section 6: Election Committee** – The Executive Board shall appoint an election committee comprised of representatives from no fewer than three chapters prior to each election of officers which is conducted pursuant to this Constitution and Bylaws. Nominees to the Election Committee may accept or decline appointment. No member who is also running for an At Large executive board position shall be eligible to be appointed to the Election Committee. No election committee member shall be eligible to be nominated for an At Large office. It shall be the duty of the duly appointed election committee to conduct the election, which shall include the distribution of ballots and the receipt, tabulation and maintenance of security of all ballots cast.

**Section 7: Property Transfer** – All documents, files, equipment and other materials pertaining to the office shall be transferred to new officers within thirty (30) days of assuming office.

**Section 8: Recall** – Elected leaders who are not performing their principal duties as noted in Article 7 of these bylaws, in the interest of the membership as determined through Article 12 Complaint and Due Process or whom are continually absent and essentially inactive for three (3) months or more without a bona fide reason for such inactivity, may be removed from office and replaced after such leader is informed of a request of recall and a membership vote is held.

Such recall notification must occur thirty (30) days prior to the scheduled recall election, which shall take place in a Membership meeting.

In order to recall a leader without meeting the above inactivity requirement, a petition, signed by fifty (50%) percent of the members in good standing, must be validated by a member list supplied by each represented employer and verified by an impartial party. Validation and notification of election must occur within twenty one (21) calendar days from receipt of petition. All members in good standing at the time of the recall election shall be eligible to vote, and the vote shall be held subject to quorum requirements and will include an electronic/online option. The individual being recalled shall be given opportunity to state a case to the membership prior the ballot being opened for voting. The vote will be by secret ballot. At least 2/3 (two thirds) of the members voting must vote for recall in order to remove the officer from office. An election will be held per Article 5.

If such recall is supported by 2/3 (two thirds) of those attending such meeting, in a secret ballot vote, the officer (s) shall be removed and replaced under the provisions of these bylaws.

## **ARTICLE 10: DUES AND RESOURCES**

**Section 1: Revenue** – The revenues of PNWSU shall be derived from monthly dues and assessments as may be approved by the Executive Board and ratified by a majority the membership of each chapter according to the conditions in Section 4 of this Article.

**General Dues:** Beginning March, 2018, the dues rate shall not be less than eight tenths of one percent (0.8%) of the gross wages for each member. Beginning January, 2019, the dues rate shall not be less than nine tenths of one percent (0.9%) of the gross wages for each member. Beginning January, 2020, the dues rate shall not be less than one percent (1.0%) the gross wages for each member.

**Supplemental Chapter Dues:** Individual chapters may vote a higher dues rate for the purpose of supplementing their chapter fund. In no case shall the total dues rate exceed two percent (2.0%), not including any assessments ratified by the membership by any chapter or PNWSU as a whole.

**Initiation Fees:** There shall be no initiation fees.

**Associate Member Dues:** The dues rate for associate members shall be determined by the Executive Board.

**Section 2:** PNWSU will maintain a General Fund, A Defense Fund, a Reserve Fund, and individual chapter funds with the following conditions:

**General Fund:** A fund used for the day to day business of the organization including, but not limited to, contract enforcement, professional development, new organizing.

**Strike Hardship Fund:** A reserve fund specifically dedicated to supporting members in Good Standing at the time of a PNWSU sanctioned strike who are suffering hardship from the loss of pay. Strike funds are not intended as 'pay replacement' but to support members who may experience financial distress as a result of the membership action of withholding our labor. The Executive Board shall make provision to accumulate and sustain a minimum accumulating balance of two hundred fifty thousand (\$250K) dollars which shall only be reduced for the purpose of supporting PNWSU members in strike action. The Executive Board shall determine enacting policy and procedure for the accumulation and use of such funds. Any funds withdrawn from the Strike Hardship Fund must be approved by the majority of the PNWSU Executive Board and included in the Annual Financial Report.

**Reserve Fund:** A fund balance of twenty (20%) percent of the PNWSU annual receipts shall be maintained. Any funds withdrawn from the Reserve Fund must be approved by the majority of the PNWSU Executive Board and included in the Annual Financial Report at the following Annual and chapter membership meetings.

**Chapter Funds:** Beginning March 2018, A portion of general dues, as determined by the Executive Board but not less than one tenth of one percent (0.1%) and not more than three tenths of one percent (0.3%), shall be allocated to each chapter fund, the use of which shall be determined by each individual chapter. Beginning January 2019, a portion of general dues, as determined by the Executive Board but not less than two tenths of one percent (0.2%) and not more than four tenths of one percent (0.4%), shall be allocated to each chapter fund, the use of which shall be determined by individual chapter.

**Section 3: Member Unpaid Status & Dues** - Any member on leave of absence or layoff status for up to a year (or while they are in active recall status), may maintain their PNWSU membership in good standing by paying dues of ten (\$10) dollars per month directly to the Treasurer.

**Section 4: Dues Rate Changes** - Any change in the rate of dues shall be by majority vote and made in accordance with the following conditions:

**General Dues Rate Change:** Any proposal to change the general dues rate shall be disseminated to the full membership at least thirty (30) days prior to the vote taking place. The Executive Board shall determine the exact process used to maximize democratic participation, which may include a full member mail ballot, voting at chapter meetings, electronic balloting, or any combination thereof. Each chapter must receive a majority of those voting in order for a change in the general dues rate. The result of the vote shall be tallied and a list of those voting shall be recorded for the records. Any cost incurred by such balloting and vote shall be incurred by the General Fund.

**Supplemental Chapter Dues:** Any proposal to change the supplemental chapter dues rate of any chapter shall first be presented to the Executive Board, which shall approve such proposal so long as the chapter will not go into deficit spending on any continuing financial obligations as a result of the rate change, and then disseminated to the affected chapter membership by that chapter's leadership at least thirty (30) days prior to the vote taking place. The chapter leadership shall determine the exact process used to maximize democratic participation, which may include a chapter member mail ballot, voting at chapter meetings, electronic balloting, or any combination thereof. The result of the vote shall be tallied and a list of those voting shall be recorded for the records. Any cost incurred by such balloting and vote shall be incurred by the associated chapter fund.

**Section 5: Assessments -** There shall be no general assessments of any member, except by a supermajority vote of the membership of at least sixty (60%) percent of the full membership in the case of a PNWSU-wide assessment and by the chapter membership in the case of a chapter specific assessment.

## **ARTICLE 11: EXPENSES**

**Section 1: General Expenses & Reimbursements –** Any expense on behalf of PNWSU of less than two-hundred fifty dollars (\$250.00) shall be authorized by either the Treasurer or the President, such that neither the President nor the Treasurer may approve their own expenses. Upon such approval, the expense shall be communicated to the full Executive Board. Expenses above two hundred fifty dollars (\$250.00) shall be submitted for approval to the full Executive Board prior to payment. Executive Board approval shall be by majority vote and shall require approval by either the President or Treasurer. There shall be no reimbursements or allocations of dues funds for alcohol.

**Section 2: Executive Board Expenses -** All direct travel expenses incurred by members of the Executive Board related to attendance at Executive Board meetings, membership meetings, or other authorized business of PNWSU shall be fully paid by PNWSU. Meal and expense per diems may be determined by the Executive Board.

**Section 3: Chapter Fund Expenses –** No chapter member shall incur chapter related expenses without prior authorization as determined by the chapter bylaws of that chapter. No chapter shall incur any expense for which they do not have chapter funds without prior Executive Board authorization for General Fund expense. Each expense shall be receipted and the chapter

representative shall work with the PNWSU Treasurer to insure the financial record keeping for their chapter is accurate and up to date.

## **ARTICLE 12: COLLECTIVE BARGAINING**

**Section 1: Bargaining Team** – Each chapter shall elect a bargaining team prior to the expiration of their collective bargaining agreement. The size of bargaining teams shall be determined by the bylaws of each chapter with the condition that every attempt shall be made to ensure that different job categories and levels of experience, age, seniority, gender identity, and race will be elected onto the bargaining team. However, in no case shall a bargaining team be less than three chapter members in good standing, one of which shall include the Executive Board Chapter Representative from that chapter. Provided a regular check-in and debrief plan is developed (to the Executive Board), a Chapter Representative may decline to be on a bargaining team. Bargaining teams shall be fully constituted no later than sixty (60) days before the reopening of the contract then in effect.

**Section 2: Bargaining Authority & Limitations** – The authority to bargain collectively for the Union shall be vested in the offices of the Executive Board, Chapter Officers, and elected bargaining team for each chapter. The elected chapter bargaining team shall take precedence over the Executive Board and Chapter Officers unless by request of the majority membership of the chapter. The bargaining team shall develop an issues list and prioritize issues based on input from the chapter membership by using bargaining surveys, chapter meetings, or other means of collecting input. The bargaining team shall be empowered to bargain in good faith with the employer to come to an agreement over wages, benefits, and working conditions, provided the bargaining team may not bargain any provision that limits PNWSU in any organizing activities or financially obligates PNWSU beyond what the Chapter collects in chapter funds (ie: joint labor management funds).

**Section 3: Ratification of Contracts** – The results of any collective bargaining shall be subject to ratification by members of the bargaining unit. Upon Ratification, a contract shall be signed by the bargaining team members and an Executive Board Officer of the Union.

**Section 4: Strike Authority** – The authority to call a strike shall be vested in the Bargaining Team with approval of the Executive Board. In order for a strike to be called, there must be (1) timely notice to every affected member, (2) a minimum of fifty (50%) of the affected members must participate in the vote, and (3) it must be ratified by a two-thirds (2/3) vote of all members voting. Any organized strike support, such as strike pay or some other form of financial or nonfinancial support, must be authorized by the PNWSU Executive Board to be considered sanctioned activity.

## **ARTICLE 13: COMPLAINT AND DUE PROCESS**

**Section 1: Member Complaints against Members** – Whenever complaints are brought against any member or officer of PNWSU, such charges must be specific and filed in writing in duplicate with the Secretary. A written copy of such charges specifying the nature of the offense of which he or she is accused shall be served on the accused either personally or by registered mail directly to the last known address of the accused at least ten (10) calendar days before the hearing of the

charges. In all cases, however, the charged party shall be given reasonable time to prepare his or her defense and be afforded a full and fair hearing.

**Section 2: Basis for Charges** – The basis for charges and remedies shall be governed by the provisions of the Constitution and Bylaws of PNWSU.

**Section 3: Hearing Committee Creation** – The Executive Board shall appoint at least one (1) of its members as the Hearing Officer and up to three (3) additional from the affected chapter to serve as the Hearing Committee.

**Section 4: Hearing Decision** – The decision of the Hearing Committee shall be deemed final unless the individual or individuals against whom said decision was rendered files with the Secretary a written request to appeal, the decision of the Hearing Committee, to the Executive Board of PNWSU within fifteen (15) calendar days. If the member charged or proffering such charges is a member of the Executive Board, he/she shall not participate in rendering the decision.

Upon such appeal, the Executive Board shall convene a committee to investigate the charges. The results of such investigation must be reported to the membership, and if the recommendation is removal from office, it will result in a recall election.

**Section 5: Member Permitted Counsel** – Any member under charges may have an attorney or other member of the PNWSU act as counsel to represent him or her in the presentation of his or her defense.

## **ARTICLE 14: AFFILIATION**

It is the belief of this organization that there is an inherent conflict of interest between the goal of improving the working conditions and professional lives of union staff industry-wide and unions whose primary industry is not representing union staff. As a result we see that union staff are often not well represented by large international unions.

It is the goal of this organization to positively influence industry-wide standards and working conditions for union staff. To that end no potential affiliation, in a subordinate relationship, to another labor organization shall be contemplated unless such affiliation clearly enhances the ability of PNWSU in improving the industry and such labor organization does not hold strategic and/or financial relationships with any PNWSU employers at the local, state or federal level. If the previous conditions are met, this Union shall have the right to affiliate with any other labor organization, to further its goals, if deemed necessary by the Executive Board and if approved by two-thirds (2/3) super-majority of the General Membership at Large with at least fifty percent (50%) required to participate.

Unions electing to join or affiliate to PNWSU who have previously accrued financial resources shall retain those assets as assets to their chapter which shall be deposited in their PNWSU chapter fund. Such assets may not be repurposed by PNWSU without a majority vote of the affected chapter membership.

In the case a chapter contemplates disaffiliation, they may request of the Executive Board to engage in discussion over the potential for a separation agreement, which shall be limited to chapter funds only. In no case shall the organization be obligated to reach a separation agreement. Any such agreement that may be approved by a two-thirds super majority of the Executive Board shall be ratified by majority vote of the At Large membership.

## **ARTICLE 15: PROPERTY RIGHTS**

The title to all property, funds and other assets of the Pacific Northwest Staff Union shall at all times be vested in the PNWSU Executive Board for the joint use of the membership of this Union, but no member shall have any severable proprietary right, title or interest therein.

## **ARTICLE 16: AMENDMENTS**

**Section 1: Amendment Proposals** - Proposals to amend the Constitution and Bylaws of PNWSU not related to dues and revenue provisions (*see Article 9, Section 1 Revenue & Section 4 Dues Rate Changes*) shall be submitted to Executive Board at least seven (7) days in advance of a general membership meeting, or meeting(s) defined by these Constitution and Bylaws in which business of the general membership is conducted (*Article 5, Section 2 Membership Meetings*).

**Section 2: Amendment Evaluation & Recommendation Process** - Such proposals shall be vetted by the Chapter Representatives, with the PNWSU President used to break any ties. The Chapter Representatives shall recommend, or not recommend, to the membership attending whether or not such proposals should be submitted to the full membership for passage. The full Executive Board shall retain the right to make a recommendation on any amendment proposals to the membership.

**Section 3: Amendment Ratification Process** - Upon the attending membership approving an amendment proposal(s) for passage at a general membership meeting, a general vote of the membership shall be scheduled by the Executive Board within thirty (30) days. The Executive Board shall determine the exact process used to maximize democratic participation, which may include a full member mail ballot, voting at chapter meetings, electronic balloting, or any combination thereof. In order to approve an amendment proposal thirty (30%) percent of the full membership must participate (*see Article 5, Section 3 Membership Meeting Quorum*) and any proposal must receive a supermajority (60%) of those votes cast.

## **ARTICLE 17: UNION DOCUMENTS AND RECORDS**

All official files created by a Union Officer or steward pertaining to Union business such as grievance records, collective bargaining notes, labor-management meeting notes and affirmative action meeting notes shall be considered the property of the Union.

Such files shall be submitted to the Secretary of the Union as a permanent record at the conclusion of the Union related-activity. Stewards and officers may keep copies of such files.

## **ARTICLE 18: CHAPTER BYLAWS & SUBORDINATION**

**Section 1: Chapter Bylaws** - Each chapter shall promulgate chapter bylaws which shall govern the internal operations of the chapter. Upon final chapter approval, proposed chapter bylaws shall be submitted to the PNWSU Executive Board for approval.

**Section 2: Subordination** - The bylaws of any chapter shall at all times be subordinate to the PNWSU Constitution and Bylaws.

## **ARTICLE 19: SAVINGS CLAUSE**

**Section 1: Necessary Adaptation and Amendment** - If any provisions of these Constitution and Bylaws shall be modified or declared invalid or inoperative by any competent authority of the executive, judicial, or legislative branch of federal or state government, the Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity or modification and to substitute in its place a provision that will meet the objections to its validity and will be in accord with the intent and purpose of the invalid or modified provisions. The Executive Board shall then initiate the amendment process in Article 15 Amendments.

**Section 2 Severability** – Should any article, section, or provision of these Constitution and Bylaws be modified or held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Constitution and Bylaws or the application of such article, section, or provision, other than those as to which has been held invalid or modified, shall not be affected.

**These Constitution & Bylaws last amended and adopted December 16, 2024.**