

ASSOCIATION OF OREGON CORRECTIONS EMPLOYEES

CONSTITUTION & BYLAWS

Revised: December 02, 2009



AOCE

**ASSOCIATION OF OREGON CORRECTIONS EMPLOYEES
CONSTITUTION & BYLAWS**

**Revised by the Constitution & Bylaws Committee:
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Table of Context

Article 1 - Name and Purpose	Page - 3
Article 2 - Membership Eligibility	Page - 4
Article 3 - Membership Dues	Page - 4
Article 4 - Government	Page - 8
Article 5 - Finances	Page - 12
Article 6 - Meetings	Page - 14
Article 7 - Election Procedure	Page - 17
Article 8 - Executive Board Members and Duties	Page - 20
Article 9 - Grievance Procedure	Page - 23
Article 10 - Committees	Page - 25
Article 11 - Dissolution	Page - 25
Executive Board Signature Page	Page - 26

Article I - Name and Purpose

Section 1

The name of the organization established by this Constitution and Bylaws shall be "The Association of Oregon Corrections Employees" (AOCE) and shall also be referred to as the Association throughout.

The Corporate Seal shall consist of a circle bearing the inscription:
Association of Oregon Corrections Employees



Section 2

PREAMBLE

To promote a positive awareness of the Corrections Profession as a whole, to ensure, enhance, provide and encourage the development, growth, opportunity and advancement of all the membership to the highest standard of achievement and professionalism and to reinforce the quality of the work environment for the benefit of all with integrity to ourselves and the community, whom we are charged to serve and protect. We pledge our unity, dedication and support of the Association of Oregon Corrections Employees.

Any professional function, association, trust or other similar organization the General Membership approves to initiate, participate in, join or govern for the good of the Membership will be governed by the plan, trust, or documents associated with the entity as opposed to this Constitution and Bylaws.

The Associations main office and infrastructure shall be physically headquartered in the greater Salem metropolitan areas to better maintain the continuity and effectiveness of Association business

Article 2 - Membership Eligibility

Section 1

Jurisdiction of the bargaining unit shall be determined by the Employment Relations Board.

Section 2

The Association Bargaining Unit shall consist of all eligible represented employees at the Oregon State Penitentiary (OSP), Oregon State Correctional Institute (OSCI), Mill Creek Correctional Facility (MCCF), South Fork Forest Camp (SFFC), Inmate Works Programs (IWP), Oregon Corrections Enterprises (OCE) and any other facility, group, and related entities or Chapter as determined by the Employment Relations Board. Any new entities that have merged with the Association will have all rights described in the Associations Constitution and Bylaws and their negotiated collective bargaining agreements.

Section 3

The Association will establish and maintain an Associate Membership for those individuals who believe in the professional goals, the direction of the Association and its members or otherwise wish to assist the Association in its direction and growth.

Article 3 - Membership Dues

Section 1

With the exception of any individual who have a bona fide religious tenet, which prohibits membership in any such labor organization, all permanent employees within the jurisdiction of the Association are eligible to be a member of the Association.

Section 2

With the exception of Fair-Share employees, all eligible employees shall become Members in Good Standing within 30 days of employment or application, or shall make appropriate fair share payments in lieu of dues to the Association.

Fair-Share members are entitled to representation and shall receive the same benefits and protections as afforded all represented employees of the Association Bargaining Units as established by collective bargaining agreements and fair labor practices between the State of Oregon and the employees of the Association Bargaining Units, Chapters and entities.

Fair-Share members shall not be eligible to seek or hold elected office. Fair-Share members may attend a limited number of Association's meetings. However, they are not eligible to vote on the Association's business, which includes collective bargaining agreement

proposals, or have any other participation in the Association or Chapter's, or entities of the Association.

Section 3

The monthly dues for all members will be established by the Association members. The Association shall enter into an agreement with the State of Oregon for the payroll deduction of the established monthly dues.

Section 4

The current established monthly membership dues for the Association are one and one quarter percent (1.25%) of the members base monthly salary. Associate members will have dues assessed at a flat rate to be established by the Association.

Section 5

Lifetime Honorary Membership may be bestowed as follows:

Members in Good Standing of the Association who retire from employment (in Good Standing) from any Association represented bargaining units or chapters, shall automatically become an Honorary Member of the Association.

Any Correctional Professional injured in the line of duty and due to the extent and permanence of such injury is unable to return to work;

Any Correctional Professional killed in the line of duty, posthumously and to his or her surviving spouse;

Any person deemed to have made such exceptional and outstanding contribution in service and support of the furtherance of the Correctional Profession and its ideals. Lifetime Honorary Memberships shall be subject to the approval of the designated Review Committee appointed by the Association and may be submitted for vote of approval by the General Membership.

Persons may be elected Honorary Membership by a majority vote of the General Membership in attendance at any General Membership meeting. Honorary Members shall not pay initiation fees or dues to the General Membership of the Association and shall have no voice or vote in the business of the Association.

Section 6

Rights and Responsibilities of General Membership are as follows:

This Association, its Executive Board (E-Board) members, Association Representatives and all General Members shall recognize, observe and be bound by these provisions, and the Associations collective Bargaining agreements. Every Member in Good Standing shall have

the right to attend, participate, make suggestions, and bring motions for consideration at any Association General Membership or E-Board meeting. A Member in Good Standing may seek and hold elected E-Board positions, seek to serve as a representative or work on any recognized committee under the direction of the committee chairperson. A Member in Good Standing may participate in any voluntary program(s) that constructively supports and advances the ideals of Association and the Correctional Profession in accordance with the standards and practices as set forth by these provisions or the General Membership.

Section 7

Delinquent Members, Suspension of Membership and Loss of Good Standing or Association Representatives in the Association is as follows:

Members who fail to pay their regular monthly dues assessments or Fair-Share and in-lieu-of-dues payments, within the time periods specified by these provisions and the collective bargaining agreements, or any other existing contract between the Association and any member(s), shall be notified in writing by the Secretary or Treasurer, of the delinquency status and that said member will be automatically suspended and lose their Good Standing if payment is not made within sixty (60) days following such notice. Failure to pay dues because of hardship shall be reviewed on a case-by-case basis and may be recommended for waiver, in full or in part, subject to approval by the General Membership. Hardship cases granted shall not jeopardize the member's Good Standing with the Association.

Suspension of Membership and Loss of Good Standing for non-payment for dues shall be in effect for the time in which the member(s) remains delinquent and upon full payment of each dues, assessments, or Fair-Share in-lieu-of-dues, the member shall be reinstated to full rights and privileges as a Member in Good Standing.

Suspension of Association Representative or Membership and Loss of Good Standing for any other reason than delinquent payment shall be only upon good cause proven. Suspension for good cause is proven only when the conduct of the member(s) so charged is such that it is intended to violate, jeopardize, or interfere and otherwise impede, undermine or do serious harm against the good and welfare of the Association and any Chapter or entities and its membership. The facts shall be presented to the General Membership and a simple majority vote by those in attendance at the General Membership meeting shall determine if a suspension is warranted.

The E-Board may immediately issue a temporary suspension of an Association Representative for gross negligence of duty, misconduct, allegations of criminal conduct, or such other conduct or activities that may cause serious detriment to the General Membership and Association. In the case of an immediate suspension, the facts shall be presented to the General Membership at the next scheduled meeting for a vote as called for above.

A committee shall be formed in such cases above on matters of Association imposed discipline. It will be the committees responsibility to investigate and either disprove or prove that such charges are substantiated or unsubstantiated. The committee will not be empowered to impose a discipline penalty; however, the committee may recommend a disciplinary penalty to the full E-Board. The accused will also have the opportunity to

address the E-Board on his / her behalf to best represent their position of pending discipline. The E-Board will then adjourn into Executive Session and vote on whether to accept or reject the recommended discipline by a majority vote. The E-Board may reject the discipline in lieu of lesser or more severe discipline on a case by case basis.

Any members or Representatives involuntarily removed shall be afforded the right to appeal. Written notice of the intent to appeal must be filed within thirty (30) days of the decision for removal through the arbitration process listed below in Section-8.

Section 8

Fair-Share members shall not be entitled to any voice or vote in the Association, any Chapter, or entities. If a member of the bargaining unit refuses to join the Association or appropriate Chapter or entities, he or she will be assessed his or her fair share of the cost of negotiating and maintaining the collective bargaining agreement. This amount may be equal to the established membership dues amount and will be determined by the E-Board and in due accordance with all statutory provisions and regulations.

An accounting by an independent auditor or an independent bookkeeper will be done annually or as designated by these provisions herein. The accounting must designate the amount of the Association funds, which are clearly used for ideological purposes, those which are clearly to be used for negotiating and maintaining the collective bargaining agreements and those which are not clearly in either category. The Association will then inform the employer to deduct from non-members the amount equal to all funds not clearly to be used for ideological purposes as the Fair-Shares in-lieu-of-dues payment.

Any expenditures of designated Association funds expressly intended for ideological purposes shall first be brought forth to the General Membership and are subject to the approval of the General Membership.

The Association in a separate account shall deposit funds not clearly identified, either for ideological purposes or for negotiating and maintaining the collective bargaining agreements. The amount that is clearly to be used for negotiating and maintaining the collective bargaining agreements may be used immediately by the Association. The amount in escrow can only be used after non-members have had the opportunity to register their objections by utilizing the appeal procedure prescribed below:

Non-members shall be provided with a copy of the budget along with an explanation of the amount of dues to be deducted as Fair-Share from their paychecks. They will also be provided with a copy of the procedures described in this Article. Non-members will have thirty (30) days to join the Association after their date of employment, transfer into the Association Bargaining Units or may at any time thereafter request to apply for membership and payroll deduction of the designated monthly dues amount. Such membership will become effective upon the first of the following month.

Non-members will have fifteen (15) days from the receipt of the information described in paragraph-1 of this section to inform the Association in writing that they object to the amount being deducted from their wages and the reasons for their objections. Failure to inform the

Association in a timely manner will be considered a waiver of the right to so object. Upon receipt of an objection, the E-Board will review the objection and inform the non-member within fifteen (15) days of its decision and a full explanation for its findings. If the E-Board agrees with the objection, the Fair-Share deduction of the non-member will be adjusted accordingly. If the E-Board rejects the objection, then upon receipt by the non-member of the E-Board's decision, the non-member shall have ten (10) days in which to inform the E-Board that he or she desires to have the dispute settled by arbitration.

Upon receipt of a request for arbitration, the Association will request, as soon as possible, a list from the American Arbitration Association (AAA) of the names of five (5) Arbitrators to be submitted to the Association and the non-member. Within ten (10) days of the receipt of the list, the Association Attorney will meet with the non-member and each will alternately strike names until a single Arbitrator is left. The Association will inform the Arbitrator of his or her selection and schedule a hearing as soon as practical within the parameters of the schedules of all parties. The Arbitrator will have thirty (30) days from the date of the hearing to render his or her decision. The decision of the Arbitrator will be final and binding upon both parties. The cost of the Arbitrator will be borne by the losing party.

Section 9

Disabled Members will be as follows:

Any Member in Good Standing who is on long-term Disability and has not retired, retains his or her full membership status and all the rights and benefits pertaining thereto with the exception that he or she is not required to pay dues to the Association as long as he or she is on Disability status.

Section 10

Inactive Members are as follows:

Any Member in Good Standing who takes a leave of absence without pay for thirty (30) days or more shall be placed on Inactive Status. While on Inactive Status the member shall not be required to pay dues and shall have no voice or vote in the business of the Association and shall be ineligible to hold office. Upon return to paid employment status, the member's active status shall be automatically reinstated.

Article 4 - Government

Section 1

The Association shall be incorporated and governed by an elected E-Board subject to the action of the General Membership in Good Standing in the Association as determined at Association General Membership meetings.

Section 2

The voting members of the E-Board shall consist of elected position as follows:

- President,
- Executive Vice President for Custody,
- Executive Vice President for Non-Custody,
- Vice President Custody OSP,
- Vice President Non-Custody OSP,
- Vice President OSCI,
- Vice President MCCF,
- Vice President OCE,
- Vice President SFFC,
- Treasurer,
- Secretary,
- One (1) Board member Custody OSP,
- One (1) Board member Non-Custody OSP,
- Two (2) Board members OSCI, and
- Two (2) Board member Oregon Corrections Enterprises Employees (one from the east side and one from the west side of the State).

If other facilities or Chapters or entities are added to the Association they shall have one (1) Vice President and one (1) Board member.

By definition, represented employees in the Custody Classification are Correctional Officer, Correctional Corporal and Correctional Sergeant.

The E-Board shall also have one (1) non-voting member, which shall be the Sergeant of Arms. If there is an even number of voting E-Board members, then the Sergeant of Arms will have one (1) vote to avoid potential tie votes.

Section 3

All E-Board members shall be elected for a term of two years. Elections shall be conducted annually as follows:

Positions open on odd years:

- President,
- Executive Vice President for Non-Custody,
- Vice President Custody OSP,
- Treasurer,
- Vice President OSCI,
- Board member OSCI (1),
- Vice President MCCF,
- Board member Non-Custody OSP, and
- Board member OCE (west).

Positions open on even number years:

- Executive Vice President for Custody,
- Vice President OCE,
- Board member OCE (east),
- Vice President SFFC,
- Vice President OSP Non-Custody,
- Secretary,
- Board member Custody OSP,
- Board member OSCI (2), and
- Sergeant of Arms.

Upon addition of any other facilities or Chapters or entities, their Vice President and their Board member shall be elected in the year of inception and thereafter shall be elected on odd numbered years for the Vice President and on even numbered years for their Board member.

The E-Board shall report any E-Board position vacancy to the General Membership. This may be done at the next regularly scheduled General Membership meeting, by posting a notice (2-weeks prior to) on the Association bulletin boards, or a special meeting may be called. The E-Board may either appoint by a simple majority vote of the E-Board, a Member in Good Standing to fill out the remainder of the term or place the vacancy on the next election ballot.

Section 4

The E-Board shall exercise general supervision of the Association and shall meet at the direction of the President or upon demand of three (3) or more E-Board members.

Section 5

Recall from Association E-Board positions, voluntary and involuntary resignation. Any member of the E-Board absent from three (3) consecutive meetings without cause shall be deemed to have voluntarily resigned. Any member of the E-Board who fails to provide advance notice to the President or his designee of his or her intended absence from any scheduled meeting shall be deemed absent without cause. Any E-Board member who chooses to voluntarily resign shall submit written notice of resignation to the E-Board at least two weeks in advance of the effective date of resignation.

The E-Board, by a majority vote, may recommend to the General Membership the removal of any E-Board member for cause, consistent with the provisions of, Section-6 below, but not limited thereto.

The E-Board shall have the authority to call for the immediate resignation of any E-Board member upon verification that said member is not a Member in Good Standing or is otherwise ineligible to hold the position on the E-Board.

Section 6

Recall from Association E-Board Positions will be as follows:

Members in Good Standing of the Association may submit a petition containing the names of twenty-five (25) Members in Good Standing to the E-Board calling for an election to remove an E-Board member for cause. The E-Board shall hold a Special Election within thirty (30) days of receipt of the petition. A simple majority of the ballots cast by the Association General Membership will be required for removal from E-Board positions. Recall elections shall be by secret written ballot.

The E-Board may impose temporary removal from Association E-Board positions pending the outcome of a Recall Election.

Circumstance's under which a recall is prohibited is as follows:

A recall may not be commenced if any of the following applies:

- The incumbent has not held office during his or her current term for more than 60 days.
- A recall election has been decided in the incumbent's favor within the last six months.
- The incumbent's term of position ends within six months or less.

Preparing the Notice of Intention is as follows:

- The name and title of the E-Board member to be recalled.
- A statement of no more than 200 words expressing the reasons for the recall.
- The printed name and signature of each of the proponents.
- Only Members in Good Standing can sign a recall petition and vote, which are qualified to vote, on the E-Board position held by the incumbent whose recall is sought.

Notice of Intention shall be sent out to members along with a response from the incumbent.

Any member who has signed a recall petition who wishes to have his or her signature withdrawn from the petition may file a written request to the E-Board no later than one day before the ballots are to be mailed.

Causes of Invalid Signatures are as follows:

Signatures that appear on the petition may be determined to be invalid for a number of reasons; some of the most common are as follows:

- The signer is not eligible to vote on the E-Board position held by the incumbent whose recall is being sought.
- The signer signs the petition more than once. Only the first signature encountered during verification will count.
- The signer is fair-share.

Filing a Recall Petition and Verification is as follows;

The recall petition must be filed with the President or designee. No additional signatures may be filed or accepted after that time.

If the President determines that the number of signatures appears to be equal to or greater than the minimum required, the petition will be accepted and forwarded to the E-Board for approval. If the number is less than the minimum required, the petition will not be accepted for filing and will be returned to the proponents.

The President or designee has 30 days from the date of the filing of the petition in which to examine it and notify the E-Board and mail out ballots.

Restrictions on Access to Recall Petitions are as follows;

Some voters may have concerns about possible harassment if they sign a recall petitions. Such petitions are not deemed to be public records and are not open to inspection. There are two (2) exceptions.

- President or designee responsible for verifying the signatures.
- Recall proponents; should the petition be deemed insufficient and fail to qualify for the ballot.

In that event, proponents have the right to examine those signatures found to be invalid.

If the incumbent whose recall is being sought resigns (or a vacancy occurs for any other reason) at any time following the filing of the recall petition, the recall process will nevertheless proceed.

Article 5 - Finances

Section 1

The Association will be covered by fidelity bonds / insurance in the amount to be determined by the financial status of the Association.

There shall be Treasury Funds approved by the General Membership to conduct Association business as follows:

Sinking Funds are as follows:

A sinking fund invested in a savings-type account, CD's, or other investment funds at any bank, savings and loan or credit union, and which is insured, up to One-Hundred-Thousand Dollars (\$100,000.00) or other investment which is either federally insured or backed by the full faith and credit of the Federal Government, to be drawn upon as needed in the checking account. These accounts shall be of short duration. A majority vote of the E-Board is necessary to authorize such a transfer of funds to these accounts and the checking account. No single fund or investment will exceed the insured amount.

Checking Account(s) are as follows:

A checking account to be drawn upon to pay current bills and authorized expenditures. A majority vote of Members in Good Standing present at a business meeting shall be necessary to authorize payments greater than Seven-Hundred-Fifty Dollars (\$750.00) for other than regular legal / business expenses. The balance maintained in this account shall be Ten-Thousand Dollars (\$10,000) or the Association shall maintain Ten-Thousand Dollars (\$10,000) in liquid assets available in case of financial emergencies as determined by the E-Board. The E-Board may set up separate checking accounts for each additional facility or Chapter or entities, for the purpose of running local Boards. The funds will be issued from the main checking account. These accounts will have the same controls and procedures as the Sinking Funds and Checking Accounts. The E-Board will monitor expenditures from these accounts.

Section 2

All expenditures shall be paid by check and shall have approved invoices or vouchers to substantiate the amount of the expenditure. The checking account shall require a signature card of the five (5) authorized signatures of the specific E-Board positions responsible for signing checks, which shall be as follows;

- President,
- Executive Vice President for Custody,
- Executive Vice President for Non- Custody,
- Treasurer, and
- Secretary.

All checks must be signed by two (2) of the authorized E-Board members, one of which shall be the Treasurer, unless the Treasurer is unavailable for an extended time period which would cause an undue delay in excess of thirty (30) days in the issuance of such check(s). The check signature process shall be the same with the Chapters or entities except that the three (3) Chapter or entities Board positions are not specified herein.

Section 3

A budget shall be established and authorized by the E-Board for regular expenditures. The E-Board shall be authorized to set up a petty cash fund and a policy governing its use. The E-Board may set up a method of reimbursement of monthly expenses of E-Board members. Detailed records shall be kept as to disbursement of all funds.

Section 4

The Association shall enter into agreements for payroll deduction of dues. Said deduction shall be paid to the Association Treasurer and are to be handled in accordance with Section-1 of this Article. Dues shall be one and a quarter percent (1.25%) of the individual members base salary or as set by a majority vote of the General Membership present in a business meeting, provided all members have been notified at least thirty (30) days in advance that the issue of the amount of dues and the specific proposed change is to be determined by the vote of the General Membership.

Section 5

The finances of the Association shall be audited or reviewed annually by an independent Certified Public Accountant or an independent licensed Bookkeeper.

Article 6 - Meetings

Section 1

General Membership Meetings will be conducted as follows:

Any member attending any Association meeting shall conduct him / herself with decorum and in accordance with the Constitution and Bylaws. Any member, who is loud, boisterous or manifests the appearance of being under the influence of intoxicants and by reason of said manner or condition is disruptive and interferes with the orderly process of any Association meeting shall by order of the meeting chairperson, be warned to cease or leave. If following such warning, the conduct continues, the member shall be ordered removed from the meeting.

General Membership meetings will be held every other month, at a day, time and place determined by the E-Board and will be posted on the Association bulletin boards at all work sites at least fifteen (15) days in advance of the meeting. The matters of New Business may not be decided at a General Membership meeting unless specifically listed in the agenda posted, pursuant to Section-4 below.

The order of business shall be as follows:

- President shall call to order.
- Pledge of Allegiance.
- Sergeant of Arms shall take attendance, verify it with the most current membership roster and determine if there is a quorum, subject to split session meetings.
- Secretary shall read the minutes or shall be reviewed by the meetings attendees, and the President shall call for any amendments or corrections thereto before accepting the minutes.
- President shall report on current status of negotiations, litigation, and read correspondence and bills.
- Treasurer shall present a current financial report and provide written copies to the President and Secretary.
- The Vice-Presidents of all facilities and chapters or entities (or their designee) will report on Association Representatives issues and disciplinary / grievance issues.
- The Executive Vice Presidents will report on any committees currently in session and any other areas under their supervision.
- Nomination of E-Board positions, if necessary.
- New business.
- Notification of New Business to be considered at the next General Membership meeting.
- Entertainment and refreshments.
- Adjournment until next regularly scheduled General Membership meeting.

Section 2

Annual Meeting will be as follows:

Annual meeting will be held the fourth week of January for the purpose of installing and swearing in of newly elected E-Board members to the E-Board, presentation of special Association achievement awards, and conducting any other necessary business. The time and place shall be announced at least one month in advance of the meeting.

Section 3

Special Meetings will be as follows:

Special meetings may be called in three ways:

- By a majority vote of the E-Board.
- By an aggrieved member for the purpose of appeal to a decision by the E-Board regarding any grievance filed by said member, or
- By petition of ten (10) Members in Good Standing to the E-Board calling for a Special meeting.

Any request for a special meeting under the above shall be in writing and shall specifically state what business shall be included on the agenda. No other business shall be conducted at that meeting.

All business conducted at a Special meeting shall be reviewed at the next regularly scheduled General Membership meeting.

Section 4

Agendas will be as follows:

It shall be the responsibility of the E-Board Secretary to ensure that the agenda of all General Membership meetings are posted at least fifteen (15) days in advance of the meetings. The agenda may be included in the notice of the meetings and may also be included in the monthly news publication of the Association. Any member desiring to have a matter of new business brought forward for consideration at any General Membership meeting shall notify the E-Board Secretary at least sixteen (16) days in advance of the General Membership meeting unless the member provided notice to the membership at the previous General Membership meeting.

It shall be the responsibility of the E-Board to notify, in writing, all Members in Good Standing of the time, date and place of any Special meeting and proposed agenda of the meeting. Notification shall be at least forty-eight (48) hours prior to the meeting. Special meetings shall be limited to one (1) meeting per specific item of business, as listed on the proposed agenda, between any two (2) regularly scheduled General Membership meetings.

Section 5

Dissents will be as follows:

A member who is present at any meeting of the Association at which action on any Association Member is taken shall be presumed to have assented to the meeting and action taken unless his or her express dissent or objection is entered into the minutes of the meeting, or unless he / she submits a written dissent or objection to such action with the

Secretary prior to the adjournment of the meeting or forward such written dissent or objection by certified mail to the Secretary or Treasurer of the Association immediately after the adjournment of the meeting. Such right to dissent shall not apply to a member who voted in favor of such action.

Section 6

Executive Session will be as follows:

At any regularly scheduled E-Board meeting or General Membership meeting, the E-Board members present may by majority vote elect to go into Executive Session, excluding all members not designated in the motion for such Executive Session. The purpose of the Executive Session shall be to achieve harmony among the E-board members as to Association business and direction.

Section 7

General Membership Meeting required Quorum will be designated as follows:

An Association General Membership meeting may not be held without a quorum of the General Membership present as directed by the President. A quorum shall be no less than fifteen (15) Members in Good Standing in attendance at a single session meeting or the aggregate total of members in attendance at split session meetings.

Section 8

Unless stated otherwise within this Constitution and Bylaws or collective bargaining agreements of the Association, all meetings should be governed by Robert's Rules of Order or the Revised Robert's Rules of Order.

Article 7 - Election Procedure

Section 1

Only Association Members in Good Standing may vote, nominate or seek and hold office.

Section 2

At any meeting, voting may be by voice, sign or secret ballot.

Section 3

On matters of contract issues, Constitutional or Bylaw amendment(s), or election of E-Board positions, the vote shall be by secret written ballot.

Section 4

Constitution and Bylaws amendment(s) shall require a two-thirds (2/3) majority vote of the members voting. Notice of the proposed Constitution and Bylaws amendment(s) shall be posted and provided to all members at least thirty (30) days in advance of the designated date, time and place of the voting. Prior to any proposed Constitution and Bylaws amendment(s) ballot, the issue must first have been brought forth at a prior General Membership or Special meeting, and then a majority vote of the General Membership in attendance shall be required to place the matter on the ballot as proposed Constitution and Bylaws amendment(s). All other voting ballots shall be determined by a simple majority (50% + 1) of the members voting.

Section 5

Voters Instructions are as follows:

Each member shall also be provided clear and concise voters instructions at the time they receive their ballots. These instructions shall contain the procedure set forth in Section-5 of this Article and the date, time and place the ballots must be returned.

Section 6

Absentee Ballots are as follows:

The Election Committee shall establish a procedure, consistent with the provisions herein, that will make available to those members who cannot otherwise be present at the time of voting, absentee ballots. Absentee ballots shall be issued first and have a return deadline prior to the actual voting date of no less than one (1) day in advance.

Secret Ballots will be as follows:

Ballots shall be in the form prescribed by the E-Board. The content of the ballot shall include the name of every candidate, showing the E-board position the nominee is running for and clear instructions for marking the ballot. If the ballot is for a Constitution and Bylaws amendment(s), it shall contain the full text of the proposed amendment(s) as well as the full text of the Article and Section it shall amend. Each member shall be furnished a ballot and two envelopes.

- One of the envelopes shall be plain or have only the word, **BALLOT**, appearing on it. The completed ballot shall be inserted in this envelope and sealed by the individual member.
- The second envelope shall contain a clearly identifiable place for the member to sign. On the face of the envelope there shall be the pre-printed return mailing address, whether or not the ballot is to be returned by mail or placed in a ballot box at the time, date and place of voting.

- The sealed envelope (plain or marked BALLOT) containing the ballot shall be placed inside the second or exterior envelope. Pursuant to the voters instructions provided, the member shall sign and seal this exterior envelope and mail or deposit the ballot as provided.

Section 7

Electronic Elections will be conducted on the Association website. Elections will be secure and only Members in Good Standing will have access to the elections. Access to the secure area will be determined by the E-Board.

Upon entering the secure election area, instructions on how to proceed with the election will be provided including instructions on voting. Members will then be directed to the election itself. Members will mark one candidate for each position or there will be an option on each open E-Board position for a "write in" candidate. Once members have completed the election form, they will click the submit box located at the bottom of the page. This process will embody other issues that need to be voted on. The member's selections will automatically be tallied in another secure area to insure privacy.

Voting will remain a secret process and only the Election Committee Chairperson or designee will have access to the election tallies. Upon the deadline for the election or other issue needing a vote, the election site will automatically shut down. The Election Chairperson will then access the tally information and print out the results, which will be verified by two (2) other Election Committee members. The Election will be final upon verification.

The results will then be posted on the web site, on the public folders, and on Association boards as soon as possible.

In lieu of voting electronically, an individual may still fill out a ballot at the Association office on Election Day or as determined by the E-Board.

Section 8

Advance Notice of Election is as follows:

On-site elections shall have no less than fifteen (15) days advance notice posted in all Association bulletin boards. Annual elections and elections by mail shall have no less than thirty (30) days advance notice posted in all Association bulletin boards. The Elections Committee shall be responsible for posting the notices in a timely manner.

Section 9

Content of the Notice of Election will be as follows:

The notice of elections shall contain a list of all candidates and the E-Board position each is nominated for and/or the proposed Constitution and Bylaws amendments and shall also

contain the dates, time and place ballots will be issued and when and how the ballots are to be returned.

Section 10

Ballot Boxes and On-Site Elections will be conducted as follows:

The Treasurer shall have in his / her possession all secured ballot boxes, padlocks and keys for each box. The Elections Committee shall obtain and control these ballot boxes until after all ballots have been counted and verified. The ballot boxes shall be manned at on-site elections by at least two (2) Election Committee members / volunteers at all times.

Section 11

Installation of E-Board members shall occur at the Association Annual meeting. The installation shall consist of the reading of the official vote tally. The newly elected E-Board members will Pledge; "I hereby pledge to perform my duties to the best of my ability, to uphold the provisions of the Constitution and Bylaws and collective bargaining agreements." The new E-Board will sign a copy of the Pledge.

Article 8 - Executive Board Members and Duties

Section 1

The E-Board Members of the Association shall consist of the elected positions as follows:

- President,
- Executive Vice President for Custody,
- Executive Vice President for Non-Custody,
- Vice President Custody OSP,
- Vice President Non-Custody OSP,
- Vice President OSCI,
- Vice President MCCF,
- Vice President SFFC,
- Vice President OCE,
- Treasurer,
- Secretary,
- One (1) Board member Custody employees OSP,
- One (1) Board member Non-Custody employees OSP,
- Two (2) Board members OSCI,
- Two (2) Board members OCE (East and West), and
- Sergeant of Arms

Additional E-Board members may be added as defined in Article 4, Section-2 (1) & (2).

Section 2

The E-Board members shall serve two (2) year terms, with some to be elected on odd-numbered years and others to be elected on even-numbered years, as defined in Article 4, Section-3. The term of office shall expire when a successor has been duly elected and sworn in at the Annual meeting or at the next regularly scheduled General Membership or E-Board meeting if it was a special election.

Nominations for office shall be concluded by November 1. Elections for office shall be held the second week of December. If a runoff election is needed, it will take place the first week of January.

Section 3

Any full Member in Good Standing shall be eligible to be a candidate for any E-Board position of the Association as outline in the Constitution and Bylaws.

Section 4

Duties of the President are as follows:

It shall be the duty of the President of the Association, or their designee, to preside or designate all meetings, preserve order and decorum, supervise the affairs of the Association, call regular and special meetings of the membership, and preside or designate over the E-Board. The President or designee shall also represent the Association whenever a Representative is called for and act as spokesperson for the Association. The President or designee shall review all bills and authorize all checks, all expenditures, contracts and other official documents of this Association. The President or designee shall direct the activities of the E-Board, committees, organizers and Association Representatives as are required to carry out effectively the functions of the position and shall approve or deny all requests for expense reimbursement made by E-Board members, Association Representatives, or General members. The President may engage such technical and professional services, including legal counsel and other services as required or approved by the E-Board. The President shall report his or her actions at General Membership meetings, E-Board Meeting or Special meetings. The President shall also be a member of the Contract Negotiation Team and will be a permanent standing member on the Board of Trustees for the Medical Trust Fund. The Association may authorize the payment of funds to offset the wages of the President. The express purpose of this payment is to allow the President to conduct Association business on either a part-time or full-time basis in lieu of his normally scheduled work related duties. This is also upon approval of the simple majority of the voting General Membership at a scheduled General Membership meeting.

Section 5

Duties of the Executive Vice President for Custody are as follows:

It shall be the duty of the Executive Vice President for Custody to perform and fulfill the duties and responsibilities of the President in the absence of the President when the

President is unavailable. The Executive Vice President for Custody shall oversee and report on any of the various committees established by the Association that they may be assigned to. The Executive Vice President for Custody shall also help oversee the daily office operations. They will also help the President in Public Relations information, tracking grievances and arbitrations, or any other task assigned by the President.

Duties of the Executive Vice President for Non Custody are as follows:

It shall be the duty of the Executive Vice President for Non-Custody to take the place of the President when the President and Executive Vice President for Custody are unavailable. The Executive Vice President for Non Custody shall oversee and report on any of the various committees established by the Association that they may be assigned to. The Executive Vice President Non for Custody shall also help oversee the daily office operations. They will also help the President in tracking policy changes, training issues, or any other task assigned by the President.

Section 6

Duties of the Facilities Vice Presidents are as follows:

It shall be the duty of the Vice Presidents to act in the capacity of Association Representative. They will oversee the selection and training of bargaining unit Association Representatives and log and track all grievances. Vice Presidents shall be members of the Contract Negotiation Team.

Section 7

Duties of the Secretary are as follows:

It shall be the duty of the Secretary to keep minutes of each meeting, act as correspondent for the Association, maintain records related to the Association and perform such other duties as designated by the Association. The Secretary shall also discharge, on behalf of the Association, such duties as may be imposed upon him / her by the President or by applicable law, including the execution and filing of any reports to Federal or State authorities, including but not limited to the following:

- Maintain and have custody of all documents, records, books, and papers belonging to the Association and/or required by law, except as provided elsewhere in this Constitution and Bylaws.
- Keep an accurate record of the meetings of the Association and the E-Board.
- Attest all official documents with his / her signature, and
- Conduct the correspondence of the Association promptly; and maintain the official list of General Members of the Association in an accurate and current manner, including listings of retired and Honorary Members and members not in Good Standing.

Section 8

Duties of the Treasurer are as follows:

It shall be the duty of the Treasurer to keep financial records for the Association, issue checks for bills, and present a financial report at each General Membership meeting of the Association. The Treasurer shall also:

- Receive all money due the Association from whatever source and disburse the same only by check bearing the two authorized signatures.
- Maintain and keep current and accurate records of the Memberships dues payments, assessments and all other financial transactions.
- Be prepared to exhibit receipts and vouchers upon the audit of the Association books, and
- Present to the General Membership at each regular meeting an accounting of the financial transactions during the time period since the last previous regular meeting to provide accountability and justification of any disbursements of Association funds.

Section 9

Duties of all E-Board Members are as follows:

It shall be the duty of the E-Board members to perform those duties as designated by the Association and to communicate the needs and requests of the General Membership to the E-Board.

Article 9 - Grievance Procedure

Section 1

All grievances shall be the responsibility of the E-Board.

Section 2

A grievance shall be defined as any dispute between the Association and Management cognizable under the collective bargaining agreements. The procedure shall be set forth in the collective bargaining agreements.

Section 3

All members of the Association, Chapters or other entities shall follow the collective bargaining agreements grievance procedure.

Section 4

When a grievance is filed with Management, the Association shall also be notified.

Section 5

If a member wishes to have the Associations assistance they must, prior to Step 2 of the grievance procedure, notify the E-Board in writing of the grievance. The E-Board shall review and forward the grievance to the Association Attorney for recommendation. The E-Board shall review and act upon the Attorneys' recommendation. If the member disagrees with the E-Boards action, they may appeal to the General Membership. The vote of the General Membership shall be binding.

Section 6

The President, Executive Vice Presidents, or Vice Presidents or the grievant shall be the only authorized persons to grant an extension or waiver to a grievance time line for the Association.

Section 7

Letter of Agreement (LOA) and Memorandum of Understanding (MOU) Procedure is as follows:

When a Letter of Agreement or Memorandum of Understanding is drafted by any Association member or Manager it shall follow the procedures listed below.

- The LOA or MOU will be brought before the E-Board, discussed and voted on. The e-mail system may be utilized to accomplish this procedure. A simple majority is required to continue.
- LOA's that affect a single grievant can be signed without a full review. It will however be looked at by both of the Executive Vice Presidents or three (3) other E-Board members before signing if possible.
- All MOU and LOA will be reviewed by the Association Attorney.

Once the LOA or MOU is passed by the E-Board the President or designee will sign it and take it forward.

Article 10 - Committees

Section 1

Special Committees may be appointed by the President or by the direction of the General Membership at any regular meeting.

Section 2

It shall be the duty of the Chairman of the Committee to see that respective committee members function properly in accordance with the designated purpose of the committee.

Section 3

All committees shall make regular written reports to the appropriate Executive Vice Presidents and the Association.

Section 4

The Contract Negotiation Team shall be selected by the E-Board and subject to the provisions of the Constitution and Bylaws and collective bargaining agreements.

Section 5

The Election Committee shall be the only committee that shall not have serving as a committee member any Association member who is also a candidate for an Association E-Board position or maker of a proposal that is the subject of the election process being conducted by the Election Committee.

Article 11 - Dissolution

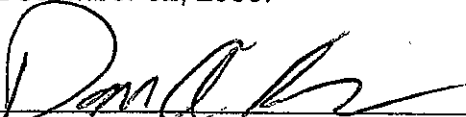
In the event of dissolution of the Association, disposition of funds and property shall be made in accordance with IRS regulations and wishes of the General Membership by a two-thirds (2/3) majority vote of the voting members.

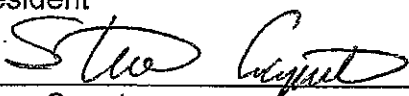
ASSOCIATION OF OREGON CORRECTIONS EMPLOYEES

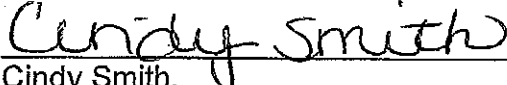
CONSTITUTION & BYLAWS

Executive Board Signature Page

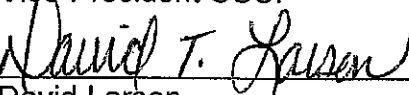
By signing below you indicate as an Executive Board Member, that the Association of Oregon Corrections Employees General Membership passed by majority vote, (2/3) of the voting members, to permanently adopt and set in place the aforementioned Association Constitution and Bylaws on December 02, 2009.

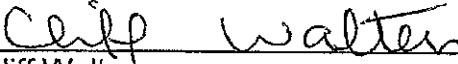

Dan Russ,
President



Steve Caputo,
Executive Vice President for Non-Custody



Cindy Smith,
Secretary

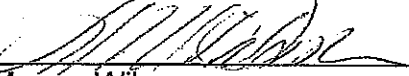

Carl Ralls,
Vice President OSCI

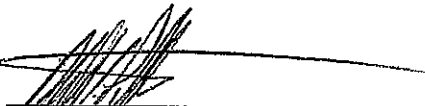

David Larson,
Vice President SFFC

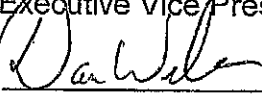

Cliff Walters,
Vice President OCE



Randy Harrison,
Board Member OSCI (1)



Dorothy Phillips,
Board Member Non-Custody OSP

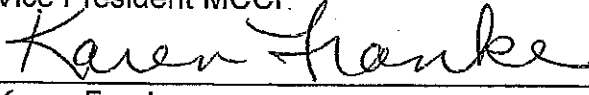

Megan Wilson,
Board Member OCE (East)



Michael Van Patten,
Executive Vice President for Custody

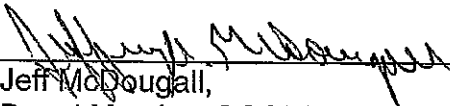

Dan Weber,
Treasurer

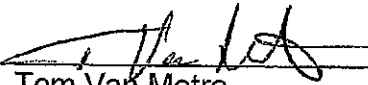

Carl Miller,
Vice President Custody OSP



Roger Glaspy,
Vice President MCCF


Karen Franke,
Vice President Non-Custody OSP


Chuck (Seth) Story,
Board Member Custody OSP


Jeff McDougall,
Board Member OSCI (2)


Tom Van Metre,
Board Member OCE (West)


Mark Buchholz,
Sergeant at Arms