

CONSTITUTION

OREGON FEDERATION OF NURSES AND HEALTH PROFESSIONALS

ARTICLE 1: NAME

Section 1. The name of the organization shall be the Oregon Federation of Nurses and Health Professionals, Local 5017, AFT, AFL-CIO.

ARTICLE 2: OBJECTIVES

Section 1. To promote the welfare of Health Professionals by securing equitable salaries and better working conditions.

Section 2. To advance the standards of the Health Professionals, to encourage the hiring and retention of competent professionals, and to secure the conditions necessary for the greatest efficiency of health care delivery.

Section 3. To promote the welfare of the health care consumer by providing progressively better access to and utilization of health care resources in this country.

Section 4. To fight all forms of bias in health care delivery due to race, creed, sex, age, social, political or economic status, national origin, life-style or physical handicap.

Section 5. To promote Federation participation in community health programs, health planning as well as other regulatory bodies affecting the delivery of health care.

Section 6. To work for passage and retention of just laws which will improve the climate for health care consumers, nurses, allied health professionals, and other health care employees.

Section 7. To bring the Local into relations of mutual assistance with the American Federation of Teachers, its State Federations and Locals.

Section 8. To provide an effective Collective Bargaining Representative for nurses, allied health professionals, and other health care employees.

Section 9. To work for the interests of all retired members.

ARTICLE 3: MEMBERSHIP

Section 1. Any Employee included in any Bargaining Unit represented by the Local shall be eligible for regular Membership. Employees who retire or who leave the Bargaining Unit for any reason except supervisory status, shall be eligible to continue membership. Only members of the recognized Bargaining Unit may vote in Bargaining Unit business.

ARTICLE 3: MEMBERSHIP (continued)

- Section 2. Supervisory personnel who may hire, discipline, and adjust Grievances of Employees shall not obtain membership. Members who are promoted to positions with the rank of supervisor automatically are removed from membership on the effective date of promotion.
- Section 3. Persons eligible for Associate Membership shall be non-supervisory health care professionals who are not represented by other AFL-CIO Unions.
- Section 4. All members shall enjoy the rights, privileges, benefits, and responsibilities of Membership in this organization.
- Section 5. No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, sex, age, social, political, or economic status, national origin, lifestyle or physical handicap.
- Section 6. Employment shall be terminated as outlined in the Collective Bargaining Agreement with the following procedure: 1) Employees who are required to join the Federation or pay regular fees and who fail to do so, shall be notified twice in writing over two (2) consecutive months; 2) If no response, a certified letter will constitute the third (3rd) and final notification. The Employer will then be notified within thirty (30) days of the delinquent members and termination will proceed.
- Section 7. OFNHP will establish a retiree chapter. Membership in the chapter will be open to all members who retire from an OFNHP bargaining unit.

ARTICLE 4: NOMINATIONS AND ELECTIONS OF LOCAL AND BARGAINING UNIT CHAPTER OFFICERS AND EXECUTIVE COUNCIL

- Section 1. The officers elected at-large shall be President, Executive Vice President, Secretary, Treasurer, and Vice Presidents of Publications, Health and Safety, Legislation the COPE (Committee on Political Education), Leadership Development, and External Organizing.
- Section 2. The Executive Council shall consist of the officers described in Section 1 and the Bargaining Unit Chapter Presidents and Vice Presidents.
- Section 3. The President shall appoint a Nomination and Election Committee which shall have responsibility to conduct the election for Local and Bargaining Unit Chapter Officers in accordance with applicable federal laws and regulations and this Constitution and Bylaws.
- Section 4. The term of office for all officers shall be two (2) years.
- a. Elections for President, Treasurer, Vice Presidents of Leadership Development, Legislation, and COPE, Publications, and Health and Safety shall occur in even numbered years.

ARTICLE 4: NOMINATIONS AND ELECTIONS OF LOCAL AND BARGAINING UNIT
CHAPTER OFFICERS AND EXECUTIVE COUNCIL (continued)

- b. Elections for Executive Vice President, Secretary, Vice Presidents of External Organizing and Retirees and Bargaining Unit Chapter Officers shall occur in odd numbered years.

Section 5. All members in good standing shall be eligible for election to office in the Union and in their respective bargaining unit.

Section 6. Nominations for officers shall be made in March of election year. Notice shall be provided to each member at least fifteen (15) days prior to the opening of the nomination process. Notice of the right to make nominations and of the elections may be combined in one (1) notice. Any member in good standing may be nominated for an at-large officer position, and any member in good standing in a bargaining unit may be nominated for an officer position within their bargaining unit.

Section 7. ELECTION PROCEDURES

- a. Voting for Officers of the Union and Bargaining Units will be by a mail ballot vote in May every year. A majority of ballots cast by Union Members shall determine the election of at large officers, and a majority of the ballots cast by Bargaining Unit members will determine the election of Bargaining Unit officers. In the absence of a majority the Elections Committee shall conduct a runoff election among the two candidates who have received the most votes. The same procedures as prescribed in this article shall be implemented in the runoff election. If a run off becomes necessary, a re-vote will be taken.
- b. The ballot with voting instructions will also serve as a notice of election and will be mailed twenty (20) days before the ballot must be returned in order to be counted.
- c. Preparation of an eligible voter list prior to the date of the mail ballot will be completed by the nominations/elections committee. The list should contain each member's full name, last known address, and voter eligibility information.
- d. A double envelope system will be used to ensure secrecy of the ballot.

ARTICLE 5: DUTIES OF OFFICERS

Section 1. The duties of the President include:

- a. To preside at all Executive Council meetings and Membership meetings. In her/his absence the Executive Vice President shall preside,
- b. To be responsible for the orderly administration of the organization,
- c. To be an ex-officio member of all committees of the organization,
- d. To sign all necessary papers and documents and represent the Local when and where necessary,
- e. To perform all other duties as authorized by the Executive Council and/or Membership,
- f. To serve as delegate to state and national conventions, and

ARTICLE 5: DUTIES OF OFFICERS (continued)

- g. To make an annual report to the membership.

Section 2. The duties of the Executive Vice President include:

- a. To assist the President in the execution of her/his duties,
- b. To perform all other duties as authorized by the Executive Council and/or the Membership,
- c. To act in the absence of the President, and
- d. To oversee the work of, and receive reports from, the representative council activists.

Section 3. The duties of each Vice President may include:

- a. To serve as Chairperson of a Standing Committee, and
- b. To perform all other duties as authorized by the Executive Council and/or Membership.

Section 4. The duties of the Secretary are:

- a. To perform regular duties of corresponding and recording minutes,
- b. To transcribe all minutes of the Executive Council and of the membership meetings and to keep meeting attendance records,
- c. To answer correspondence at the direction of the President and to report all outside correspondence to the President and the Executive Council,
- d. To assist the President in the preparation and timely distribution of meeting agendas,
- e. To retain all election ballots and election results for a period of not less than one year, and
- f. To perform all other duties as authorized by the Executive Council and/or Membership.

Section 5. The duties of the Treasurer shall be:

- a. To receive, record and deposit in the name of the Federation all monies from dues and all other sources,
- b. To keep the Membership roll, issue receipts, and delinquent notices,
- c. To be responsible for complying with all governmental financial reporting,
- d. To be Chairperson of the Budget Committee and present a written report to the Membership once a year,
- e. To keep adequate and accurate records available at all times for the Executive Council and the Audit Committee.
- f. To forward all per capita dues and current membership lists to the national and state affiliates to keep this Federation in good standing at all times. Special care shall be taken to see that per capita tax through June 30 is sent to the national office not later than fifteen (15) days prior to the opening date of the national convention to make sure delegates from this Federation may be seated,
- g. To pay bills as authorized by the adopted budget, retaining voucher or invoice for same. Expenses not authorized in the budget must be presented to the Executive Council for authorization, and
- h.

ARTICLE 5: DUTIES OF OFFICERS (continued)

- i. To perform all other duties as authorized by the Executive Council and/or Membership.

ARTICLE 6: DUTIES OF BARGAINING UNIT CHAPTER OFFICERS

Section 1. The duties of Bargaining Unit Presidents include:

- a. To establish leadership structure(s) within the bargaining unit.
- b. To ensure effective day-to-day administration of the collective bargaining agreement.
- c. To ensure effective communications with members, including distribution of a monthly or bimonthly newsletter.
- d. To conduct biannual general membership meetings.
- e. To conduct monthly officer meetings.
- f. To attend Local Executive Council Meetings.

Section 2. The duties of the Vice President include:

- a. To support the identification and election of OFNHP Stewards in every workgroup.
- b. To conduct bimonthly steward meetings.
- c. To ensure day-to-day administration of the collective bargaining agreement.
- d. To attend Local Executive Council meetings.

Section 3. The duties of the Legislative and COPE Vice President include:

- a. To identify Legislative and political priorities for members of Bargaining Unit Chapter.
- b. To support the mobilization of members in voting and legislative activities.
- c. To attend Local COPE committee meetings.

ARTICLE 7: DUTIES OF THE EXECUTIVE COUNCIL

Section 1. The Executive Council shall have the authority to deal with all the affairs of the Union in the period between Membership meetings. It shall have the power to act for the good of the Union in emergency situations where the policy cannot be set by the Membership.

Section 2. The Executive Council will meet six (6) times yearly. An annual meeting schedule will be developed in November of every year.

Section 3. Emergency meetings of the Executive Council may be scheduled by the President or at the written request of four (4) Executive Council members.

ARTICLE 7: DUTIES OF THE EXECUTIVE COUNCIL (continued)

Section 4. The Executive Council shall report its activities at each Membership meeting.

ARTICLE 7: DUTIES OF THE EXECUTIVE COUNCIL (continued)

Section 5. The Executive Council shall prepare, and present for approval an annual budget in the month prior to the Spring Membership meeting, which shall be established by the Executive Council.

Section 6. The Executive Council shall have the power, consistent with the approved budget, to do on the Federation's own behalf any or all of the following:

- a. To sue and be sued, complain and defend on behalf of and for the use of the organization,
- b. To employ attorneys and counselors to advise the organization on all matters pertaining to its business and affairs,
- c. To employ accountants, agents, and other persons having skills and knowledge needed in the conduct of the business,
- d. To adopt an official seal, which may be altered at pleasure, and to use the same by causing it or a facsimile thereof, to be impressed or affixed or in any manner reproduced,
- e. To purchase, take, receive, lease as lessee, take any gift, devise or bequest, or otherwise acquire, and to hold, use, own, deal in or with any real or personal property, or any interest therein,
- f. To sell, convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of its property and assets,
- g. To purchase, take, receive, or otherwise acquire, own, hold, vote, and use shares or other interests in or obligations of domestic or foreign corporations, associations, partnerships, or individuals; and to sell, mortgage, loan, pledge, or otherwise dispose of such shares, interests or obligations,
- h. To make contracts and incur liabilities which may be appropriate to enable it to accomplish any and all of its purposes; to borrow money for organizational purposes at such rates of interest and terms and conditions it may determine; to issue notes, bonds, and other obligations, and to secure any of its obligations by mortgage, pledge, deed or trust all of its property and income,
- i. To invest funds of the organization from time to time in any real and personal property as security for the security of funds so invested or loaned, and
- j. The Executive Council shall establish the salary, benefits and expense guidelines of any general officer who is employed by the organization.

ARTICLE 8: COMMITTEES

Section 1. The following Standing Committees shall be active in this Federation:

- a. Continuing Education
- b. Nursing Practice
- c. Legislation – COPE

ARTICLE 8: COMMITTEES (continued)

- d. Collective Bargaining
- e. Publication/Information
- f. Membership
- g. Health & Safety
- h. Pension Trustee
- i. Retiree Membership

Section 2. The following Special Committees shall be appointed:

- a. Budget
- b. Audit
- c. Election
- d. Social

Section 3. Chairpersons of each Standing Committee shall be either elected to said position or appointed by the President with majority approval of the Executive Council. The Chairperson of all Special Committees shall be appointed by the President with majority approval of the Executive Council.

Section 4. All members of Committees will be members in good standing. Vice Presidents will be encouraged to solicit members from each Bargaining Unit.

Section 5. All Committees shall meet at least quarterly.

Section 6. All Committees shall prepare and present an annual report of their activities to the Membership.

Section 7. The President, with approval of the Executive Council, may approve Ad Hoc Committees as she/he deems necessary, consistent with this Constitution and Bylaws.

Section 8. The President, with approval of the Executive Council, may appoint members in good standing to fill vacancies as they occur.

ARTICLE 9: DUTIES OF COMMITTEES

Section 1. **The Education Committee** shall study and make recommendations for improvements in continuing education programs, for professional growth, for promotion of consumer health education programs, and shall approve disbursement of funds as provided for each Collective Bargaining Agreement.

Section 2. **The Nurse Practice Committee, Allied Technical Practice Committee, and the Allied Dental Practice Committee** shall research, evaluate, and make recommendations for improvements on issues related to professional practice such as staffing problems, safety issues, discrimination, health care delivery, patient rights, and malpractice.

ARTICLE 9: DUTIES OF COMMITTEES (continued)

Section 3. **The Legislation-COPE Committee** shall evaluate and make recommendations for action to the Executive Council on legislation affecting nursing, allied technical, and allied dental in health care delivery. It shall consider developing a voting record of state and city elected officials in election years for disbursement to the Membership.

Section 4. **The Collective Bargaining Committee** shall:

- a. Consist of Grievance Representatives or Stewards,
- b. Assist the Membership in contract enforcement,
- c. Have one elected Steward for each facility or department. Facilities or departments with more than ten (10) members shall have one (1) additional Steward who shall be elected for each additional ten (10) members or major fraction thereof,
- d. Conduct elections of Stewards in September in even numbered years,
- e. Develop guidelines for carrying Grievances to Arbitration,
- f. Present to the Executive Council a summary of contract Grievances and current issues in Arbitration,
- g. Assist the negotiating teams in researching and developing proposals for contract negotiations,
- h. Elect a Chief Steward for each Bargaining Unit to report to the Collective Bargaining Vice President, and
- j. A vacancy will be declared if a Steward misses three (3) consecutive meetings without excuse, or fails to attend at least one (1) training workshop annually.

Section 5. **The Publication/Information Committee** shall prepare and distribute a bi-monthly bulletin. The Editor of the bulletin shall be the Chairperson of the Committee. The Committee shall become familiar with and utilize other sources for publicity and public relations.

Section 6. **The Membership Committee** shall plan and execute a dynamic program to insure growth and vitality of the Federation, including Leadership Development. It shall present its written plan to the Executive Council in September of each year. The Membership Committee shall coordinate location, dates and times for Membership meetings and as designated by the Executive Council for purposes related to the functioning of the Federation. It shall publish meeting notices. The Membership Committee shall work to establish a Worksite Unity Committee at each Worksite in which OFNHP members are located. Each January, OFNHP Activists will volunteer to work with the Stewards for one (1) calendar year to form a Worksite Unity Committee. The purpose of the committee will be to:

- a. Develop and implement a plan for communicating Union issues with all OFNHP members in the department or facility.
- b. Support contract enforcement within the worksite.
- c. Promote unity through sponsoring of activities which bring the worksite OFNHP members together regularly.
- d. Increase membership input during contract negotiations.

ARTICLE 9: DUTIES OF COMMITTEES (continued)

The OFNHP Activists shall meet five (5) times per year with the Stewards, five (5) times per year with the entire membership and once per year with the Activists from each facility.

Section 7. **The Health and Safety Committee** shall evaluate and make recommendations for action to the Executive Council and the Employer concerning potential and existing occupational hazards and unsafe environmental conditions. It shall offer assistance to members in solving health and safety issues by increasing their awareness of same through education and assisting in problem solving.

Section 8. **The Budget Committee** shall prepare a budget for adoption by the Executive Council in March of every year.

Section 9. **The Audit Committee** shall audit the Treasurer's books and yearly Treasurer's Report. They shall present their yearly report to the Membership at the October meeting.

Section 10. **The Election Committee** shall have the responsibility to conduct elections in accordance with applicable federal laws and regulations and this Constitution and Bylaws.

Section 11. **The Social Committee** shall arrange such programs and entertainment and perform such duties as the Local may direct.

Section 12. **The Pension Trustee Committee** shall consist of the Pension Chairperson and two (2) voting trustees and three (3) alternates. The Pension Chairperson and three (3) alternate trustees shall be elected by the Membership in odd-numbered years. The two (2) voting trustees shall be elected by the Membership in even-numbered years. The Committee shall give an annual report to the Membership.

Section 13. **The Retiree Committee** shall research, evaluate, and make recommendations for action to the Executive Council on programs which serve the interests of current and future retired members. It shall offer opportunities for retirees to participate in activities which support the growth and vitality of the Federation.

ARTICLE 10: AFFILIATION

Section 1. This Federation shall maintain affiliation with, and whenever possible send delegates to the following organizations.

- a. The American Federation of Teachers and the AFT Healthcare division. All delegates and alternates to the National convention shall be elected bi-annually by majority vote according to the same procedures for election of officers described in Article 4. The President and Treasurer shall certify the election and forward the credentials of all delegates and alternates to the National office as soon as possible but not later than ten (10) days before the convening of the National convention.

ARTICLE 10: AFFILIATION (continued)

- b. The Oregon State AFL-CIO and the Washington State AFL-CIO. Delegates shall be elected annually by majority votes of those voting according to the same procedures for election of officers described in Article 4.
- c. The Northwest Oregon, Cowlitz, Clark, and Marion County Labor Councils. Representatives shall be elected annually by majority vote of those voting according to the same procedures for election of officers described in Article 4.
- d. Any other affiliation which the Executive Board deems prudent. Delegates shall be elected annually by majority vote of those voting according to the same procedures for election of officers described in Article 4.

Section 2. Delegates may be appointed when a vacancy exists by the Executive Council until the next scheduled election.

Section 3. All delegates shall make written reports to the Executive Council on meetings attended.

Section 4. When any member designated to represent the Federation at any meeting, conference, program, convention, workshop, or other function, and is directed to attend by the Membership, the Executive Council, or President, that member shall be reimbursed actual expenses for meals, travel, lodging, and any registration or other required fees as established in the budget or Bylaws. Mileage, when personal automobile is used, will be reimbursed at the mileage rate as specified in the Bylaws.

Section 5. The Federation to the best of its ability shall be active in the affairs of affiliated organizations.

Section 6. Delegates to affiliated organizations shall meet the same requirements as officers of this Local.

ARTICLE 11: MEETINGS

Section 1. The time and place of meetings shall be fixed by the Membership Committee.

Section 2. There shall be at least five (5) Membership meetings every year. A quorum shall consist of five percent (5%) of total Membership.

Section 3. Parliamentary procedure at all meetings shall be governed by Roberts Rules of Order, Revised, unless otherwise stipulated by this Constitution and Bylaws.

Section 4. When a meeting is convened for the purpose of conducting a strike vote, that vote will be determined by a simple majority of members who signify their vote by standing.

ARTICLE 12:

FINANCES

- Section 1. The dues amount shall be set by the Membership as set forth in the Bylaws.
- Section 2. Additional finances may be obtained by various fund raising activities.
- Section 3. The fiscal year shall extend from July 1 to June 30.

ARTICLE 13:

RECALL OF OFFICERS

- Section 1. Any elected officer may be recalled.
- Section 2. When at least forty percent (40%) of the members within a period of sixty (60) calendar days ask for a recall of an elected officer by submitting such a request petition in writing to the Secretary of the Local, it shall be the duty of that officer and members of the Election Committee to poll the Membership within thirty (30) days from receipt of such petition. A two-thirds (2/3) majority vote by a mail ballot shall be necessary to recall.

ARTICLE 14:

INITIATIVE AND REFERENDUM

- Section 1. Ten percent (10%) of the active members may initiate a proposition or may demand a referendum on any action of the Executive Council. The Executive Council shall submit same to the entire Membership within thirty (30) days following certification thereof. The Council shall take no more than two (2) weeks to certify the signatures.

ARTICLE 15:

AMENDMENTS

- Section 1. Any member of the organization may present a proposed amendment to any regular meeting of the Membership. If accepted by a simple majority of members at the meeting, the Executive Council shall conduct a secret ballot vote by mail and shall notify the Membership of the proposed amendment and give written explanation no later than twenty (20) days prior to the deadline for submitting the secret ballot.
- Section 2. A two-thirds (2/3) majority vote by secret ballot of those who vote shall be sufficient to adopt the proposed amendment.

ARTICLE 16:

AVAILABILITY OF CONSTITUTION

- Section 1. Three copies of this Constitution and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers.
- Section 2. One copy shall be sent to the similar officer of each organization with which this organization is affiliated.
- Section 3. The Secretary shall make available upon request a copy to any member of the organization.

ARTICLE 17: **STEWARD/ACTIVISTS UNITY GROUP**

- Section 1. Activists will volunteer for their positions and the goal will be at least one (1) Activist and one (1) Steward per Worksite Unity Committee.
- Section 2. The Executive Vice President will work with the Membership Vice President to develop the role of the activists.
- Section 3. The Steward/Activists Unity Group, comprised of all Stewards and Activists, will meet six (6) times a year with the President and Executive Vice President.

ARTICLE 18: **DUTIES OF ACTIVISTS**

- Section 1. Stewards will be joint members of the “Worksite Unity Committee”.
- Section 2. Stewards and Activists as a whole will meet together in the months when there are no Membership meetings. These meetings are open to all members.
- Section 3. Activists shall be on-going members of the Professional Forum.
- Section 4. Activists shall be responsible for OFNHP phone trees when necessary.

ARTICLE 19: **WORKSITE UNITY COMMITTEES**

- Section 1. Are composed of the Stewards and Activists at a worksite.
- Section 2. Will hold meetings for all members at the worksite at least two (2) times per year. The purpose of these meetings will be:
- a. To report on issues of concern to Union members,
 - b. To get feedback from members at the worksite to bring to the Union leadership and to the Professional Forum,
 - c. To socialize and build unity, and
 - d. To organize communication networks such as phone trees when needed.

BYLAWS

OREGON FEDERATION OF NURSES AND HEALTH PROFESSIONALS

ARTICLE 1: MEMBERSHIP DUES

Section 1. Effective August 5, 2001 Monthly Membership Dues shall be 1.4% of wages calculated on all straight-time hours worked. The minimum dues payment shall be \$12.86 per month. Effective August 5, 2001, the, maximum dues payment shall be \$48.00 per month. The maximum dues payment shall increase by 4% annually on July 1st of each year.

All members that are on Leave of Absence will pay dues equal to five dollars (\$5) per month while on leave. All Associate members will pay dues equal to six dollars (\$6) per month. Retirees who cease employment in a represented bargaining unit will remain members in good standing for life for zero dollars (\$0) per month. Retirees who continue employment will pay member dues based on formula in Section 1.

Section 2. All dues are to be paid either; 1) to the Treasurer before the tenth (10th) of every month, or 2) through payroll deduction as outlined in the Collective Bargaining Agreement.

Section 3. Any member on a cash basis whose dues are more than two (2) months in arrears may be suspended from membership and will be required to pay a reinstatement fee of \$100 to regain full membership status.

ARTICLE 2: MEETINGS

Section 1. General Membership meetings will be held five (5) times yearly, scheduled in January, March, May, September and November. No meetings will be held in July.

Section 2. The Executive Council will meet eleven (11) times yearly. No meetings will be held in July.

Section 3. The Collective Bargaining Committee meetings will be scheduled as follows:

- a. February
- b. June
- c. August
- d. December

Section 4. The Stewards and the OFNHP Activists meetings will be scheduled as follows: February, June, August, and December. The Activists will meet annually in January.

Section 5. The President may call a special meeting of the Membership by posting a notice on all OFNHP bulletin boards and by sending a written notice of the meeting to all members in good standing not less than fifteen (15) days prior to the meeting date. Meetings scheduled to conduct business with regard to contract bargaining may be scheduled with less than fifteen (15) days prior notice.

ARTICLE 2: MEETINGS

Section 6. Scheduled meetings for the year will be published in January.

ARTICLE 3: AMENDMENTS

Section 1. These Bylaws may be amended by a simple majority vote of members conducted by a secret ballot vote by mail provided notice of the contemplated changes have been presented at a previous membership meeting, with written explanation and notice sent to every member not less than twenty (20) days prior to the deadline for submitting the secret ballot.

ARTICLE 4: MEMBERSHIP

Section 1. Graduate Nurses shall have all rights and privileges of Membership in the same manner as new Employees; and be subject to the same dues structure.

ARTICLE 5: MILEAGE REIMBURSEMENT

Section 1. Mileage reimbursement shall be at the established IRS rate.