

**CITY OF SAN JOSE  
ASSOCIATION OF ENGINEERS AND ARCHITECTS  
BY-LAWS**

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**CITY OF SAN JOSE  
ASSOCIATION OF ENGINEERS AND ARCHITECTS  
BY-LAWS**

ARTICLE I - NAME

SECTION A - The name shall be "ASSOCIATION OF ENGINEERS AND ARCHITECTS" (AEA/IFPTE21). AEA/IFPTE21 is a Chapter of the International Federation of Professional and Technical Engineers (IFPTE), Local 21, AFL-CIO.

ARTICLE II – GOALS and OBJECTIVES

SECTION A - To promote high standards of professionalism;

SECTION B - To promote a cooperative spirit among all employees;

SECTION C - To secure improved compensation, benefits, working conditions, management and professional recognition for its members;

SECTION D - To protect and enforce the privileges and responsibilities covered by any agreement between this Chapter and the City of San Jose.

ARTICLE III - MEMBERSHIP

SECTION A - Membership shall be limited to persons who are employed by the City of San José.

SECTION B - There shall be but one class of membership in the organization, regardless of religion, race, creed, color, national origin, age, gender, sexual orientation, physical or mental disability.

SECTION C – It shall be the duty of every member to uphold the goals and objectives of the Chapter.

SECTION D - Members are not permitted to use the organization’s name as an endorsement for their product(s) or service(s) or for any reason(s) not specifically approved by the Board.

SECTION E - All membership lists and rosters are to be used by the members as a resource and not as a means for solicitation.

SECTION F - Any item created by a member on behalf of the Chapter is the property of the organization and not that of the individual member.

SECTION G – All membership disputes shall be settled by the most amiable means possible up to and including arbitration.

ARTICLE IV - DUES

SECTION A - Members shall pay the established dues of AEA/IFPTE21.

SECTION B - Membership status shall entitle the member to vote, hold office, and all other benefits afforded to active Chapter members.

SECTION C - An applicant shall complete and submit to the Board a current “Dues Deduction and Membership Authorization” for membership.

## ARTICLE V – EXECUTIVE OFFICERS

SECTION A - The Executive Officers shall consist of the elected officers: President, First Vice-President, Second Vice President, Secretary/Treasurer and Sergeant-at- Arms.

SECTION B – The duties of the President:

1. Preside at Chapter and Board Meetings of this Chapter.
2. Enforce the By-laws of the Chapter.
3. Assist all Executive Officers/Chairpersons in the performance of their respective duties.
4. Create any general and/or special committee, as applicable.
5. Supervise the conduct and the affairs of the Chapter.
6. Take such action, as in his/her judgment, will advance the best interests of the Chapter and its members.
7. Serve as a member of the Grievance Committee
8. Appoint Committee Chairpersons with Board approval.
9. Represent the Chapter as required. Be a delegate to IFPTE Local 21 Delegate Assembly.

SECTION C – The duties of the First Vice-President:

1. Preside at the Chapter and Board meetings in the absence of the President
2. Render such assistance as may be required by the President.
3. Perform any and all duties of the President in his/her absence.
4. Serve as a member of the Union Contract Committee.
5. In case of vacancy in the Office of the President, the First Vice-President shall immediately assume the office.
6. Be a delegate to IFPTE Local 21 Delegate Assembly.

SECTION D – The duties of the Second Vice-President:

1. Preside at the Chapter and Board meetings in the absence of the President and First Vice President.
2. Render such assistance as may be required by the President.
3. Responsible for coordination, arrangements, location and assistance to the Standing and Ad Hoc Committees and the Board with scheduling and set-up for meetings and other planned events
4. Serve as a member of the Special Issues and Affairs Committee.
5. Be an alternate delegate to IFPTE Local 21 Delegate Assembly.

SECTION E - The duties of the Secretary/Treasurer

1. Preside at the Chapter and Board meetings in the absence of the President and the Vice-Presidents.
2. Publish and distribute agendas of upcoming Chapter Meetings at least five (5) days prior to the meeting.
3. Keep minutes of Chapter and Board Meetings and publish Chapter Meeting minutes within 15 days after the meeting.
4. Serve as a member of the Membership/Communication Committee.
5. Conduct correspondence of the Chapter as required and maintain an organized file of minutes and correspondence.
6. Maintain a full and complete record of any Chapter accounts and insure that all expenditures are duly and properly authorized.
7. Prepare and submit to the Board, at the first meeting of each quarter, a statement of the Chapter's financial account(s).
8. Assist addressing dues related issues, as required.
9. Be an alternate delegate to IFPTE Local 21 Delegate Assembly.

SECTION F – The duties of the Sergeant-at-Arms:

1. Preserve order at all Chapter meetings
2. Ascertain the presence of a quorum at all meetings
3. Act as Parliamentarian at all meeting to address meeting procedures and move the agenda in accordance with Robert’s Rules of Order.
4. Assure that a roster is taken of all members in attendance at meetings.
5. Confirm the voting eligibility of all members.
6. Assist the Membership/Committee Committee at time of elections to confirm the voting eligibility of member.
7. Serve as a member of the Membership/Communication Committee
8. Be an alternate delegate to IFPTE Local 21 Delegate Assembly.

ARTICLE VI – THE BOARD

SECTION A - The Board shall consist of the Executive Officers plus the Membership/Communication Committee Chairperson, the Special Issues and Affairs Committee Chairperson, Union Contract Committee Chairperson and Grievance Committee Chairperson.

SECTION B – DUTIES OF THE BOARD

1. Represent the Chapter as required.
2. Establish Chapter goals and objectives.
3. Formulate policies for consideration by the membership.
4. Address and resolve Chapter issues.
5. Create public awareness of the Chapter purpose.
6. Support activities which benefit the Chapter.
7. Submit any matter to a vote of the membership at any meeting, as required.
8. Act as a conduit for professional development and career information.
9. Manage the business and affairs of the Chapter.
10. Any action, power, duty, authority and function taken by the Board, the Chapter members, and Executive Officers shall be in conformance with these By-laws and those of IFPTE Local 21.
11. Other duties as applicable.

SECTION C - The Board may appoint assistants to any or all of the Executive Officers, and each such assistant may act for such Executive Officer with no voting rights on the Board during the absence or disability of the Executive Officer.

SECTION D - No Board Member shall receive any compensation for his/her service except for authorized expenses incurred in connection with the activities of the Chapter.

ARTICLE VII – BOARD MEETINGS

SECTION A - At any Board meeting, attendance by fifty percent (50%) of the total number of Board members shall constitute a quorum for the transaction of business.

SECTION B – Regularly monthly meetings of the Board shall be upon notice by the President or, in his/her absence, the First Vice-President. The President, or in his/her absence, the First Vice-President, may call special meetings upon the written request of any three (3) AEA Board members. Notice of Board meetings shall be given to each Board member prior to the time of such meeting, provided that attendance at any such special meeting shall be deemed to constitute a waiver of such notice.

SECTION C - For the purpose of Board business each Executive Officer shall have one vote.

## ARTICLE VIII – TERM OF OFFICE FOR EXECUTIVE OFFICERS

SECTION A- The term of office of each Executive Officer, shall be for two (2) years commencing on the first day of January and completing the last day of December, following the date on which s/he is elected. The President, the Sergeant-at-Arms, and Secretary/Treasurer shall be elected in odd-numbered years to take office the first of January of an even-numbered year. The First Vice-President and the Second Vice President shall be elected in an even-numbered year to take office the first of January of the odd-numbered year. In the instance where the President or any Board member cannot complete his/her term, a replacement shall be immediately elected under the guidelines of these By-laws to serve the remainder of the term.

## ARTICLE IX – ELECTION OF EXECUTIVE OFFICERS

SECTION A - Election of Executive Officers shall be accomplished by mailed or hand delivered ballot prepared in such a manner as to permit verification of the member's right to vote and maintain the secrecy of each member's vote.

SECTION B - At any meeting called for that purpose, held not less than thirty (30) nor more than sixty (60) days before the expiration of the terms of office of the Executive Officers to be filled, or held not more than thirty (30) days after the date on which an office of an Executive Officer becomes vacant, the members shall nominate candidates for all vacant or to-be-vacated offices.

SECTION C - At least twenty-one (21) days before the expiration of the terms of the office of said Executive Officers, or not more than thirty-five (35) days after the date on which a vacancy occurs in the office of any Executive Officers, the Board shall deliver, or cause to be delivered, to all members eligible to vote, a ballot containing the names of those persons so nominated. The ballots shall be due fourteen (14) days after being sent to the members

SECTION D – The Membership/Communication Committee shall coordinate all elections. Ballots shall be tallied by the Membership/Communication Committee Chairperson and verified by the Board. The results of the election shall be announced within seventy-two hours of the election and at the next Chapter meeting.

SECTION F - Election of any Executive Officers shall require that votes be received from at least one half of the eligible members voting.

SECTION G - Those persons, equal in number to the number of vacancies in the office of Executive Officers, who receive the highest number of votes, shall be deemed to have been elected to serve from the date of expiration of the terms of office of their predecessors in office.

SECTION H - A recall election for any Executive Officer may be instituted by a written petition signed by 1/3 of the total membership and presented to the Secretary/Treasurer. An Executive Officer may be removed from office by resolution of the simple majority vote of the Chapter membership present at a regular Chapter meeting. Reasons for removal shall include, but not limited to the following:

1. The office of any Executive Officer shall be declared vacant if s/he is absent from two (2) consecutive meetings of the Board, provided, however, that the Board may waive the provisions of this section upon good cause being shown therefore.
2. Misappropriation of Chapter funds;
3. Failure to perform his/her duties of the office;
4. Using the name of the Chapter to actively work against an official endorsement made by the Chapter;
5. Intentional violation of any of the provisions of these By-laws.

SECTION I – Any Executive Officer vacancy shall be filled for the remainder of the term of the vacant position by a simple majority of those members voting.

#### ARTICLE X – APPOINTMENT OF COMMITTEE CHAIRPERSONS

SECTION A – At the time of the annual election of Executive Officers, any eligible member may submit a “Chairperson Application of Interest” for the Membership/Communications Committee Chairperson, Special Issues and Affairs Committee Chairperson, Union Contract Committee Chairperson and Grievance Committee Chairperson.

SECTION B - The Chairpersons shall serve as non-voting Board members upon appointment by the President with the approval of the Board.

#### ARTICLE XI – CHAPTER MEETINGS

SECTION A - Regular Chapter meetings shall be held once a month on a day determined by the Board from noon to 1:00pm. Members shall receive a five (5) working day notice of these meetings.

SECTION B – Special Chapter meetings may be called by the Board or on the written request of twenty (20) active members. Members shall receive a five (5) working day notice of these special meetings. The only business that may be conducted at a special meeting shall be that for which it was called.

SECTION C – The President has the authority to call an emergency Board or Chapter meeting. The only business that may be conducted at an emergency meeting shall be that for which it was called.

SECTION D - At any meeting of the members, the presence of ten (10) members and three (3) Board members shall constitute a quorum for the transaction of business. In the case of an inability to obtain a quorum within a half-hour after the announced meeting time, the meeting shall be cancelled.

SECTION E- No member shall cast more than one (1) vote on any question before the membership. There shall be no voting by proxy.

SECTION F - Robert's Rules of Order shall prevail at all meetings for the regulation of discussion of issues and debates upon any matter under consideration and not in conflict with the By-laws.

#### ARTICLE XII – STANDING AND AD HOC COMMITTEES

SECTION A – The President, after consulting the Board, shall be authorized to appoint standing and ad hoc committees to address matters of common concern to the Chapter. Such committees may include, but not limited to those established for the purpose of negotiations, grievance proceeding and review, Chapter elections, political education, membership activities, and related matters. Committee Chairpersons shall provide periodic reports of their committee’s activities to the Board. However, the following committees shall be considered permanent standing committees:

1. Membership/Communication Committee
  - a. To be responsible for the Chapter Website.
  - b. Responsible for the Information Officers’ (IO) network.
  - c. At time of elections act as the Election/Nominating Committee.
  - d. Coordinate all membership activities for the chapter.
  - e. Maintain and update the active membership roster and eligibility list.
  - f. Be responsible for recruitment of new members.

2. Union Contract Committee
  - a. Represent the Chapter in contract negotiations. For this purpose at least one member of each represented Unit shall be presented on this committee.
  - b. Coordinate collective bargaining issues and activities.
  - c. Attend City/Union committees and other meetings as required.
3. Special Issues and Affairs Committee
  - a. Research, review and evaluate relevant issues related to the membership and work with the other committees to keep members current on issues of importance.
  - b. Organize all special action activities for the Chapter.
4. Grievance Committee
  - a. Assist with resolution of issues and claims as result of wages, benefits and working conditions.

#### ARTICLE XIII – INFORMATION OFFICERS

SECTION A – The Information Officers (IO) serve as Union Representatives of the Chapter in the workplace. The IO endeavors to ensure a broad membership representation among departments and geographic work locations. One IO may be designated for each membership work location. The IO network shall be the responsibility of the Membership/Communication Committee.

1. IO encourage members' participate in Chapter activities
2. IO disseminate information to the membership on Chapter activities.
3. IO provide the conduit in matters of concern from the workplace to the Committee Chairperson.

#### ARTICLE XIV– GENERAL

SECTION A - No member shall either directly or indirectly participate in the deliberation or consideration of any question involving his/her pecuniary interest (except as such interest may be affected by salary or other benefits of employment by the City of San José). If such a question is before a meeting, the interested person shall withdraw from the meeting during such deliberations, and if such person is a member of the Board, the remaining Board members present shall, by majority vote, exercise all the powers of the Board, but only with respect to that one question. Any person who shall have withdrawn from any meeting pursuant to the provisions of this section shall be considered to be present at such meeting for the purpose of determining a quorum.

SECTION B - Copies the By-laws, and all amendments thereto, results of nominations and elections and minutes of all meetings shall be contained in the meeting book of this Chapter, together with any other papers of important historical value. These records shall be responsibility of the Secretary.

SECTION C - All notes and checks of the Chapter shall be due to be sufficient and binding upon the Chapter if signed by any two (2) of the Executive Officers. The Secretary/Treasurer is responsible for insuring that this requirement fulfilled.

#### ARTICLE XV - AMENDMENT OF THE BY-LAWS

SECTION A – Any proposed amendment to these By-laws shall be submitted in writing to the Board for recommendation and review. Upon recommendation and findings, the proposed amendment shall be submitted to the membership at the next regular Chapter meeting.

SECTION B – All members shall be notified of any proposed amendment at least five (5) working days prior to the meeting at which action is to be taken.

SECTION C - These By-laws may be amended by the affirmative vote of a simple majority of those members present at a Chapter meeting.

ARTICLE XVI – TRANSITIONAL UPON APPROVAL OF BY-LAWS

SECTION A – At the earliest possible time in 2005 after the approval of the By-laws, nominations and elections shall take place for the office of First Vice-President and Second Vice-President. The current Secretary shall assume the additional duties of the Treasurer, and the current Director-at-Large position shall be assume the duties of Sergeant-at-Arms. Chairpersons for the fore mentioned Standing Committees shall be appointed by the President upon approval of the Board.

**END OF BY-LAWS**