

Professional and Technical Engineers, Local 21 (IFPTE/AFL-CIO)
Port of Oakland Professionals and Managers Chapter

BY-LAWS

ARTICLE I Chapter Name

Section A The name of this organization shall be the Port of Oakland Professionals and Managers Chapter (hereinafter referred to as the Chapter), a chapter of Professional and Technical Engineers (IFPTE), Local 21, AFL-CIO (hereinafter referred to as the Local Union).

ARTICLE II Goals

Section A The goals of this organization are:

1. To unite all eligible members into one labor organization, regardless of religion, race, creed, color, national origin, age, gender, sexual orientation, physical or mental disability;
2. To promote high standards of professionalism among employees of the Port of Oakland;
3. To promote partnership and cooperation with the Port of Oakland
4. To promote a cooperative spirit among employees, regardless of rank and/or classification;
5. To secure improved compensation, benefits, working conditions and any other professional or economic advantage for its members, and to promote professional development through training, certification, and continuing education of its membership through collective bargaining;
6. To protect and enforce the privileges and responsibilities covered by any agreement between and for the members of the Local Union and the Port of Oakland.

ARTICLE III Membership

Section A The conditions of membership shall be:

1. Membership in the Chapter shall be open to any person employed by the Port of Oakland in bargaining units "I" (Confidential Employees), "K" (Management 1) or "L" (Management 2).
2. Employees are eligible for membership regardless of religion, race, creed, color, national origin, age, gender, sexual orientation, physical or mental disability.
3. It shall be the duty of every member to uphold the ideals and principles of the Local Union.
4. No member shall maliciously interfere with any Chapter or Local Union representative, officer, or steward in the performance of his/her duties.
5. All members shall be required to pay the established dues of the Local Union.
6. Paid membership status shall entitle the member to all benefits afforded to active union members including the right to vote and hold office.

7. Membership status issues not covered by the above sections shall be resolved through reference to the by-laws of the Local Union.

ARTICLE IV Elected Officers and Their Duties

Section A

1. The elected officers of the Chapter shall be members in good standing and shall consist of: President; Vice President for Confidential Employees (Unit I); Vice President for Management Unit 1 (Unit K); Vice President for Management Unit 2 (Unit L); Secretary/Treasurer; Sergeant-at-Arms/Parliamentarian;
2. The appointed officers of the Chapter shall be members in good standing and shall be appointed by a majority vote of the Executive Board and shall consist of the Director, Membership and the Director, Political Issues.

Section B The elected Officers shall comprise the Executive Board and shall be empowered by the membership to represent the Chapter as needed and will hold monthly Board meetings.

Section C The duties of the Officers shall be as follows:

1. President - shall be the principal executive officer and spokesperson of the Chapter and its Executive Board; oversee and guide all Chapter activities; chair the general meetings of the Chapter and of the Executive Board; provide and promote active leadership; appoint members of committees and be an ex-officio member of all committees; appoint union stewards; and perform all other functions which are necessary and proper to conduct the Chapter business. In accordance with the Local Union's by-laws, the President shall serve as a Chapter delegate to the Local Union's Delegate Assembly.
2. Vice President for Confidential Employees (Unit I) - shall assist the President in the operation of all of the affairs of the Chapter and along with the other Vice Presidents shall ensure that all administrative responsibilities are carried out. In the event that the President is selected from Unit I, assumes the duties of the office of the President in the absence of the President or in the event of the President's inability to serve; in the event that the office of the President is vacated by a President from Unit I during a term in office, shall assume that office for the remainder of that term; and while assuming the duties of President shall have all powers of and be subject to all restrictions of the President.
3. Vice President for Management Unit 1 (Unit K) - shall assist the President in the operation of all of the affairs of the Chapter and along with the other Vice Presidents shall ensure that all administrative responsibilities are carried out. In the event that the President is selected from Unit K, assumes the duties of the office of the President in the absence of the President or in the event of the President's inability to serve; in the event that the office of the President is vacated by a President from Unit K during a term in office, shall assume that office for the remainder of that term; and while assuming the duties of President shall have all powers of and be subject to all restrictions of the President.

4. Vice President for Management Unit 2 (Unit L) - shall assist the President in the operation of all of the affairs of the Chapter and along with the other Vice Presidents shall ensure that all administrative responsibilities are carried out. In the event that the President is selected from Unit L, assumes the duties of the office of the President in the absence of the President or in the event of the President's inability to serve; in the event that the office of the President is vacated by a President from Unit L during a term in office, shall assume that office for the remainder of that term; and while assuming the duties of President shall have all powers of and be subject to all restrictions of the President.
5. Secretary/Treasurer - shall make arrangements for the location of all general meetings and of other meetings as requested by the President; publish and distribute agenda of upcoming general meetings to all members at least five (5) days prior to the meeting; conduct general correspondence of the Chapter; keep the minutes of the general and executive meetings and other records of all activities; publish the minutes of the previous meetings; submit all mandated reports and meeting minutes to the Local Union; and perform other appropriate functions deemed necessary by the President.
6. Sergeant-at-Arms/Parliamentarian - shall maintain order at all meetings; ascertain the presence of a quorum at any meeting; act as parliamentarian to address concerns and move the agenda in accordance with Robert's Rules of Order; assure that a roster is taken of all members in attendance at meetings; along with the Elections Committee, confirm the voting eligibility of members; and in the absence of the President and the Vice Presidents, perform the duties of the President.
7. Director, Political Issues - shall organize all political action activities for the Chapter; research and collect necessary information to keep all members current on issues of importance.
8. Director, Membership - shall coordinate all membership activities for the Chapter; maintain and update the active membership roster and eligibility list; and be responsible for recruitment of new members.

ARTICLE V Executive Board

Section A The Executive Board, as described in Article IV B shall have the following duties:

1. Represent the Chapter as necessary between regular meetings;
2. Establish goals and objectives;
3. Formulate policies for consideration by the general membership;
4. Address and resolve membership and Chapter problems;
5. Encourage the professional growth and development of the membership;
6. Create public awareness of the Chapter's purpose;
7. Inform the local community of events/activities sponsored by the Chapter;
8. Support affirmative action and equal opportunity activities to benefit the Chapter in areas of general interest, Port of Oakland employment, and special projects; and
9. Should there be vacancies in any elected positions; the Executive Board by majority vote may appoint members to fill such vacancies until the next elections are held.
10. Other duties assigned by the members.

ARTICLE VI Stewards Council

Section A The President shall be authorized to appoint stewards, who shall be approved by a majority vote of the Chapter officers. The President shall endeavor to be all-inclusive when making those appointments to ensure a broad representation among departments and geographic work locations of members. There shall be one steward for every fifty (50) members or fraction thereof. These appointed stewards shall constitute the Stewards Council. By its majority vote, the Executive Board may increase the number of Stewards if it finds that an additional number of Stewards is necessary.

Section B The duties of the Stewards Council are as follows:

1. Serve as a representative of the union in the workplace;
2. Represent members in grievance proceedings;
3. Recruit new members and volunteers and organize existing members to be more active participants in the affairs of the union;
4. Assist in contract negotiations.

Section C The Stewards Council shall elect a chairperson and may adopt rules as are necessary to conduct its business.

ARTICLE VII Contract Negotiations Committee

Section A A Contract Negotiations Committee shall be established for negotiating agreements between the Chapter and the Port of Oakland. The Executive Board will designate the primary and alternate members of the Committee based on the results of the voting of the membership as described in Article XII, A, 8 and will provide fair representation of all Units.

Section B The Contract Negotiations Committee shall be composed of the Chapter President and eight (8) members and alternates elected by a majority vote of the Chapter membership. Each bargaining unit shall have at least one member and one alternate on the Committee

Section C The duties of the Contract Negotiations Committee are as follows:

1. Represent the Chapter in contract negotiations and meetings with the Local Union and with the Port of Oakland;
2. Coordinate collective bargaining issues and activities; and
3. Other contract related duties assigned by the President.

Section D The term of office for the Contract Negotiations Committee shall be for one contract period with the Port of Oakland. It shall begin prior to the commencement of negotiations of a new contract and end upon the selection of a new Contract Negotiations Committee.

ARTICLE VIII Committees

Section A The President, after consulting Chapter officers, shall be authorized to appoint standing and ad hoc committees to address matters of common concern to Chapter members. Such committees may include those established for the purpose of grievance proceedings and review, Chapter elections, political education, membership activities, and related matters. Such committees shall provide periodic reports of their activities to the President and the Chapter. The Director of Political Issues shall be chairperson of the Political Education Committee. The Director of Membership shall be chairperson of the Membership Activities Committee.

ARTICLE IX Delegate Assembly

Section A The Chapter Delegate Assembly members shall consist of the Chapter President and five (5) other members elected by a majority vote of the Chapter membership. The candidates for Vice President will automatically be placed on the ballot for Delegate. Other members in good standing may also run for the positions. The President and the five top vote getters will be the Chapter's Delegates. The President and the highest vote getters will be the primary delegates to fill the quota described in Article IX B and the remaining Delegates will be alternates.

Section B The total number of primary Chapter Delegate Assembly members shall be on the basis of one primary Delegate Assembly member for each fifty (50) members or fraction thereof in excess of fifty (50) members.

ARTICLE X Meeting Schedule

Section A Regular general meetings of the Chapter shall be held once a month on a day determined by the Executive Board.

Section B Special general meetings may be called by the Executive Board or on the written request of twenty (20) members in good standing. Members shall receive a five (5) day notice of these special meetings and members shall be provided with an agenda.

Section C Fifteen (15) members present shall constitute a quorum to vote on issues at any meeting. A simple majority vote is required to approve any action.

Section D Executive Board meetings:

1. Executive Board meetings shall be held once a month at a time and location determined by the Executive Board. The Secretary/Treasurer will give all Chapter members five (5) day notice of these meetings.
2. Special Executive Board meetings may be called by the President or by request of a majority of the Executive Board members. Twenty-four (24) hour notice shall be given to all Executive Board members in writing or by telephone or electronically of said meetings and they shall be provided with an agenda.

3. The quorum for all Executive Board meetings shall be a majority of the Executive Board.

Section E All members shall be entitled to attend any meeting as prescribed in these bylaws.

ARTICLE XI Terms of Office

Section A The terms of office for the elected officers and Delegate Assembly members, shall be two (2) years and all officers and Delegate Assembly members shall be elected bi-annually. Elections shall be held in November to coincide with Local Union officer terms, as prescribed by Local Union by-laws. In order to comply with the by-laws of the Local Union, the terms of office shall be from the first general meeting following the date of the election and until the election of successors. At the first general meeting following each election the outgoing officers shall install their successors into office.

Section B The terms of office for the stewards shall be two (2) years, and appointments shall coincide with Local Union officer terms.

ARTICLE XII Nominations and Elections

Section A Nominations and Election of Officers, Delegate Assembly Members, and the additional members and alternates of the Contract Negotiations Committee:

1. Election of Officers, Delegate Assembly members, and additional members and alternates of the Contract Negotiations Committee: shall be held no later than November 15 of each election year. The period of time between the election and the actual taking of office should be utilized as an orientation period as the new officers take over the duties of each position.
2. An Elections Committee composed of no less than three (3) members in good standing shall be appointed by the President at the September general meeting in an election year. A member of the Elections Committee shall not be a candidate for office or the Delegate Assembly or the Contract Negotiations Committee in the election in question.
3. The Elections Committee shall be responsible for determining whether candidates are members in good standing and a member of the appropriate bargaining unit if applicable to a position and otherwise eligible to hold office; assist union clerical staff in the preparation, distribution & tabulation of the ballots; deciding all questions concerning the validity of any ballot; and along with the Sergeant-at-Arms/Parliamentarian, confirming the voting eligibility of members.
4. Nominations for elective office, the Delegate Assembly, and the Contract Negotiations Committee shall be made from the floor at the October general meeting and nominations may be submitted to the Elections Committee by members in good standing, provided such nominations are made at least two weeks prior to the election date. Nominations may be accepted after the deadline if a specific elective

office had not generated at least one candidate. All nominees who are eligible to be elected to a position(s) will be placed on the ballot.

5. Voting will be by secret ballot prepared by the Elections Committee with the assistance of union clerical staff. Only official printed ballots will be counted.
6. A simple majority of those ballots received will constitute a win for any candidate for office.
7. The President plus the five top vote getters for the positions available on the Delegate Assembly will be elected to those positions. Selection will be in accordance with Article IX.
8. The top vote getters for the positions available on the Contract Negotiations Committee will be elected to those positions. The two (2) top vote getters will be selected at large and the other six (6) positions will be the remaining top vote getters such that two come from each bargaining unit.
9. Should there be more than two candidates for an office, and no one candidate receives a majority of the votes, a runoff election between the top two vote getters will take place as soon as practicable and shall be the responsibility of the Elections Committee.
10. In case of a tie for a position, the names of the tied candidates will be placed in a 'hat' and the winner will be the first name drawn from the 'hat' in a blind drawing.
11. Voting for Officers and Delegate Assembly members shall be done by all members regardless of unit, except the office of Vice President for Confidential Employees Unit (Unit I); Vice President for Management Unit 1 (Unit K), Vice President for Management Unit 2 (Unit L) and members of the Negotiating Committee from the three units shall be elected by the respective unit members only.

ARTICLE XIII Removal of Officers, Delegate Assembly Members, and Contract Negotiations Committee Members

Section A Officers, Delegate Assembly members and Contract Negotiations Committee members may be removed from office by resolution of majority vote of the Chapter membership present at a regular general meeting. Reasons for removal shall include, but not be limited to the following:

1. Absence without cause from three (3) consecutive general membership meetings;
2. Misappropriation of Union funds;
3. Failure to perform his/her duties of elected 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 B Vacancies shall be filled by a majority vote of the Executive Board.

ARTICLE XIV General Rules, Regulations, and Amendments

Section A These by-laws shall become valid upon ratification by a simple majority of the member votes cast. Chapter members present at the meeting shall jointly execute and officially adopt these by-laws and affix their signatures thereto, evidencing the

date of membership adoption.

- Section B New by-law amendments may be adopted, amended or repealed by a simple majority vote of the members present at a regular general meeting; the amendment(s) to the by-laws may not be adopted unless a written copy of said proposed amendment(s) is provided to all Chapter members thirty (30) days prior to its final approval and adoption.
- Section C Meetings shall be conducted in accordance with Robert's Rules of Order.
- Section D These by-laws shall become effective upon ratification as covered under Section B of this Article.
- Section E The invalidity of one or more phrases, sentences, clauses, Sections or Articles contained in these Bylaws shall not affect the validity of the remaining portions of these By-laws so long as the material purposes of these By-laws can be determined and effectuated.