

CONSTITUTION AND BYLAWS

UNITED NURSES

AND

ALLIED PROFESSIONALS

LOCAL 5019

REVISED JANUARY 2000

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ARTICLE I.

NAME

This organization shall be known as the United Nurses and Allied Professionals, Local 5019

ARTICLE II.

OBJECTIVES

- Section 1. To provide an effective collective bargaining representation to nurses, allied health professionals and other health care employees, employed by the State of Rhode Island..
- Section 2. To improve the standards for registered nurses, allied health professionals and other health care employees by advancing economic status, promoting better preparation in basic education programs, encouraging and promoting continuing education, securing working conditions essential to the best performance of professional services and the most effective delivery of health care through UNAP.
- Section 3. To improve the standards for public employees by working for the strengthening of collective bargaining and the passage of civil service legislation in the State, promoting continuing education for state employees, and securing working conditions conducive to the best performance and delivery of public service.
- Section 4. To promote the welfare of the health care consumer by providing progressively better access to the utilization of health care resources in the state.
- Section 5. To fight all forms of bias in health care delivery due to race, creed, sex, age, sexual preference, social, political or economic status, national origin, disease entity or diagnosis.

Section 6. To promote UNAP local participation in community health programs, health systems, agencies, as well as any other regulatory body affecting the delivery of health care.

Section 7. To work for passage, implementation and retention of just laws which will improve the climate for health care consumers, nurses, allied health professionals and other health care employees.

### ARTICLE III.

### MEMBERSHIP

Section 1. All employees included in the local as established by the Rhode Island Labor Board are as follows:

EE-1657 , Department of Education  
EE-1696 A , Ladd Center  
EE-1700 A , Department of Human Services  
(formerly SRS)  
EE-1862 , URI Student Health Department,  
RIC Student Health Department,  
CCRI Student Health Department  
(Lincoln & Warwick Campuses)  
EE-2079 , Zambarano Memorial Hospital  
EE-2076 , R.I. Veterans Home

Each of the above are known as units, collectively, the above units make up the local. Employees are eligible for membership as well as others eligible for special classes of membership.

Section 2. Supervisory personnel as defined by the State Labor Law shall not obtain membership. Members who are promoted to positions so designated by the labor law automatically are removed from membership on the effective date of the promotion.

Section 3. No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, political activities or beliefs, sex, age, sexual preference, economic status, or national origin.

Section 4. A member may be expelled for acts detrimental to the Local 5019 upon

presentation of written charges signed by at least 25 percent of the total membership and approved by at least 75 percent of the local's executive committee after legal consultation. The member shall have the right to appeal the decision to the membership at the following membership meeting and shall be reinstated with full rights if a majority of the members present vote to reinstate.

Section 5. Any member who fails to pay dues, upon dues expiration shall be dropped from the membership and his/her name shall be removed from the records at the local .

Section 6. There may be special cases of membership as follows :

A. Retirees, laid-off employees and employees on unpaid leave are eligible for membership. The local pays per capita for members who are laid-off or on unpaid leave. Local Retirees are limited by state law in their earnings from the state either directly or indirectly and therefore will be considered half dues paying members. These members will pay dues directly to the local's treasurer and as long as their dues are up to date will be considered full active members of the local.

B. Effective January 1, 2007, employees earning less than less than \$15/hour the dues for such members will be 50 percent of the regular rate. Bargaining unit members who pay full dues, but who earn less than \$15,000 in a calendar year, are eligible to receive a rebate of the difference between full and half dues, upon presentation of their W-2 form. \$ 15,000.00 per year. The local pays per capita for such members at 50 percent of the regular rate. Employees earning less than \$ 10,000.00 per year. The local pays per capita for such members at 25 percent of the regular rate. Such members will be entitled to receive full benefits of membership; however, in determining the delegate strength of the local at any state or national convention, the locals representation shall be in proportion to the rate of dues paid. The local may chose to pay full per capita tax on members in the categories described above and be entitled to full delegate representation.

## ARTICLE IV

### CHARTER

Section 1. Copies of the constitution shall be made available to other affiliated organizations upon request.

Section 2. Copies of the constitution shall be available for any member of this Local upon request to the secretary.

Section 3. Effective September 1, 1984 and thereafter, this local shall increase the local dues to equal any increase in per capita payments that are required to be made to the Organizations with which the local is affiliated. This shall be known as dues pass-through.

Section 4. The charter granted to this local shall not be revoked or suspended because it has a membership less than ten but not less than seven.

## ARTICLE V

### OFFICERS

Section 1. The following officers shall be elected biennially by this local :

1. President
2. Executive Vice President
3. Treasurer
4. Secretary

Section 2. Each unit shall elect a chairperson biennially who shall serve as a voting member on the local executive board.

Section 3. Membership in good standing for at least one year is preferred to hold office.

Section 4. Election of officers shall be conducted by mail ballot in the spring of even numbered years. Notice of nominations and election shall be provided to members at least fifteen (15) days prior to the deadline of the nomination period. All nominations for local officers shall be accompanied by petitions containing at least ten (10) signatures of members. Nominations for unit chairpersons shall be accompanied by petitions from ten percent (10%) of the unit's membership.

Section 5. The candidate receiving a majority of the votes cast shall be declared elected. If a majority is not obtained, a run off election of the two receiving the most votes shall be held. In the event that there are uncontestated seats, the election committee

chairperson shall move to cast one (1) vote to fill the seat, at the next local meeting.

Section 6. Vacancies in any office shall be filled by the Executive Board.

## ARTICLE VI

### DUTIES OF OFFICERS

Section 1. The local president shall preside at all meetings of the local and of the executive board; shall be ex-officio member of all committees; shall sign all necessary papers, documents and agreements; shall represent the local when and where necessary; shall serve as delegate to all conventions when feasible; shall chair the negotiating committee; shall be custodian of the seal; shall serve as local representative on the UNAP executive council; shall be empowered to call special general membership meetings and executive board meetings; shall appoint designees; shall serve as a signature for bank accounts of the local; shall be responsible for sending revised constitution and by-laws to the state organization president.

Section 2. The Executive Vice President shall perform all the duties of the president in the absence of that officer; may serve as a signature for bank accounts of the local.

Section 3. The Secretary shall issue all notices; shall answer all correspondence at the direction of the president and shall report outside correspondence to the president and the executive board; shall record the minutes of the executive board meetings and of general membership meetings, and keep the records in good order, making a copy for the president; shall be the custodian of all secret ballots for one year; may serve as one of the signatures on local bank accounts.

Section 4. The treasurer shall have the following responsibilities :

- A. To receive, record, and deposit in the name of the local, all monies from dues and all other sources.
- B. To keep the membership roll, issue receipts and delinquent notices.
- C. To receive membership applications and process in a prompt manner.
- D. To revise and correct the membership list, with each per capita payment at least monthly and more often, if indicated and forward a copy to the local president.
- E. To forward all per capita dues and updated membership list to other affiliated organizations to keep the local in good standing at all times.

F. To be chairperson of the audit committee; present a written report at each general membership meeting to be filed with the secretaries report. A written annual financial report must be presented to all members at the annual meeting.

G. To keep accurate and adequate records available at all times for the president, the executive board and the audit committee.

H. To pay all bills of the local and keep copies of all bills. Expenses not previously authorized must be presented to the executive board for authorization.

I. To alert, immediately the president and the executive board of any financial concerns related to expenses, cash flow or bills received or revenue.

J. To forward a list of names and addresses of members who terminate membership to the president and the state organization for the purpose of "exit" letters, monthly.

K. After approval of the executive board, will file all required documents with the IRS.

L. The Treasurer will be the custodian of the charter.

M. All financial records will be subject to an internal audit annually.

The executive board may call for an internal and/or external audit at will.

Section 5. Each unit chairperson shall serve as a member of the executive board and negotiating committee; shall conduct general meetings at the unit on a regular basis; shall give membership application cards to all new members in the unit for completion and return the cards promptly to the local treasurer; shall report any changes in the status of members (I.E. hours, position, leave of absence, termination, death) promptly to the local treasurer; shall forward copies of all grievances as they arise and are filed in the unit and copies of all grievance replies (at all levels) to the local president; shall bring pertinent matters of local concern to the executive board; may request special meeting of the executive board through the president.

## ARTICLE VII



## LOCAL EXECUTIVE BOARD

Section 1. The composition of the executive board of the local shall be as follows :

- A.The elected officers of the local;
- B.All elected bargaining unit chairpersons

Section 2. The executive board shall administer the policy of this local as set by the membership at regular meetings. It shall have the power to act for the good of the local in emergency situations where the policy can not be set by the membership. The executive board will also serve as the budget committee and the grievance committee.

Section 3. The chairperson of the executive board shall be the president of the local.

Section 4. The time and place of the executive board meetings shall be set by the executive board or the president and announced at the previous executive board meeting, whenever possible. The executive board shall meet bimonthly and more often as necessary.

Section 5. The executive board shall have the power to employ all personnel including an executive secretary, clerical help, and other persons on a full or part-time basis as may be determined by the needs and finances of the local.

Section 6. The executive board shall have the power to make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of it's purposes; to borrow money for local purposes at such rates of interest and terms and conditions as they may deem appropriate; to issue notes, bonds, and other obligations; and to secure any of it's obligations by mortgage, pledge, or deed of trust of all or any of it's property and income.

Section 7. The executive board shall report it's activities at each regular membership meeting, where the minutes of the meeting will be read by the secretary.

Section 8. The executive board in it's role as the grievance committee may request the grievant to attend the executive board meeting for a grievance denied at every step. In anticipation of possible arbitration, the merits of the case will be evaluated, after presentation of all facts of the grievance. A majority vote of the established executive board members is required for a grievance to go to

arbitration, following proper parliamentary procedure. The decision of the executive board is final.

Section 9. Each bargaining unit is entitled to one voting representative on the executive board (that representative shall be the bargaining unit chairperson). Each elected officer is entitled to one (1) vote. However, for equal representation purposes, by passage of a motion made by any executive board member, a weighted vote may be taken. A weighted vote will be defined as one (1) vote for each member of a unit which shall be cast by the unit chairperson or designee.

Section 10 The executive board in it's role as budget committee shall prepare a budget for adoption by the membership at the membership meeting.

Section 11 The executive board shall have the duty to interpret and enforce this constitution and to make rules not in conflict with this constitution. Consultation with the president of the state federation should be undertaken regarding revisions.

Section 12 The expenses of executive board meetings shall be paid by the local.

Section 13 The executive board shall have the duty to increase or decrease the stipends of the president and treasurer.

## ARTICLE VIII

### AFFILIATIONS

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

A. The Unite Nurses and Allied Professionals --all delegates and alternates to the Convention shall be elected by majority vote at a membership meeting. Notice of election shall be made at the previous membership meeting whenever possible or notices will be mailed to current membership at least fifteen (15) days prior to the election. The President and Secretary shall certify the election and forward the credentials of all elected delegates and alternates to the State Office as soon as possible but not later than ten (10) days before the convening of the Convention. The delegates shall confer with the Treasurer to make sure the per capita has been sent to the State Office at least fifteen (15) days before the convening of the Convention. Delegates shall be elected by secret ballot and in accordance with the

UNAP Constitution, Section 1 A. Whenever possible, the Local President shall serve as a delegate to the UNAP Convention.

1. The votes of the Local shall be distributed as evenly as possible among the delegates at the time of voting, but votes shall be assigned to the delegates who received the most votes from the Local members, in the election of the delegates.  
No delegate will get more than one of the additional votes.

B. The United Nurses and Allied Professionals --delegates shall be elected at least one month before the Convention at a regular membership meeting.

C. The President of the Local or his/her designee will serve as delegate to the UNAP Executive Council. The Local President may serve as delegate to the UNAP Convention without election.

D. UNAP Joint Executive Board -- will consist of the elected local officers and unit chairpersons.

Section 2. All delegates shall make written reports to the Executive Board on meetings attended.

Section 3. Every reasonable effort shall be made by this Local to pay the legitimate expenses of delegates to meetings and conventions of affiliated organizations.

Section 4. The Local, to the best of its ability, shall be active in the affairs of affiliated organizations.

## ARTICLE IX

### COMMITTEES

Section 1. The following standing committees shall be active to this Local:

- (1) Negotiating Committee

- (2) Education Committee
- (3) Political Action Committee

Section 2. Special committees shall be appointed as needed. Examples of special committees might be:

- (1) By-laws Committee
- (2) Audit Committee
- (3) Nominating Committee

Section 3. Chairpersons of each of the standing committees and of all special committees shall be appointed by the President with the consent of a majority of the other elected officers.

Section 4. Members of each committee shall be appointed by the chairperson of each committee with the consent of the President.

## ARTICLE X

### DUTIES OF STANDING AND SPECIAL COMMITTEES

Section 1. The Negotiating Committee shall prepare and substantiate salary and other contract proposals.

Section 2. The Education Committee shall study and make recommendations for improvements in health education curricula, continuing education programs, staffing problems, consumer education projects, and other professional matters and participate in the TAP Committee decisions. A written report of TAP meetings should be submitted to the Executive Board.

Section 3. The Audit Committee shall audit the Treasurer's books and yearly Treasurer's report. They shall present their written yearly report to the membership at the annual meeting .

Section 4. The Political Action Committee shall inform the membership of legislation and candidates which impact on the local and the profession. The committee's activities will include fund raising activities; endorsements of candidates and

legislation; and making political contributions.

## ARTICLE XI

### MEETINGS

Section 1. The time and place of general meetings shall be fixed by the membership or the Executive Board.

Section 2. There shall be at least two (2) general membership meetings per year. The Annual Meeting shall be held in the spring of each year.

Section 3. A quorum shall consist of ten (10) percent of the total membership.

Section 4. Unit meetings should be fixed by the Unit membership, but may be called for by the President of the Local.

## ARTICLE XII

### FINANCE

Section 1. Regular dues shall be fixed by a majority vote of members present at any regular meeting providing notice of the contemplated dues increase has been announced at a previous meeting or mailed at least five (5) days prior to the meeting.

Section 2. Additional finances may be obtained by various fund-raising activities.

Section 3. The salary of the President and the salary of the Treasurer are payable monthly. ~~in quarterly installments of June, September, December, and March.~~ These salaries shall not be decreased during the incumbent's term of office. An increase in the salaries can be passed by a majority vote at any Executive Board meeting.

Section 4. In the event of death of a Local member, flowers sent to the funeral home, signed from Local 5019, United Nurses and Allied Professionals may be billed to the Local and paid for without a general membership or Executive Board vote.

Section 5. After signing new contracts, the President is authorized to engage a Union printer for the purpose of printing new contracts for all members.

### ARTICLE XIII

#### AMENDMENT

Section 1. This Constitution may be amended by a majority vote of the members present at any regular meeting provided the following have been met:

- a. the contemplated change has been announced at a previous general membership meeting, or;
- b. members are notified by mail of the contemplated change at least five (5) days prior to the meeting.

### ARTICLE XIV

#### PARLIAMENTARY AUTHORITY

Section 1. Roberts Rules of Order, Revised, shall govern in all cases not covered by this Constitution or by the By-laws of this Local.

### ARTICLE XV

#### AVAILABILITY OF CONSTITUTION

Section 1. Copies shall be made available to other affiliated organizations upon request of the Local Secretary.

Section 2. Copies shall be available for any member of this Local upon request to the Local Secretary.

BY-LAWS  
of  
United Nurses and Allied Professionals  
Local 5019

I. ROLL-CALL VOTE

Section 1. A motion calling for a roll-call vote shall require 1/4 vote of members present for adoption.

II. SUSPENSION OF RULES

Section 1. Special rules of order contained in Article XIV of the Constitution may be suspended by a two-third's vote in the same manner as provided by Roberts Rules of Order - Revised for the suspension of all regular rules of order.

III. NOMINATION AND ELECTION PROCEDURES

Section 1. All election of officers and delegates will be in accordance with Landrum-Griffin.

IV. BY-LAWS AMENDMENT

Section 1. Following each UNAP Convention these By-Laws should be reviewed by the Executive Board.

Section 2. The By-Laws may be amended by a majority vote of the members present at any regular meeting provided either or both of the following have been met:

- a. the contemplated change has been announced at the previous general membership meeting, or;
- b. members are notified by mail of the contemplated change at least five (5) days prior to the meeting.

The Constitution and By-Laws were adopted  
\_\_\_\_\_, 2000.

United Nurses and Allied  
Professionals, Local 5019

Signed: \_\_\_\_\_  
(President)

Attest: \_\_\_\_\_  
(Secretary)