

EAST WHITTIER EDUCATION ASSOCIATION

# eWEa Bylaws

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**Revised**  
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## I. NAME AND LOCATION

- A. The name of the Association shall be the East Whittier Education Association/CTA/NEA in Los Angeles County. The name may be abbreviated as eWEa.

## II. PURPOSE

- A. To represent its members in their relations with their employer and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters in order to speak with authority for our membership;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To promote cooperation and communication between education support professionals and certificated teachers;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

## III. AFFILIATION WITH THE CTA/NEA

- A. The East Whittier Education Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The East Whittier Association shall be an affiliated local association of the National Education Association (NEA).

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### IV. MEMBERSHIP

- A. The primary category of membership shall be Active members.<sup>1</sup>
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of East Whittier City School District, and whose primary assignment is such as not to hold evaluative responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher's bargaining unit.
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual eWEa/CTA/NEA dues appropriate to the class of membership.
- D. The right to vote and to hold elective office or appropriate position within the Association shall be limited to Active members.
- E. Active members shall be eligible to vote in all elections, hold elective office or appointive positions, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. Active members shall adhere to the Code of Ethics of the Education Profession.<sup>2</sup>
- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his or her behalf, to confront and cross-examine his or her accuser and any witnesses against him or her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.

### V. DUES, FEES, AND ASSESSMENTS

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<sup>1</sup> If it is necessary to meet local needs, see page 12 of the *CTA Requirements for Development of Bylaws* for additional membership categories.

<sup>2</sup> Code of Ethics of the Education Profession can be found in the *CTA Organizational Handbook*.

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- A. The basic annual dues level for Active members shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and dues of NEA.
- B. The Association's portion of the basic annual dues shall be established by action of the Representative Council at the last regular meeting of the school year.
- C. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status makes the member ineligible for membership. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, then that person's membership shall be considered delinquent, and the name dropped from the rolls.

### VI. POLICY-MAKING BODY

- A. The policy-making body of the Association shall be the Representative Council. The Representative Council, composed of Active members of the Association, derives its power from and shall be responsible to the Active membership.
- B. The Representative Council shall be composed of the following Active members:
  - 1. Voting members of the Executive Board;
  - 2. Faculty Representatives elected on the basis of one-person one-vote;
  - 3. Active members of a chapter shall have the right to attend and observe official meetings of the Representative Council. Business shall be conducted by duly elected Representatives or Seated Alternates.
  - 4. CTA State Council Representatives;
  - 5. The following additional representatives may serve but may not vote (unless also serving as a Faculty Representative):
    - a) Committee Chairpersons;
    - b) Ex-officio members of the Executive Board; and
    - c) Members of the Association who hold CTA/NEA offices or committee appointments.
- C. The Representative Council shall:
  - 1. Establish Association policies and objectives;

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2. Adopt the annual budget of the Association on or before the first meeting of the school year;
  3. Approve the establishment or discontinuance of ad hoc committees and/or task forces including the membership of those bodies as recommended by the Executive Board; and
  4. Establish the dues of the Association.
- D. The Representative Council shall meet at least once during each school month, the number, place and time of meetings to be determined by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by petition of twenty (20) percent of the Active membership.
- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places and times.
- I. Representative Council meetings that are conducted electronically may be held if members may interact in the meeting. Members at all sites shall be able to be seen and heard by the entire Representative Council, allowing complete participation. A roll call attendance and subsequent votes shall be conducted by the Secretary.
- J. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

### **VII. FACULTY REPRESENTATIVES**

- A. Faculty representatives shall be elected by and from the Active membership for each faculty group. Such elections shall be by open nominations and by secret ballot.
- B. Faculty Representatives shall serve a term of two (2) years.

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- C. Each faculty group shall be entitled to at least one representative, and shall have one representative for each fifteen (15) Association members on the faculty, or major fraction thereof.
- D. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Faculty Representatives shall:
  - 1. Conduct constant and ongoing liaison between the Representative Council and the Active members of the faculty group;
  - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and its members;
  - 3. Represent the views and input of the Active membership in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
  - 4. Perform such additional duties as prescribed by the Executive Board.
- G. A Faculty Representative may not conduct an election in which he or she is a candidate.

### VIII. OFFICERS

- A. The officers of the Association shall be the President, a First Vice-President, a Second Vice-President, a Secretary, and a Treasurer.
- B. These officers shall be and remain currently paid-up local, state and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the Active membership of the Association. Such elections shall be by open nomination and secret ballot.
- D. Officers shall be elected for a term of two years, commencing on July 1 of any calendar year. The offices of President, Second Vice-President and Treasurer will be up for election on odd-numbered years. The offices of First Vice-President and Secretary will be up for election on even-numbered years.

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- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the First Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms within forty-five (45) days.
- F. The President shall be the chief executive officer of the Association and its policy leader. The President shall:
1. Preside at all meetings of the Association, the Representative Council and Executive Board;
  2. Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board;
  3. Be the official spokesperson for the Association;
  4. Be familiar with the governance documents of the Association, CTA and NEA;
  5. Appoint all chairpersons and members of committees with the approval of the Executive Board at the beginning of each school year;
  6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board at the beginning of each school year;
  7. Call meetings of the Association, Representative Council and the Executive Board;
  8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
  9. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
  10. Attend meetings of the Service Center Council of which the Association is a part;
  11. Attend other CTA/NEA meetings as directed by the Representative Council; and
  12. Order the payment of funds as necessary.<sup>3</sup>
  13. Serve as ex-officio member of all committees.

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<sup>3</sup> Outlined in the *CTA Treasurer's Handbook*.



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- G. The First-Vice President shall:
1. Serve as assistant to the President in all duties of the President;
  2. Assume the duties of the President in the absence of the President;
  3. Be responsible for the formation and distribution of the Associations calendar of activities;
  4. Serve as coordinator of committee activities at the direction of the President; and
  5. In the event a vacancy occurs in the office of President, the First-Vice President shall immediately assume the office of President for the rest of the year.
- H. The Second-Vice President shall:
1. Assume the duties of the First-Vice President in his or her absence;
  2. Serve as Service Activities Director for the Association;
  3. Serve on the Membership and Retirement Committee; and
  4. Serve as assistant to the President in all duties of the President.
- I. The Secretary shall:
1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Representative Council and Executive Board;
  2. Be responsible for the distribution of minutes, notice of meetings (regular or special) of the Association, Representative Council and Executive Board;
  3. Keep an accurate roster of the membership of the Association and of all committees;
  4. Keep an accurate record of all elected and appointed representatives and committee members and all respective terms of office; and
  5. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
- J. The Treasurer shall:

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1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
  2. Pay out such funds upon orders of the President;
  3. Provide a written financial report for each regular meeting of the Representative Council and Executive Board;
  4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership; and
  5. Be responsible for submitting membership and financial reports to CTA, NEA and other agencies as required by law.
- K. The Past President shall, for a period of one year immediately following his or her term:
1. Ensure the continuity of East Whittier Education Association business as a resource person;
  2. Provide parliamentary procedure decisions at all East Whittier Education Association meetings, if needed;
  3. Help make an orderly transition of Presidential materials to the new President; and
  4. Attend Executive Board and Representative Council meetings as an ex-officio, non-voting member.

### **IX. EXECUTIVE BOARD**

- A. The Executive Board shall be composed of the five officers and two members elected at-large from the membership, as long as this complies with the “one person-one vote” rule.
- B. All members of the Executive Board shall be and remain currently paid-up local, state and national (Active) members as a condition for nomination to and service in this position.
- C. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
- D. The at-large members of the Executive Board shall be elected for a term of two (2) years, commencing on July 1 of any calendar year. The at-large seats will be up for election on even-numbered years.

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- E. Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within forty-five (45) days.
- F. The Executive Board shall meet prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- G. The duties of the Executive Board shall be to:
  - 1. Coordinate the activities of the Association;
  - 2. Act for the Representative Council when school is not in session;
  - 3. Direct the bargaining activities and grievance activities of the Association, subject to policies established by the Representative Council;
  - 4. Approve by majority vote the appointment, and by two-thirds (2/3) vote the removal, of Bargaining Team members;
  - 5. Recommend a budget for the Association to the Representative Council;
  - 6. Approve by majority vote all appointments to, and removal of, committee members;
  - 7. Adopt the Standing Rules of the Association;
  - 8. Adopt the grievance procedure;
  - 9. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council; and
  - 10. Appoint and/or remove employees of the Association.
- H. A quorum for all meetings of the Executive Board shall consist of a majority of the elected members of that body.

## **X. MEETINGS OF THE GENERAL MEMBERSHIP**

- A. Meetings of the Association may be called by the President, the Executive Board or by written petition of twenty (20) percent of the Active membership.

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- B. Notices of the Association meetings including date, time, place and purpose of the meeting shall be made available to all members of the Association at least two (2) days before the meeting except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places, and times.
- D. General Membership meetings that are conducted electronically may be held if members may interact in the meeting. Members at all sites shall be able to be seen and heard by the entire membership, allowing complete participation. A roll call attendance and subsequent votes shall be conducted by the Secretary.
- E. A quorum for meetings of the Association shall be fifty (50) percent plus one (1) of the Active membership.

### XI. BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board may, by two-thirds (2/3) vote, remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the Active membership. The Executive Board is distinct from the Bargaining Team.<sup>4</sup>
- F. Employees in the bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for the unit shall be approved by Active members in that unit.
- G. The Bargaining Team shall be under the direction of the Executive Board, and shall report its activities to the Executive Board as the Board requires.

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<sup>4</sup> The Executive Board must be separate from the Bargaining Team to avoid Duty of Fair Representation issues being raised.

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- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the unit, unless such ratification shall have been specifically waived or otherwise delegated by that membership.

### XII. GRIEVANCE PROCESSING

- A. The Executive Board, with approval of the Representative Council, shall adopt the procedure for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
  - 1. Provide for representation to assist all members of the bargaining units in processing grievances;
  - 2. Training for handling grievances; and
  - 3. Evaluation of the Association's grievance policies and procedures.

### XIII. NOMINATIONS AND ELECTIONS

The chapter shall follow and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the *CTA Elections Manual*. The chapter President must provide Active members an opportunity to vote in all elections.

Chapter Presidents do not have the option of deciding that such elections shall not be held.<sup>5</sup>

- A. Elections Committee
  - 1. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year.

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<sup>5</sup> Except for NEA-RA Local Delegate elections where, following a period of open nominations, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled and the affiliate has adopted a governing provision or election policy allowing such a practice.

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2. The Elections Committee is charged with ensuring that elections are conducted in a fair and impartial manner.

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- B. Elections Requirements
  - 1. An open nomination procedure.
  - 2. All voting shall be by secret ballot.
  - 3. All and only Active members may vote.
  - 4. A record of voters receiving or casting ballots shall be kept.
  - 5. All elections shall be decided by a majority vote, unless otherwise specified.
  - 6. Active members shall vote by either on-site ballot at the designated eWEa location or electronic/online voting approved by the Executive Board. A member shall acknowledge receipt of a paper ballot by signature on a registration sheet at the time of issuance.
  - 7. All elections, unless otherwise dictated by CTA/NEA policy, shall allow for voting over a minimum two-day period.
- C. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA/NEA rules.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.
- F. The duties of the Elections Committee shall be to:
  - 1. Ensure that all chapter/CTA/NEA election codes and timelines are followed;
  - 2. Establish election timelines;
  - 3. Develop and carry out timelines and procedures;
  - 4. Prepare ballots for election of officers and such other elections as may be necessary;
  - 5. Count the ballots and certify results;
  - 6. Handle initial challenges.

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### XIV. COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board subject to approval by the Representative Council.
- B. Each committee shall submit periodic reports to the Executive Board and Representative Council.
- C. The Executive Board shall direct the activities of all committees, subject to the policies established by Representative Council.

### XV. PARLIAMENTARY AUTHORITY

On all matters of procedure not otherwise covered by the provisions of these Bylaws, *Robert's Rules of Order*, latest revised edition, shall be followed at all meetings of the Association, the Representative Council, and the Executive Board.

### XVI. AMENDMENTS/PROCEDURES

These bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meetings of the Representative Council. Notice in writing of proposed bylaws amendments shall have been submitted to the Secretary and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted upon.