

**FREMONT PUBLIC SCHOOLS EMPLOYEES  
OAPSE LOCAL 321  
BY – LAWS**

**ARTICLE I – NAME**

The name of this organization shall be: “Fremont Public School Employees, OAPSE, Local #321.”

**ARTICLE II – PURPOSE**

The objects and purposes of this Union shall be:

- to promote the interests of education, to advance the standards of Union members, and to secure conditions necessary to promote the greatest efficiency and understanding of Union members and the employer.
- to promote the economic and social welfare of Union members through unity of action and mutual cooperation.
- to promote the welfare of membership, and to provide a voice in the determination of terms and conditions of employment.
- to secure economic advantages including better wages, hours, and working conditions through organization and collective bargaining, and the utilization of other lawful means.
- to deal with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.
- To do any and everything necessary and proper to carry out these purposes.

**ARTICLE III – MEMBERSHIP**

- A. **Eligibility** – All persons, without regard to ancestry, age, color, creed, handicap, national origin, political belief, race, religion, or sex, who meet the requirements hereinafter listed, shall be eligible for membership in the Union and its duly chartered Locals and Organizations affiliated with the Union and all subordinate bodies.
- B. All non-instructional personnel employees of the Fremont Public Schools who are included the bargaining unit shall be eligible for active membership.
- C. All active members of a chartered Local must belong to both the State Association and the Local Union.
- D. **Member in Good Standing** – A member in good standing is a member who is current in the payment of Local and State dues. Only members in good standing may hold a local office, serve on committees, and vote.

#### **ARTICLE IV – DUES**

- A. A Local shall levy a uniform dues for Local membership which shall be not less than fifty cents (\$.50) per active member per working month. No action to change Local dues shall be taken except after written notice has been given to the membership that a purpose of the meeting is to consider dues. Any action to change dues shall require a majority vote by secret ballot. Local #321 dues shall be one dollar (\$1.00) per member per working month, and shall be in addition to State dues.
- B. All Local dues shall be collected by payroll deduction, in their entirety, in the first payroll deduction.

#### **ARTICLE V – TERM OF OFFICE**

- A. The officers of the Local shall be the Local President, Local Vice-President, Local Secretary, Local Treasurer. A Local officer shall continue to hold office for the period of time for which elected, provided he/she remains in good standing in the Local, or unless removed in accordance with the State Constitution.
- B. The term of office for Local Officers shall be for two years, and shall begin when they are installed at the May meeting following their election, and shall continue until the May meeting of the second year thereafter at which time their successors who have been elected are installed. There is no limit in the number of terms to which an individual may be elected and serve.

#### **ARTICLE VI – ELECTION OF OFFICERS**

- A. Nominations for Local Officers shall be made at a meeting called for the purpose of election.
- B. The Nominating Committee shall report its slate of candidates for office at the regular Local meeting in March.
- C. Elections shall be conducted at the regular Local meeting in March or April of evened numbered years. Nominations may be made from the floor at this meeting.
- D. Not less than fifteen (15) days prior to the election, written notice of the election shall be mailed by the Committee to each Local member at his/her last known home address. Notice of the election prominently displayed in a publication mailed to the last known home address of the members not less than fifteen (15) days prior to the election shall be deemed proper notice. (The day on which the notices are mailed is not counted whereas the day of the election is counted – e.g. if the election is to be held on the 20<sup>th</sup> day of the month, the notices must be mailed on the 5<sup>th</sup> day or before.)

## **ARTICLE VI – ELECTION OF OFFICERS (cont'd)**

1. The written notice shall contain:
  - a. The Date, Time and Place of the meeting.
  - b. The offices to be filled.
  - c. A statement that nominations from the floor will accepted.
  - d. The voting location(s) and time(s) for voting.
  - e. Time(s) and location(s) for a run-off election.
  
- E. The elective officers shall be nominated and then elected by secret ballot at a Local meeting in accordance with the nominating and election rules and regulations as adopted by the State Executive Board. The balloting shall be conducted in a manner that affords all members a reasonable opportunity to vote.
  
- F. A majority of the votes cast for any office shall be required to elect. If no candidate receives a majority, then a new ballot shall be prepared and a run-off election shall be held. The new ballot in a run-off election shall contain only the names of the two candidates receiving the greatest number of votes. In the event a tie for the greatest number of votes for a particular office after two (2) run-off elections, the candidate having the greatest continuous period of membership at the time of the election shall be declared the winner. If the tie is not broken in that manner, a flip of a coin shall determine the winner.
  
- G. The nominating Committee shall prepare and issue the ballots, count the votes, and report the results of the election to the Secretary of the Local. This report shall be held as a permanent record of Local Business.
  
- H. All elected Local Officers names, address, and the office to which elected, shall be reported in writing within ten (10) days after the election to the OAPSE Executive Director State Headquarters.

## **ARTICLE VII – VACANCIES IN OFFICE**

- A. In the event of a vacancy in the office of the Local President, the Local Vice-President shall at once succeed to the title and duties of the Local President, and the Local shall proceed in the regular manner to elect a Local Vice-President.
  
- B. In the case of a vacancy in the office of the Local Vice-President, Local Secretary, or Local Treasurer, the Local President may appoint a member to the office to serve until it is possible to elect a successor in the regular manner.
  
- C. Absence from two (2) consecutive regular meetings without just cause by any officers are grounds for removal. (See Article XVII of the OAPSE State Constitution for details.)

## **ARTICLE VII – VACANCIES IN OFFICE (cont'd)**

- D. A Local may fill any vacancy in any office at any regular meeting, notice of such contemplated action having been given at a previous meeting.
- E. No individual shall be a candidate for more than one (1) Local office at the same time.

## **ARTICLE VIII – DUTIES OF OFFICERS**

- A. **Duty of the Local President:** It shall be the duty of the Local President to preside at all meetings of the Local, and to enforce a strict observance of the Constitution of the Union and all orders from proper authority. The Local President shall turn over to the Local Secretary for presentation to the membership all directives, orders, and communications affecting the Local and its' members. The Local President may appoint all Committees. In the event the Negotiating and/or Grievance Committee are appointed rather than elected by the membership, the membership shall then, or at a specific meeting called for that purpose, vote its' approval for those Committee appointments. The Local President is, by virtue of the office, an accredited delegate to the Delegate Conference. The Local President shall attend or send a representative to all District Executive Committee meetings. Any Local which is not represented for two (2) consecutive meetings will reported to the State Executive Board and their Local President, or Local Secretary, prior to their next District meeting. At the expiration of a term of office, the outgoing Local President shall give all current and pertinent materials of the office to the new Local President.
- B. **Duty of the Local Vice-President:** The Local Vice-President shall enforce a strict observance of the Constitution of the Union and assist the Local President, and, in absence or disability of the Local President, shall discharge the duties of this office. The Local Vice-President shall turn over to the Local Secretary for presentation to the membership all directives, orders, and communications affecting the Local or its' members. The Local Vice-President is the alternate for the Local President to the Delegate Conference and shall serve as the Delegate if the Local President cannot attend. At the expiration of a term of office, the outgoing Local Vice-President shall give all current and pertinent materials of the office to the new Local Vice-President.
- C. **Duty of the Local Secretary:** The Local Secretary shall keep in books or files:
  - 1. a copy of the Constitution of the Ohio Association of Public School Employees.
  - 2. the names of every member admitted to the Local.
  - 3. a record of all the proceedings of each meeting of the Local after the same shall have been corrected and approved.
  - 4. all orders and communications received.
  - 5. all election and ratification ballots.
  - 6. copy of the Local By-Laws

## **ARTICLE VIII – DUTIES OF OFFICERS (cont'd)**

The Local Secretary shall attest by signature of actions of the Local. The Local Secretary shall enforce a strict observance of the Constitution of the Union. The Local Secretary shall read to the membership at a Local meeting all directive, orders, and communications affecting the Local or its' members. The Local Secretary shall transfer to the succeeding officer all records and books of the office within fifteen (15) days after the succeeding election. At the expiration of a term of office, the outgoing Local Secretary shall give all current and pertinent materials of the office to the new Local Secretary.

- D. **Duty of the Local Treasurer:** The Local Treasurer shall receive and hold all monies, securities, vouchers, and such other property of the Local as may pertain to the Local Treasurer's office. The Local Treasurer shall collect all monies due the Local giving a receipt, and deposit all current funds received by the Local at once in a depository designated by the Local Executive Committee. The Local Treasurer shall enforce a strict observance of the Constitution of the Union. The Local Treasurer shall turn over to the Local Secretary for presentation to the membership all directives, order, and communications affecting the Local or its' members. The Local Treasurer shall keep records of all financial transactions as set forth in the Local Treasurer's handbook supplied by the Union. Expenses incurred by the Local President, or other authorized person(s), in conducting authorized Local business may be reimbursable upon submission of the receipts to the Local Treasurer. The Local Treasurer shall insure that all monies paid out by the Local must be approved by the members at a Local meeting. Under no circumstances shall officers or members pay bills without authorization by a Local, nor shall the member authorize payment of any bill or incur any obligation for which funds are unavailable. The financial records of the Local shall be audited annually by a committee of three (3) members appointed by the Local President, and a report of the audit shall be presented and approved at regular meeting. A copy of such audit report shall be forwarded to the Budge/Finance Advisory Committee no later than October 1, of each year. A Local's financial records shall at all times be subject ot audit as directed by the Budge/Finance Advisory Committee. The Local shall require that checks written on the Local checking account be signed by two officers on of whom shall be the Local Treasurer. At the expiration of a term of office, the outgoing Local Treasurer shall give all current and pertinent materials of the office to the new Local Treasurer.

## **ARTICLE IX – MEETINGS**

- A. Local #321 shall hold a minimum of six (6) regular meetings during the calendar year. The Local Secretary shall send a copy of the meeting calendar to each Building Representative of the Local.

## **ARTICLE IX – MEETINGS (cont’d)**

- B. The Local President may call a special meeting whenever, in the President’s opinion, he/she deems necessary for the welfare of the Local. The Local President shall call a special meeting of the Local upon a request in writing signed by five (5) members in good standing. A special meeting called upon request of five (5) members shall be held with fourteen (14) calendar days of the request.
- C. The Local Secretary shall cause all members to be notified of the time and place of any special meeting, and of the business to be transacted, at least forty-eight (48) hours in advance of the time set for the meeting.
- D. The Local may meet with less notice in emergency situations concerning matters of negotiations and collective bargaining. No business shall be transacted at any special meeting except that for which the meeting was called.
- E. The Local By-Laws may specify the minimum number of members required to constitute a quorum for the transaction of business, however, in no case shall the number be less than five (5).

## **ARTICLE X – CONFERENCE DELEGATES**

- A. The Local shall be granted on Delegate for each one-hundred (100) members or a fractional part thereof. In the event the Local President cannot attend, the Local Vice-President may attend as a Delegate in the Local President’s place. In the event of inability of both to attend, the Local shall be entitled to select an additional Delegate from its’ membership.
- B. All Delegates shall, after due notice of nomination has been given, shall be elected by the Local.
- C. The Local shall also elect an Alternate for each Delegate. Election shall be by secret ballot except in instances where the nominee is unopposed. The names of the Delegates and of Alternates shall be certified by the Local President and Local Secretary to the State Treasurer at the State Office no less than sixty (60) days prior to the scheduled opening date of the Conference. The Credentials Committee shall have authority to waive the sixty (60) day requirement for valid and just reasons, and shall reduce this requirement for a special Conference.
- D. No nomination or election of Delegates shall be more than one-hundred twenty (120) days prior to the opening of a Conference. No election of Delegates shall be required for anyone who is a Delegate, pursuant to this Constitution by virtue of the office therein. A Delegate representing a Local must be a member in good standing of the Union and the Local they represent.

## **ARTICLE XI – LOCAL COMMITTEES**

### **A. Negotiating Committee:**

1. The Negotiating Committee shall consist of five (5) persons each from a different major heading as defined on the Classified Employees' salary schedule. The number of persons on the Committee shall be limited to the extent of major headings or restricted by agreement with Board of Education.
2. In the event the Negotiating Committee is appointed by the Local President, the membership shall then, or at a specific meeting called for that purpose, vote its' approval for those appointments.
3. The Committee shall conduct classification meetings for the purpose of polling the membership's needs, at least sixty (60) days prior to the expiration of an existing agreement.
4. The chief spokesperson of the Negotiating Committee, should be a Field Representative from OAPSE.
5. Upon submission of a tentative agreement to the membership by the Negotiating Committee, the Committee shall make a recommendation to accept or reject the agreement.

### **B. Grievance/Labor Management Committee:**

1. The Local President shall appoint two (2) persons to chair along with the Local President on the Grievance/Labor Management Committee. The membership shall then vote approval of those appointments at a regular meeting that the membership has been notified the vote will take place.

### **C. Membership Representative Committee:**

1. The Local President shall appoint representatives from each building. The duties of the Building Representative shall be:
  - \* recruit all new employees and non-members into OAPSE.
  - \* assist all members with grievances.
  - \* post meeting notices.
  - \* post Legislative Reports and OAPSE information on employee bulletin boards.

### **D. Nominating Committee:**

1. The Local President shall appoint three (3) members to serve on the Nominating Committee, none of whom shall be candidates. The Local President shall appoint one (1) of the members of the Committee as the Chairperson. The Committee shall determine a slate of qualified nominees for Local Office and report the slate at the regular Local meeting in March. Nominations can also be made from the floor by any active member. The Nominating Committee is also responsible for conducting the election.

## **ARTICLE XII – WORK STOPPAGE**

This Local shall not participate in a work stoppage unless such work stoppage has been presented to the membership at a meeting called for that purpose, in accordance with Article IX of the By-Laws, and the State Association has been notified. No work stoppage shall commence without written approval from the State Association.

## **ARTICLE XIII – DISCIPLINE AND REMOVAL FROM OFFICE**

Any member in good standing or the Executive Board may file charges against any individual for actions taken while a member of the Union in accordance with Article XVII of the State Constitution.

## **ARTICLE XIV – AMENDMENTS**

Proposed amendments to these By-Laws shall be submitted in writing at the previous regular business meeting of the Local. These By-Laws may be modified, changed, or amended at any regular meeting at which a quorum is present, by a two-thirds (2/3) vote of the members present. After said meeting, the modification in the By-Laws will not become effective until thirty (30) days after such amendment vote.

## **ARTICLE XV – INTERNAL CONTROVERSY**

- A. In the case of an internal controversy that directly or indirectly concerns the operation of this Local, a special Committee of Local members shall be appointed for the purpose of determining the fair and reasonable solution to the controversy, in which then that solution shall be recommended to the Local Officers.
- B. Should the special Committee be unable to recommend a solution to the Local, the matter or matters shall be referred in writing to the State Office for action and a final decision.

## **ARTICLE XVI – COPIES TO MEMBERS**

The State Office shall be provided with a copy of these By-Laws and the Collective Bargaining Agreement. Every member of the Local shall be provided a copy of these By-Laws and the Collective Bargaining Agreement via the school intranet.

## **ARTICLE XVII – SEVERABILITY**

Any provision of these By-Laws found to be contrary or in conflict with the OAPSE Constitution, shall become null and void. However, all other provisions contained in these By-Laws shall remain in effect.



**ARTICLE XVIII – ORDER OF BUSINESS**

1. Reading of Minutes
2. Treasurer’s Report
3. Reading of Official Communications
4. Report of Committees
5. Reading of Bills
6. Unfinished Business
7. New Business
8. Adjournment

**REVISED 01/12/2016**