

## MCEA Bylaw Revisions – August 29, 2020

Along with call for the MCEA Convention of April 18, 2020, delegates were sent revisions to the MCEA Bylaws for consideration. Those revisions represent a comprehensive update of the bylaws of the Association.

During its regularly scheduled meeting of July 16, 2020, the MCEA Board of Directors made the following amendments to those revised Bylaws, reinstating certain long-standing procedures of MCEA, while retaining in large part the updates made in the initial revision.

What follows are the Board's recommended amendments, noted as follows: language stricken from the original revision has been ~~stricken~~ Language added to that revision is underlined.

Beneath each new article, *in red*, is the language being revised, from the current MCEA Bylaws as revised September 22, 2018.

## Article I Name

This Association shall be known as "Maryland Classified Employees Association, Inc.," as prescribed by the Articles of Incorporation and hereinafter referred to as the "MCEA."

### **Article I Name and Headquarters**

*This Association shall be known as "Maryland Classified Employees Association, Inc.," hereinafter referred to as the "MCEA" with headquarters in Baltimore County, Maryland.*

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## Article II Objects

The objects of the MCEA shall be those prescribed by the Certificate of Incorporation and by the Constitution and Bylaws of the American Federation of Teachers (AFT), including but not limited to the following:

1. protect members' rights under the merit principles of public employment;
2. advise and represent its members on any of their employment rights and obligations;
3. deal or bargain collectively with public employers in the State of Maryland concerning grievances, labor disputes, wages, rate of pay, hours of employment, or conditions of work for public employees in the State of Maryland;
4. represent members under the Correctional and Police Officer's Bill of Rights; and
5. represent members generally in matters relating to their employment.

### **Article II Objects and Methods**

**§1 Objects.** *The objects of the MCEA shall be to:*

- 1 protect members' rights under the merit principles of public employment;*

- 2 *advise and represent its members on any of their employment rights and obligations;*
- 3 *deal or bargain collectively with public employers in the State of Maryland concerning grievances, labor disputes, wages, rate of pay, hours of employment, or conditions*

*of work for public employees in the State of Maryland;*

- 4 *represent members under the Police Officer's Bill of Rights; and*
- 5 *represent members generally in matters relating to their employment.*

**§2 Representation.** *This MCEA shall represent those public employees who are members of the MCEA in good standing. This is to include those employees for whom the MCEA may acquire lawful authority to serve as majority representative in discussions and negotiations with the State, or any of its political subdivisions, concerning any personnel and employment matters. This shall also include discussions and negotiations with the state, or any of its political subdivisions, concerning any personnel and employment matters pertinent to collective bargaining and any of the duties of a collective bargaining representative, as set forth in Article II Objects and Methods, §1 Objects, pursuant to any lawfully enacted collective bargaining procedure.*

**§3 Methods.** *The stated objectives of the MCEA shall be attained by organizing, representing and collectively bargaining for appropriate units of public employees; fostering public sentiment favorable to public employees; seeking the enactment of legislation to attain better economic and social welfare for public employees; protecting the rights of all public employees in the State of Maryland; and taking any action as is deemed necessary for the protection and advancement of the MCEA members.*

**§4 MCEA Status.** *At any convention where a quorum is present, three-quarters of the delegates present may adopt a motion approving affiliation with another labor organization, provided the board causes to be mailed to all convention delegates, at least thirty days prior to the convention, a copy of the proposed motion addressing affiliation, accompanied by any and all supporting documentation available.*

**§5 Procedure.** *"Robert's Rules of Order Newly Revised" shall govern the proceedings of the MCEA, except as otherwise provided by the charter and these bylaws.*

**§6 Deadlines.** *Whenever a deadline falls on a day when the MCEA headquarters is closed for the conduct of regular business, the deadline shall become the next regular business day.*

## Article III Membership

**§1 Eligibility.** ~~Any person who supports the objects of the MCEA is eligible for membership.~~ Any public employee, contractual public employee, or retired public employee of the State of Maryland or any of its political subdivisions shall be eligible for membership in the MCEA. Any employee of a quasi-public agency in the State of Maryland which assumes the delivery of services to the public which previously had been delivered by the State or any of its political subdivisions shall be eligible for membership in the MCEA. Any surviving spouse whose deceased spouse included him or her in the MCEA insurance programs shall be eligible for membership.

**§2 Types.** The four types of membership shall be:

- A an employee member is a full or part-time public employee or contractual public employee who may vote, and hold office.
- B a retiree member is a retired public employee who may vote and hold office.
- C a surviving spouse member is the surviving spouse of a member who included them in the MCEA insurance programs who may not vote and hold office.
- D an associate member is any person who supports the objects of the MCEA who may not vote and old office.

**§3 Dues.** Dues shall be determined by the biennial convention, and:

- A Effective January 1, 2021, the dues for employee members shall be \$\_\_\_\_\_ bi-weekly, [Subject to AFT Conv., 7/28-30/20]
- B Effective January 1, 2021, dues for retiree members shall be \$48.00 per year,
- C Effective January 1, 2021, dues for surviving spouse members shall be \$48.00 per year, and
- D Effective January 1, 2021, dues for associate members shall be \$48.00 per year.

**§4 Per Capita.** Employee members' per capita payments shall be determined by the delegates at the AFT's biennial convention held in July or August of even numbered years, and MCEA, local 01935, shall increase their dues to equal any increase in per capita payments that are required to be made to the American Federation of Teachers and any increase to either the state federation or the

regional council with which the local is affiliated.

### **Article III Membership**

**§1 Eligibility** - Any public employee, contractual public employee, or retired public employee of the State of Maryland or any of its political subdivisions shall be eligible for membership in the MCEA. Any employee of a quasi-public agency in the State of Maryland which assumes the delivery of services to the public which previously had been delivered by the State or any of its political subdivisions shall be eligible for membership in the MCEA. Any surviving spouse whose deceased spouse included him or her in the MCEA insurance programs shall be eligible for membership.

**§2 Types.** The types of membership shall be:

- A active employee membership-any full or part-time public employee or contractual public employee;
- B active retiree membership-any retired public employee.
- Active employee membership a and active retiree membership b shall be entitled to vote, hold office and serve on the board of directors in the MCEA;
- C continuing membership-members who were in good standing in the MCEA and not retired at time of separation from public service. Such continuing member shall not be entitled to vote or hold office in the MCEA;
- D surviving spouse- the surviving spouse of an MCEA member who included him or her in the MCEA insurance programs; surviving spouses shall not be entitled to vote or hold office in the MCEA;
- E associate membership-any person not eligible for membership under a, b, c, and d.

Associate members shall not be entitled to vote or hold office in the MCEA.

### **Article XIII Revenues**

#### **§1 Determination of Dues**

- A Dues shall be placed on the agenda of the any convention for consideration. B Effective Dates and Rates.
  - 1 Effective January 1, 2019, the dues for active employee members shall be \$22.25 bi-weekly.
  - 2 Effective January 1, 2019, dues for active retiree members shall be \$48.00 per year.
  - 3 Effective January 1, 2019, dues for surviving spouse shall be \$48.00 per year.
  - 4 Effective January 1, 2019, dues for continuing membership shall be at the rate of \$10.00 per year.
  - 5 Effective January 1, 2019, dues for associate membership shall be \$48.00 per year.
- C Dues shall be paid by payroll deduction or in the case of members not having

*access to payroll deduction, by payment in response to a billing from the MCEA.*

*D \$1.00 of each member's dues shall entitle the member to receive all official publications of the MCEA.*

*E A member called to active duty by the U.S. Armed Forces, or is caused to be on leave without pay from state, county or municipal service, shall have his or her dues suspended from the time of his or her last full payroll check until he or she returns to the active payroll.*

*F A member successfully represented by the MCEA in a termination case shall reimburse the MCEA the dues for the period covering his or her separation.*

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## **Article IV Officers**

**§1 Officers and Duties.** The officers of MCEA shall be a president, a vice president, a secretary, a treasurer, and four directors. These officers shall perform the duties prescribed by the AFT Constitution and Bylaws, the MCEA Bylaws, and *Robert's Rules of Order Newly Revised*.

**§2 Nomination Procedure and Time of Election.** Members may submit names to the nominating committee no later than the first of July in odd-numbered years. The election shall be conducted by the Election Committee and held during ~~the month of September~~ in odd-numbered years either remotely or in conjunction with the biennial convention.

**§3 Ballot Election, Term of Office.**

A Elections shall be by ballot, either during the biennial convention or by appropriate electronic means, to be indicated in an email to the membership in August. The officers shall serve for two years or until their successors are elected and shall take office at the close of the biennial convention.

B A plurality of the votes cast is sufficient to elect a director.

C The votes of the retired members shall be weighted at one vote per 5 retired members.

**§4 Office Holding Limitations.**

No officer may be a member in a union or employee organization competing for membership with the MCEA.

~~B. No officer may serve three successive terms in office.~~

~~C. The treasurer may not serve as an officer in any area or chapter.~~

**§5 The President shall:**

1 be the presiding officer at all meetings of the convention, board,

- executive committee, and statewide council;
- 2 be an ex-officio member of the area advisory councils;
- 3 appoint committee members with the exception of the nominating committee, and the appeals committee;
- 4 be the principal executive officer of the MCEA;
- 5 receive, report and respond to correspondence of the MCEA;
- 6 supervise all employees of the MCEA;
- 7 be one of the responsible financial officers of the MCEA and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- 8 represent the MCEA before bodies of the employer, executive and legal officials;
- 9 represent the MCEA before the public, community organizations, and the news media;
- 10 be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body;
- 11 be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- 12 make an annual report to the MCEA's membership;  
and
- 13 be able to delegate the responsibilities of the office except where otherwise specified by the bylaws;
- 14 such other duties as may be required.

**§6 The Treasurer shall:**

- 1 receive, record and deposit all dues monies and other income in the name of the MCEA;
- 2 be one of the responsible officers of the MCEA and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- 3 maintain all financial records of the MCEA;
- 4 arrange for an independent annual audit of the MCEA's corporate books and records by an external Certified Public Accountant, and submit the auditor's report to the board.
- 5 transmit per-capita payments on a regular basis to the secretary-treasurer of the American Federation of Teachers and similar officers of all other bodies with which the MCEA is affiliated;

- 6 oversee the work of an receive reports from the Finance Committee;
- 7 perform other duties as delegated by the president or assigned by the board of directors;
- 8 perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT;
- 9 such other duties as may be required.

### **Article V Officers**

**§1 Titles and Terms of Office.** *The officers of the MCEA shall be a president, a vice president, a secretary and a treasurer. The term of office shall be two years. An officer may be re-elected to not more than two successive two-year terms. All officers shall serve until a successor is elected. An officer who has served two successive two-year terms may only be elected to another term after a break of at least one full year.*

### **Article VIII Committees**

**§3 Election Committee.** *This committee shall be responsible for the managing of elections for the officer and non-officer board of directors which are to be elected at the convention. An official notice, by the most reasonable and appropriate means of written communication, shall be sent to each chapter president on or before February 1<sup>st</sup> each year notifying each chapter of the positions to be filled at the next biennial convention.*

*The committee shall be composed of eight members who shall be one non-officer member of the board of directors elected by the board at a fourth-quarter meeting; one member at-large who is not on the board of directors, to be appointed by the president; the chairperson of the credentials committee, and one chapter president, who is not on the board of directors, from each of the five geographical areas to be elected by the area advisory councils at their first meetings following convention. The committee chair shall be selected by the election committee at its first meeting to be held on or before February 1<sup>st</sup> of each year. The president shall convene the first meeting of the election committee. Members of the Election Committee may not run for office.*

*Nominations for officer and non-officer positions can only be made by the chapter of which the nominee is a member. The minutes of the chapter meeting at which the member receives this approval shall be submitted to the election committee with the required nomination form. All chapter minutes submitted in support of any nomination shall comply with the*



*following requirements: chapter minutes shall indicate that a motion to nominate a member was made, seconded and passed; a chapter may nominate any member of the MCEA to no more than two positions on the board; there must be a separate motion by the chapter for each officer or non-officer position for which the member is nominated.*

*Members who do not belong to a chapter may be nominated by an officer or member of the board of directors, if the board, after due inquiry, determines that it is advisable to allow such nominations.*

*The election committee shall accept all nominations which are received at the MCEA headquarters, by certified return receipt mail only, postmarked on or before April 1<sup>st</sup> of each year, and shall be opened by the election committee chair. Once the committee verifies the nomination for adherence to the bylaws submission process, a date for interviewing candidates will be set and an interview notice will be sent to the candidates. After the slate of candidates has been certified by the election committee, it shall be presented to the president and announced at the annual statewide advisory council meeting. The final slate of candidates shall be presented to the delegates at the biennial convention by the chair of the election committee or another member of the committee whom the chair may designate.*

*Any qualified delegate may submit nominations from the floor of the convention for officer and/or non-officer positions on the board of directors provided that certain conditions are met. Prior to submitting any nomination from the floor, a delegate must have received the prior written approval of his chapter, which was obtained at a duly authorized chapter meeting and filed with the election committee, by certified return receipt mail only, postmarked no later than thirty days prior to convention. Any member whose name is properly submitted by his or her chapter as a potential nominee from the floor will be contacted by the election committee to schedule and interview prior to convention. Each nomination from the floor must be accompanied by a statement signed by the nominee indicating willingness to serve, if elected, in the nominated position.*

**§4 Credentials Committee.** *The president shall accept all nominations and appoint a credentials committee, subject to the approval of the convention, to conduct the elections. The credentials committee shall be responsible for distributing the ballots, tabulating votes, and certifying the results of the elections to the convention delegates. After all nominations are closed on a particular ballot, if there are two or more nominees for any office or if there are more nominees seeking election to the board of directors than there are vacancies, the chair shall permit each nominee to speak on his own behalf for a period of three minutes. A reasonable period of time shall be permitted for delegate caucusing. This period of time shall be no more than five minutes.*

**§§5 & 6 The President shall: & The Treasurer shall:**

## **Article V Conventions**

**§1 Biennial Conventions.** Biennial conventions shall be held in odd-numbered years in October on a date and at a location determined by the convention committee.

**§2 Special Conventions.** A special convention may be called by the board, or by petition of a majority of the chapter presidents, the president, by a majority vote of the delegates at the convention in session, by  $\frac{3}{4}$  of the members of the board of directors, or by petition signed by a majority of the presidents of chapters in good standing with the approval of each chapter membership.

**§3 Voting at Conventions.** The votes of the retired members shall be weighted at one vote per five retired members.

**§4 Quorum.** Thirty employee members shall constitute a quorum, at least two thirds of whom shall be active employee members.

## **Article IV Convention and Representation**

**§1 Date and Location.** *The MCEA shall convene biennially, subsequent to September 1st, on such date as may be approved by the board of directors. It shall also convene at the call of the president, by a majority vote of the delegates at the convention in session, by three-fourths of the members of the board of directors, or by petition signed by a majority of the presidents of chapters in good standing with the approval of each chapter membership. The minutes of the chapter meetings at which the presidents received such approval shall be attached to the petition. The board shall announce the dates before adjournment sine die of that year's convention.*

**§2 Chapter Representation.** *Chapter representation at the biennial convention shall be based upon the number of chapter members in good standing as shown on the chapter's first quarterly roster, ending March 31st, at the MCEA headquarters at the time of the official notice for call of the convention.*

*Chapter representation for all other conventions shall be based upon the number of chapter members in good standing as shown on the chapter's last available quarterly roster at the MCEA headquarters at the time of the official notice for the call of the convention. A member must be in good standing for at least ninety days with his or her*

*chapter in order to participate at the convention as a delegate.*

*Chapters formed after the above computation is completed shall have representation at conventions based on charter membership.*

**§3 Chapter Delegation.** *A chapter shall be entitled to one delegate for every eight members in good standing; however, the number of delegates representing any one chapter shall not exceed twenty. The delegate of a chapter shall be a member of the chapter he is representing.*

*The Retirees chapter shall be entitled to one vote for every thirty members in good standing. Active employee chapters shall be entitled to one vote for every eight active employee members in good standing, and one vote for every thirty active retiree members in good standing.*

*Only chapters in good standing, as defined in Article XI Local Chapters, §2 Size, shall be entitled to vote at the convention.*

*No chapter in good standing shall have less than one vote.*

**§4 Delegate Names.** *Each chapter president shall notify the MCEA headquarters, in writing, of the names of the delegates and chair of the delegation who shall represent the chapter at the convention at least thirty days prior to the convention date. No delegate shall be entitled to vote at the convention if the chapter president has not complied with this section, unless waived by a majority of those present and voting at the convention and already seated. In the event of an emergency situation, the thirty-day notification requirement may be waived by a two-thirds vote of the total membership of the board of directors.*

**§5 Proxy.** *No chapter shall be represented by proxy.*

**§6 Conduct of Business.** *In order to have a quorum for conducting business at any convention, one-third of the chapters must be officially represented by one or more delegates.*

*Business to be transacted at any convention, except the biennial election of officers and board of directors, shall require compliance with certain provisions. All reports, including those of the president and the executive director, recommendations or other business or matters to be submitted to the convention of the MCEA shall be first submitted to the board of directors.*

*It shall then be the duty of the board to cause them to be mailed, in a concise booklet form, with all other convention material, at least thirty days prior to the next convention, to all convention delegates along with the board of directors' recommendations.*

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## Article VI Board

**§1 Board Composition.** The officers, the elected directors, a county employee to be nominated by the President and approved by the Board following each biennial convention, the president of the retirees' chapter,

immediate past president, and the area governors shall constitute the board.

**§2 Board's Duties and Powers.** ~~The board shall have full power and authority over the affairs of the MCEA except, \_\_\_\_\_~~  
Subject to the convention, the Board of Directors shall be the governing body for and direct the polices of the MCEA.

**§3 Board Meetings.**

A Unless otherwise ordered by the board, regular meetings of the board shall be held on the third Thursday of each month, with the Board meeting no fewer than eight (8) times per year.

B Special meetings of the board may be called by the president ~~and~~ or shall be called upon written request of five members of the board.

**§4 Absences.**

A The unexcused absence of a member of the board from attendance at three board meetings within a 12-month period is deemed as a resignation from the board.

B A request to be excused from attendance shall be submitted to the board for consideration.

**Article VI Board of Directors**

**§5 Disciplinary Action.** *The absence of any board of directors member from either: three consecutive meetings of the board or three non-consecutive regularly scheduled meetings of the board within each twelve month period, commencing from the date an office is assumed, shall be deemed to create a vacancy. Regularly scheduled meetings are those meetings scheduled at least thirty days in advance.*

*The position of area governor, chair of the county advisory committee, or the president of the retirees chapter shall be deemed vacant also, if the individual occupying any of these positions is removed from the board due to absenteeism, unless the area vice governor or county advisory committee vice chair, or vice president from the retirees chapter attends and represents the area, county advisory committee, or retirees at the board meetings as a substitute for the area governor, county advisory committee chair, or the retiree chapter.*

*Upon presentation of documentation, which the board of directors determines is appropriate, the board may excuse the board member from a particular board meeting. These absences shall not constitute an absence for purposes of disciplinary action described in this section.*

**§6 Immediate Past President.** *The immediate past president of the MCEA must have served as president of the MCEA for at least one year. The Immediate Past president shall be a member of the board of directors and shall have the right to vote and be counted in determining a quorum. The absence of the immediate past president from either three consecutive meetings of the board or three non-consecutive regularly scheduled meetings of the board within each twelve month period, commencing from the date this office is assumed, shall be deemed to create a vacancy; however, upon presentation of illness, which in the sole discretion of the board of directors is adequate, the board may allow up to two excused absences for medical reasons, and these absences will not be counted for purposes of disciplinary action described in this section. Regularly scheduled meetings are those meetings scheduled at least thirty days in advance. In the event that a vacancy does occur, it shall be filled by the most recent available past president.*

**§7 Duties and Powers.** *Subject to the convention, the board of directors shall be the governing body for and direct the policies of the MCEA. It shall employ and determine the compensation and duties of legal counsel and the executive director. All matters affecting the policies and means of accomplishing the objectives of this MCEA, not otherwise provided for in these bylaws or by the convention, shall be vested in and disposed of by the board of directors. The board shall meet at the call of the president, but not less than eight times in a calendar year.*

*Special meetings may be called by the president, or shall be called by the written request of the majority of the board of directors. Within twenty-four hours after the requests of the majority have been received at headquarters, a written notice of the special meeting shall be sent to each board member. The meeting shall be held within seven days of the date of the written notice. Fifty percent of the total board members shall constitute a quorum. All action taken by the board shall be by a majority of those members of the board present and voting, except as otherwise provided for in these bylaws.*

*The employment of the executive director shall be by a majority vote of the total membership of the board. The termination of the employment of the executive director shall be either by a recommendation from the president and a majority vote of the total membership of the board or, in the absence of a recommendation from the president, by a two-thirds vote of the total membership of the board.*

*It shall be the duty of all members of the board of directors to attend conventions, unless excused by the president. All board members shall be seated on the floor of the convention whether or not they are chapter delegates. Each board member attending the convention shall be prepared to report upon, and discuss, the business of the MCEA handled by the board of directors, to any member present at the convention.*

*The secretary of the board of directors shall forward a copy of approved board meeting*



*minutes by mail and/or email to each chapter president for dissemination to chapter members. The report shall include all motions and actions taken on the motions.*

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## Article VII – Executive Committee

- §1 Executive Committee Composition.** The executive committee shall consist of the president, vice president, secretary, and treasurer, and one additional member chosen by the President from the members of the Board of Directors.
- §2 Executive Committee Duties and Powers.** The executive committee shall have general supervision of the affairs of the MCEA between meetings of the board, and shall make recommendations to the board.
- §3 Executive Committee Meetings.** The executive committee shall meet at the call of the president or at the written request of two officers, and may meet by "Skype" or equivalent electronic means.

## Article VIII – Committees

**§2 Executive Committee.** *The president's advisory committee shall be known as the executive committee. This committee shall be composed of*

- 1 the president,*
- 2 the vice president,*
- 3 the secretary,*
- 4 the treasurer,*
- 5 the immediate past president, and*
- 6 two other members of the board of directors,*

*elected for a one-year term by the board at the first board meeting following the biennial convention. The executive committee may call upon other members of the board, members-at-large and employees to act as advisors to the committee. These advisors shall not have the right to make motions or vote.*

*The president shall serve as the chair of the executive committee. Meetings shall be called by the president.*

*Five members shall constitute a quorum. All action taken by the executive committee shall be by majority vote of those members present and voting. The executive committee shall exercise such duties and functions as delegated to it by the board of directors. The executive committee shall not modify or act contrary to any actions taken by the board of directors or the convention. The committee shall not act contrary to the bylaws nor act contrary to any policies or directives of the board or the convention. All actions of the executive committee shall be reported to the board of directors at its next scheduled meeting. All actions and minutes of the executive committee shall be furnished to the board of directors on or before the Monday immediately preceding the next scheduled meeting of the board, unless the executive committee shall meet subsequent to said Monday. In that event, all actions and minutes shall be presented at the next meeting of the board.*

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### **Article VIII Executive Director**

- §1 Executive Director.** An Executive Director shall ~~may~~ be hired by the board.
- §2 Executive Director's Duties and Powers.** The Executive Director shall:
- A be in charge of the day-to-day administration of the MCEA,
  - B answer to the board and to the president,
  - ~~C submit the list of nominees for office to the membership no later than September,~~
  - ~~D conduct the election by "SurveyMonkey" or equivalent electronic means, and~~
  - E perform such other duties as are incident to this office as directed by the Board of Directors and assigned by the President.
- §3 Executive Director's Ex Officio Status.** The Executive Director shall, with no voting rights, be ex officio a member of the board, the Executive committee and the other committees.

### **Article VII Executive Director**

*The executive director is responsible for the administration of MCEA, the supervision of MCEA staff, and for personnel administration. The executive director shall be supervised by the president of MCEA and directed by the board of directors. This authority and the*

*duties and responsibilities of the executive director are set forth in these bylaws, the board of directors Policy Manual, any contract between MCEA and the executive director, and the job description for this position as approved by the board of directors.*

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## Article IX Committees

**§1 Budget Committee.** A budget committee composed of the treasurer and four other members shall prepare a biennial budget in accordance with the *MCEA Budget Procedure Manual* for consideration by the convention.

**§2 Bylaws Committee.** A bylaws committee composed of ~~eight~~ four members shall review the MCEA's governing documents, at least annually, and ensure they are in compliance with the Maryland Code Corporations and Associations, the AFT Constitution and Bylaws; and ensure they reflect the current practices of MCEA.

~~**§3 Appeals Committee.** An appeals committee composed of five members shall hear appeals on discipline or grievances in accordance with the *MCEA Appeals Procedure Manual*.~~

~~**§4 Chapter Audit Committee.** A chapter audit committee composed of four members shall audit the records of six randomly selected chapters annually, in accordance with the *MCEA Accounting Procedure Manual* and report the findings to the biennial convention.~~

**§5 Convention Committee –** A convention committee shall be appointed by the President and shall report to the Board regarding the preparation and conduct of the Statewide Advisory Committee meeting and the Convention.

**§6 Election Committee** -An elections committee shall be appointed by Board and shall be responsible for the managing of elections for the Officer and non-officer Board of Directors position.

**§7 Other Committees, President's Ex-Officio Committee Membership.** Such other committees, standing or special, may be established by the board as it shall from time to time deem necessary to carry on its work. The president shall be ex officio a member of all committees.

**§8 Committee Meetings.** Committees may meet by "Skype" or equivalent electronic means.



**Article VIII Committees**

**§1 Standing Committees.** *The standing committees of the MCEA shall be a*

- 1 budget committee,*
- 2 bylaws committee,*
- 3 convention committee,*
- 4 internal audit committee,*
- 5 legislative committee,*
- 6 membership committee,*
- 7 memorial scholarship committee,*
- 8 election committee,*
- 9 executive committee,*
- 10 county advisory committee, and*
- 11 grievance hearing committee.*

*The president shall appoint all members to the standing committees, with the exception of the election committee, executive committee, and county advisory committee, within thirty days after taking office.*

*The remaining standing committees shall be selected in accordance with Article VIII Committees,*

- 1 §2 Executive Committee,*
- 2 §3 Election Committee,*
- 3 §4 Credentials Committee,*
- 4 §5 County Advisory Committee, and*
- 5 §6 Grievance Hearing Committee.*

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Article X Finance

**§1 Fiscal Year.** The fiscal year shall be January 1<sup>st</sup> through December 31<sup>st</sup>.

**§2 Check Authorization.** All checks drawn against any funds of the MCEA shall be

A signed by any one of the following:

- 1 president,
  - 2 vice president, or
  - 3 executive director, and
- B must be countersigned by
- 1 the treasurer or
  - 2 secretary or
  - 3 some other person to whom such authority shall have been delegated by the board of directors.
- C Payment of bills shall first be approved by the executive director, the president, or the treasurer.

*Article XIII Revenues*

**§4 Check Authorization.** *All checks drawn against any funds of the MCEA shall be A signed by any one of the following:*

- 1 *president,*
- 2 *vice president,*
- 3 *legal counsel or*
- 4 *executive director,*

*and B must be*

*countersigned by*

- 1 *the treasurer or*
- 2 *secretary or*
- 3 *some other person to whom such authority shall have been delegated by the board of directors.*

*Payment of bills shall first be approved by the executive director.*

Article XI Units

**§ 1 Statewide Advisory Council**

**A Composition.** The chapter presidents and the board of directors shall constitute the statewide advisory council.

**B Meetings.** The president shall call at least one meeting per year promptly after the Maryland General Assembly adjourns.

C **Officers.** The officers of the MCEA shall be the officers of the statewide advisory council.

D **Duties.** The statewide advisory council may make recommendations to the board of directors.

**§2 Area Advisory Councils.** The areas shall be determined by the board.

A **Composition.** The areas' officers and chapter presidents shall constitute the area advisory council.

B **Meetings.** The governor shall call at least one meeting each year.

C **Officers.** The council officers shall be a governor, a vice governor, a secretary, and a treasurer elected at the first meeting following the convention in odd numbered years.

D **Duties.** The area advisory council may make recommendations to the board of directors.

### **§3 Chapters**

A **Composition.** Chapters shall be composed of eight or more members and chapter 152 shall be composed of retiree members; all retiree members shall all be members of chapter 152 on the official MCEA roster, but may also be active participants in the chapter from which they retired.

B **Meetings.** Chapters shall hold at least two meetings each year.

C **Officers.** The chapter officers shall be a president, a vice president, a secretary, and a treasurer elected at the first meeting following the convention in odd numbered years.

D **Duties.** Chapters may make recommendations to the board of directors.

## ***Article X Statewide Advisory Council***

***§1 Composition.*** *The statewide advisory council shall be composed of*

- 1 the presidents of all chapters or their duly authorized representatives and*
- 2 the board of directors.*

***§2 Meetings.*** *The president of the MCEA shall call at least one statewide advisory council meeting per year. This meeting shall be held immediately after the Maryland General Assembly has adjourned.*

***§3 Duties.***

*A It shall be the duty of the council to advise the president and the board of directors of:*

- 1 continuing problems affecting the membership, and*
- 2 new or potential threats to the*

*membership.*

*B In addition, it shall be the duty of the council to*

- 1 recommend to the president possible solutions to problems and*
- 2 more effective means of servicing the membership.*

*Council recommendations must receive a majority vote of the council members present and voting in order to be considered by the board of directors. At the next regularly scheduled meeting of the board of directors following the statewide advisory council meeting, the president shall present those recommendations to the board of directors. Recommendations receiving favorable action by the board shall be included in the president's report to the next biennial convention. Those receiving unfavorable action by the board shall be placed as items under new business on the agenda of that convention for further consideration by the delegates.*

### **Article IX Area Advisory Councils**

**§1 Determination of Areas.** *There shall be five areas whose boundaries shall be determined by the board of directors.*

**§2 Composition.** *The area advisory councils shall be composed of the presidents of each of the chapters in the area, or their duly authorized representatives, and the immediate past area governor. Chapter presidents who are members of the board of directors shall also be members of the advisory council.*

**§3 Area Officers.** *Each area shall have a governor, vice governor, treasurer, and secretary. The area governor shall be a current or past chapter officer or a past area officer; the area vice governor shall be a current or past officer or a past area officer. The area treasurer and secretary shall be appointed by the area governor and shall be a member of a chapter within the area.*

**§4 Elections.** *The governor and the vice governor shall be elected during the first meeting following convention in odd-numbered years.*

**§5 Vacancies.** *Whenever a vacancy occurs in the office of area governor, the vice governor shall automatically move up to this vacated position. Whenever a vacancy occurs in the office of vice governor, this position shall be filled by vote of the members of the area advisory council at its next scheduled meeting. In the event that either the area governor or vice governor separates from public employment, the position shall automatically*

*become vacant.*

*In the event that either the area governor or vice governor retires from public employment, the opportunity shall be given to serve in that office until the adjournment of the area meeting held immediately following the effective date of the retirement. This vacancy shall be filled by the chapter representative at that area meeting.*

**§6 Duties.** *Chapter presidents who are unable to attend any meeting of the advisory council shall designate a representative, preferably the chapter vice president, to attend these meetings. These representatives shall have the same rights and privileges on the council as would the chapter president. The area governor or vice governor shall attend all meetings of the board of directors and have the right to vote upon all matters transacted at these meetings. If both the area governor and vice governor are unable to attend a board meeting, the area governor shall designate a representative from the membership of the council who is not a member of the board of directors to act on behalf of the membership of the council. Each area advisory council shall meet at least two times a year, or at the call of the president.*

*The duty of each area advisory council is to advise the MCEA of problems within the area. The advisory council is to present to the board of directors any action, plan or program which it considers to be in the best interests of or for the welfare of the general and/or area membership. These actions, plans or programs shall be deemed recommendations to the board and, before presentation to the board, shall have received a majority vote of the advisory council members present and voting. These recommendations shall be presented to the board by the area governor. The board of directors shall act upon the recommendations from area advisory councils as it would a motion from any board member. The area governor of the area making the recommendation shall be notified immediately by the secretary or legal counsel of any action by the board. If, in the opinion of the area advisory council, the action of the board is unfavorable or is unsatisfactory, and the advisory council wishes to have the action of the board overruled, it may take this matter to the MCEA membership for a vote at the next convention. If the board fails to act on a recommendation from an advisory council, the council may also take this matter to the membership of the MCEA for a vote at the next convention.*

## **Article XI Local Chapters**

**§1 Authorization.** *This MCEA may have such chapters as the board of directors deems most advantageous to the welfare of the MCEA. Each chapter shall be known as the \_\_\_\_\_chapter of the Maryland Classified Employees Association, Inc. In addition, each chapter shall have a number which shall be designated by the executive director.*

**§2 Size.** A chapter may be formed by eight or more members of the MCEA, subject to the approval of the board of directors.

The board of directors shall have the authority to revoke or suspend any chapter when a chapter has less than eight members for four consecutive quarters.

To be a chapter in good standing at the time of the official notice for the call of a convention, the chapter shall have at least eight members in two or more quarters in the past four quarters as shown on the last four quarterly rosters at the MCEA headquarters. Chapters formed during the last two quarters preceding the convention shall be considered a chapter in good standing.

**§3 Rosters.** When a chapter has been organized, a complete list of the social security numbers, names and addresses of its members shall be submitted by the chapter to the MCEA's headquarters.

Thereafter, any changes to this information shall also be submitted. No member may be added or transferred to any chapter, including the retirees chapter, without their knowledge and consent.

Chapter rosters will be mailed to chapter presidents on a quarterly basis.

**§4 Bylaws.** Each local chapter shall adopt bylaws which shall be submitted to the MCEA for approval by legal counsel. Once approved, a copy of the chapter's current bylaws shall be kept on file at the MCEA headquarters. Chapter bylaws may be revised as needed and shall become effective upon approval by legal counsel. In the event of conflict between the MCEA charter and/or these bylaws and the charter and/or bylaws of any chapter, the provisions of the MCEA charter and/or the MCEA bylaws shall always prevail. If chapter bylaws are not on file, then model bylaws, as contained in the Chapter Officers Manual **MCEA guide to effective chapter leadership**, shall prevail until such time as effected chapters submit bylaws to legal counsel for approval.

**§5 Chapter Officers.** Each chapter shall elect officers as outlined in the bylaws. These officers, whether elected or serving in a temporary acting capacity, shall be members of the chapter in which the office is held. The board of directors may grant exceptions where the best interests of the MCEA and/or chapter will be served.

**§6 Meetings.** Each local chapter shall hold a minimum of two chapter meetings per year. There shall be at least one meeting every six months. This provision, together with a provision for reasonable notice to members, shall be included in the constitution and bylaws of each chapter. In addition, it shall be the responsibility of the chapter president or, in his absence, the chapter vice president to call chapter meetings in accordance with these bylaws. Chapter officers, upon accepting the oath of office, shall officially assume office immediately following the close of the convention with the words "adjournment sine die."

**§7 Funds.** Each local chapter may raise funds and make expenditures for chapter purposes. All fund-raising and expenditures must be consistent with the charter of the MCEA, these bylaws, and the constitution and bylaws of the chapter. If the



*fund-raising measures employed by a chapter, or the expenditures or proposed expenditures of a chapter should be questioned by any member, the matter shall be submitted to the board of directors of the MCEA. The decision of the board shall be final and binding upon all parties concerned. Prior to submitting such a matter to the board of directors, it shall first be considered by the chapter officers.*

*In the event that the chapter officers fail to take appropriate action promptly, the chapter members shall decide whether the matter should be referred to the board of directors, or whether it may be properly disposed of by the chapter.*

*Each chapter having funds in excess of two-hundred dollars at any time, shall maintain said funds in an accredited financial institution. All expenditures shall be made from said account and said account shall be accessible only with two chapter-officer signatures on each transaction. Such measures shall establish a safe depository for the funds, and a record of all deposits and withdrawals there from.*

*If the president or the board of directors should determine that the funds of any chapter are being or may be misused, or for any reason are in jeopardy, the president or the board of directors may impound and hold said funds in the name of the MCEA, pending the resolution of the matter to the satisfaction of the board of directors.*

*In the event that any chapter should disband or for any reason cease to be an active chapter of the MCEA in good standing, all of the funds of said chapter shall belong to, and be the property of, the MCEA. The board of directors may take, or authorize the taking of, such action as may be determined necessary to protect these funds, and to see that they are paid over to the MCEA's treasury. The board of directors shall be empowered to adopt such rules and regulations as it may deem necessary for the raising and handling of chapter funds, for the accounting of chapter funds and for the handling of any complaints brought under this section. All chapter bylaws, constitutions and/or charters shall contain adequate reference to, and acknowledgement of, the provisions of Article XI Local Chapters §7 Funds. Accounts and chapter records shall always be available for audit by the MCEA's internal audit committee.*

**§8 Contractual Restrictions.** *No chapter shall enter into any contract or agreement of any nature which purports to be binding upon the MCEA without prior written approval of the board of directors.*

**§9 Discipline.** *In the event the chapter officers fail to hold at least two chapter meetings per year, as required by these bylaws, the president shall have the authority to suspend these chapter officers. After it is determined that one or more semi-annual meetings have not occurred, the executive director shall direct appropriate staff to investigate the nature of the difficulty and provide assistance in rectifying problems as they are able.*

*After the results of a staff investigation are presented to the board, the board may declare any of these offices vacant. Thereafter, the executive director shall have the responsibility for calling a chapter meeting and reactivating the chapter by a method approved by the board of directors. The board of*

*directors shall have the authority to revoke or suspend any chapter when it determines that the chapter has acted in a manner that is detrimental to the best interests of the MCEA or in violation of these bylaws.*

*Notification of the decision of the board shall be sent by certified mail to those chapter officers whose names are on record at the MCEA's headquarters at the time of notification.*

*If any disciplinary actions are taken against any chapter, the board shall submit a written report of the full facts to the convention and shall furnish the chapter with a copy of the report within thirty days prior to the biennial convention.*

**§10 Appeal of Discipline.** *Any chapter or chapter officer against whom disciplinary action has been taken by the officers of the MCEA shall have the right to appeal this action to the board of directors. Notification of the intent to appeal such action shall be made by the chapter or chapter officers in writing to the MCEA within ten working days after the chapter or chapter officers have been advised of the disciplinary action. Notification of the decision of the board of directors shall be sent by the most reasonable and appropriate means of written communication within sixty days after receipt of the appeal. The chapter or chapter officers shall have the right to appeal this decision or any other discipline by the board of directors to the convention. Notification of the intent to appeal to the convention shall be made in writing to the MCEA within ten working days after the chapter or chapter officers receive the decision of the board by the most reasonable and appropriate means of written communication. The written intent to appeal may not be received at the MCEA's headquarters less than ten working days before the convention.*

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## Article XII Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the MCEA in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the MCEA may adopt.

## Article II Objects and Methods

**§5 Procedure.** *"Robert's Rules of Order Newly Revised" shall govern the proceedings of the MCEA, except as otherwise provided by the charter and these bylaws.*



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Article XIII Amendment of Bylaws

- §1 Amendment With Notice.** These bylaws may be amended at any convention of the MCEA by a majority vote, provided that the MCEA bylaw amendment form has been submitted to the bylaws committee and the form has been submitted to the members at least thirty days before the convention.
- §2 Amendment Without Notice.** These bylaws may be amended at any convention of the MCEA by a three-fourths vote if the MCEA amendment form is been submitted at the convention without having been previously submitted to the members.

***Article XVII Amendments***

*These bylaws may be amended by a majority vote at any convention at which a quorum is present, provided that the proposed amendments have been submitted to the bylaws committee of the MCEA not less than ninety days prior to the date of the convention.*

*These amendments shall be included in an official publication and mailed to the members of the MCEA at least thirty days prior to the convention. By a vote of three- fourths of that convention, at which a quorum is present, additional amendments to these bylaws may be considered, even though they have not been submitted or published as provided herein. No article or section of these bylaws shall be retroactive.*

***Article XVIII Effective Date***

*These bylaws, as enacted and amended, become effective at adjournment sine die of the convention at which they are enacted and amended, unless otherwise noted.*

*Newly enacted bylaws shall be published to the MCEA membership no later than January 1 immediately following the convention at which they are enacted.*

**End bylaws as revised August 29, 2020**