

CONSTITUTION OF CALIFORNIA UNITED HOMECARE WORKERS UNION (“CUHW”)

MISSION STATEMENT

In order to form a strong and democratic structure in which to organize and unite California homecare providers, California United Homecare Workers Union, hereafter referred to as CUHW, is dedicated to protecting the In-Home Support Services program, the homecare providers who make this lifeline program possible, and the hundreds of thousands of California seniors and people living with disabilities who rely on homecare for their most basic daily needs.

This Local Union has been established by the Service Employees International Union (hereinafter “SEIU”) and the American Federation of State, County and Municipal Employees (hereinafter “AFSCME”) in accordance with each International Union’s respective Constitution and By-Laws.

ARTICLE I – NAME

The name of this organization shall be California United Homecare Workers Union, SEIU/AFSCME Local 4034 (“CUHW”).

ARTICLE II – JURISDICTION

CUHW shall have exclusive jurisdiction over all IHSS homecare providers in the following California counties: Imperial, Shasta, Humboldt, Tehama, Lake, Tulare, Kings, Nevada, Del Norte, Siskiyou, Glenn, Plumas, Trinity, Colusa, Inyo, Sierra, Lassen, Modoc, Alpine, Madera, Mariposa, Mono, Sutter, and Tuolumne.

In Butte County, CUHW shall have exclusive jurisdiction of the Individual Providers.

CUHW shall also have jurisdiction over such other homecare providers as may be assigned and approved by the two International Unions—AFSCME and SEIU.

ARTICLE III – AFFILIATIONS

This Local Union shall be affiliated with the American Federation of State, County and Municipal Employees International Union (AFSCME) as Local 4034 and with the Service Employees International Union (SEIU) as Local 4034, the AFL-CIO, and any affiliations required by the Change to Win Federation.

ARTICLE IV – MEMBER BILL OF RIGHTS AND RESPONSIBILITIES

Section (1) Eligibility

Homecare providers employed within the jurisdiction of this Local Union shall be eligible for membership in accordance with this Constitution.

CUHW shall not discriminate based on political opinion, race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability.

Section (2) Members' Rights

Members shall have the following rights:

The right to be represented in contractual and employment issues as provided in the contract and CUHW's Constitution and Bylaws.

The right to have opinions heard and respected, to be informed of union activity, and to be educated in union values and union skills.

The right to choose the leaders of the union in a fair and democratic manner. The right to be a candidate for office, subject only to constitutionally specified qualifications, which shall be uniformly applied.

The right to a union that functions in full compliance with CUHW's code of ethics as established by CUHW's Executive Board.

The right to a full accounting of union funds and the proper stewardship over union resources.

The right to participate in the union's decision-making processes, through discussion and vote, and to pertinent information needed for the exercise of that right.

The right to participate in the union's bargaining efforts and to approve union contracts.

The right to have members' concerns resolved in a fair and expeditious manner.

The right for all members in good standing to be eligible to serve as delegates to the SEIU and AFSCME International Conventions in accordance with the procedures of the International Unions.

Section (3) Members' Responsibilities

Members have the following responsibilities:

The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers.

The responsibility to be informed about the internal governance of the union and to participate in the conduct of this union's affairs.

The responsibility to treat all workers and members fairly.

The responsibility to offer constructive criticism to the union.

ARTICLE V MEMBERSHIP

Section (1) Non-Discrimination

CUHW shall not discriminate based on political opinion, race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age or disability.

Section (2) Dual Membership

All members of CUHW shall be full members of SEIU and AFSCME.

Section (3) Active Members

a) Active Member A

1. An IHSS homecare provider employed in a county for which this Local Union is the recognized bargaining agent for matters relating to wages, hours, and other terms and conditions of employment.

b) Active Member B

2. A current CUHW staff member who is a former IHSS homecare provider with a minimum of one (1) year of continuous experience within the last five (5) years who is a member in good standing.

In order for a member to be an active member (member in good standing), s/he must fulfill current dues obligation. Active members (A and B) shall have full voting rights and are eligible to run and hold office.

Section (4) Associate Members

Associate members are persons not working under a collective bargaining agreement but electing to pay the associate membership fee shall be eligible for Associate Membership

status in CUHW. Associate Members shall not have the right to vote or hold office in CUHW.

Section (5) Retired Members

Retiree Membership shall be available to persons who were members of the Local Union for at least ten (10) years, have reached the age of 65, and have retired from employment within the Local Union's jurisdiction. Retiree members shall have no right to vote or run for or hold office within the union and shall not be required to pay dues to maintain their retiree status.

Section (6) Honorary Members

Honorary Membership may be conferred on such persons who are not otherwise eligible for membership who are determined by the Executive Board to be deserving of the status on such terms as shall be determined by the Executive Board. Honorary members shall have no vote and shall not run for or hold office with in the union and shall not be required to pay dues to maintain their honorary membership.

Section (7) Membership Application

Application for membership shall be made on a standard CUHW membership card/application, which includes authorization for dues payment.

Any person who desires to become a member of CUHW must truthfully and completely fill out the card/application and sign his/her full name.

Section (8) Leaves of Absence

Upon application, a leave of absence shall be granted to a provider member who is on disability or Workers' Compensation, or has taken time off from working as a provider for special training within the scope of their position. A leave of absence shall be granted to a member whose client has died, if the client loses all services or eligibility or is in a facility and who is waiting for a new client or for the return of their of their previous client.

A member applying for a leave of absence shall be required to provide such information and documentation as may be required by the Union. A leave of absence shall be granted for an initial period of six (6) months. During such period, the member shall be eligible shall be eligible to vote and to run for and hold office. A member whose initial leave of absence is due to expire or has expired, may with the approval of the Executive Board, be granted an additional six (6) month leave of absence based on the same criteria applicable to the granting of the initial leave of absence.

No leave of absence shall be granted to any member who has completed a leave of absence within the preceding twenty-four (24) months. If a member returns to work as a provider prior to the conclusion of a period for which a leave of absence has been granted, such leave shall be deemed to have been completed as of the member's return to

work as a provider. The dues for members on leaves of absence shall be substantially reduced.

During a member's initial six (6) month leave of absence, such member shall retain all rights of membership, including the right to vote and to run for and hold office.

During the period of a member's additional six-month leave of absence, such member shall retain all membership rights except the right to vote and to run for and hold office.

ARTICLE VI EXECUTIVE OFFICERS and EXECUTIVE BOARD

Section (1) OFFICERS

The officers of this organization shall be the president, the vice president, the treasurer, and the secretary who shall be the Executive Officers of this Local Union and who shall be elected from the membership at the regular election every three (3) years except as provided for in this constitution.

Section (2) Executive Board

The Executive Board is the governing body of the Local Union, subject to the membership. The Chairpersons elected by each County shall serve as Executive Board members by virtue of their election to county office. The Executive Board shall be elected every 3 years, except as provided for in this constitution and shall be constructed in the following manner:

- a) Every county shall be entitled to elect one (1) executive board member
- b) For every 1,000 members, each county shall be entitled to elect one (1) additional executive board member.
- c) The president, vice president, secretary, and treasurer, shall be voting members of the executive board.

Section (3) Advisory Participation

There will be 1 person selected by each of the International Unions of SEIU and AFSCME who will serve as advisory participants to the Executive Board. They shall have no vote.

ARTICLE VII
DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section (1) President:

It shall be the duty of the Local Union President to:

- a) Represent the Union before all officials, boards, committees, departments, commissions and other governmental bodies.
- b) Serve as the primary spokesperson at events that promote CUHW's objectives of organizing, political action, member and community engagement.
- c) Present the CUHW's program to the membership
- d) Represent the union at labor federation meetings and conferences
- e) As presiding officer of CUHW, chair all executive board meetings and member conventions
- f) Serve as first delegate to the AFSCME and SEIU conventions in compliance with both International Unions' Conventions delegate election procedures
- g) Serves as ex-officio officer to all Union committees
- h) Report at least quarterly to the Executive Board and members in good standing regarding the progress and standing of the Union regarding the president's official acts
- i) In conjunction with the Executive Director, the treasurer shall Keep all other officers and executive board members and membership informed as the significant developments affecting CUHW and its membership and, in conjunction with the executive director, establish procedures designed to ensure that adequate information concerning developments and issues in CUHW are communicated to the leaders of CUHW
- j) Sign all correspondence notifying both the SEIU and AFSCME International Unions in writing when any collective bargaining negotiations and memoranda have been completed together with the number of employees covered and the expiration of the contract
- k) Shall be one of the persons authorized to co-sign checks as well as co-sign contracts
- l) Appoint all standing committees and all special committees of CUHW, subject to the approval of the CUHW Executive Board.

Section (2) Vice President

It shall be the duty of the Vice President of the Local Union to:

- a) In the absence of the President or in the President's inability to serve, preside at all meetings and perform all duties otherwise performed by the President
- b) Assist the President in the work of the President's office or other duties as assigned
- c) Be one of the persons authorized to co-sign checks as well as co-signing contracts

Section (3) Treasurer

It shall be the duty of the Treasurer to:

- a) Receive and receipt all monies of the Union
- b) Deposit all money so received in the name of the Union in a bank or banks insured by the FDIC and selected by the Executive Board, and money so deposited shall be withdrawn only by check co-signed by the President, Vice President, or Treasurer.
- c) Prepare checks for such purposes as are required by the constitution or are authorized by the convention or the Executive Board.
- d) Prepare and submit the monthly membership report to SEIU and AFSCME International Unions as required by both International Unions' constitutions.
- e) Prepare checks to be submitted to the SEIU and AFSCME in payment of per capita taxes and cause such payments to be made in a timely in accordance with the constitutions of SEIU and AFSCME.
- f) In conjunction with the Executive Director, the Treasurer shall keep an accurate record of receipts and disbursements of the union and quarterly submit to the Executive Board an operating statement of the financial transactions of the Union for the previous time period. At least quarterly, each issue of the Union's newsletter shall contain an operating statement of the financial transactions of the Union since those reported in the previous issue.
- g) Act as custodian of all financial properties of the Union
- h) Give a surety bond for an amount to be fixed by the Executive Board a the expense of the CUHW and through the International Unions
- i) See that any financial reports required by the International Unions are submitted in accordance with their respective constitutions.
- j) See that an audit of the Union's financial statements is conducted annually by an independent Certified Public Accountant selected by the Executive Board

Section (4) Secretary

It shall be the duties of the Secretary to:

- a) Keep a record of proceedings of all Executive Board meetings and member conventions
- b) Once the election has been certified, the secretary shall notify both SEIU and AFSCME International Unions of all elected to office within fifteen (15) days of the Executive Board elections
- c) Review and keep a record of the official correspondence of CUHW, except as the Executive Board may otherwise direct.
- d) Act as a custodian of all non-financial properties of the CUHW
- e) Post notice of all meetings and conventions

Section (5) Executive Board

The Executive Board of the Local Union shall be the governing body of the Local Union except when conventions of the Union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of CUHW not specifically provided for in the constitutions or by action of the convention at a regular or special meeting shall be decided by the Executive Board.

It shall be the duties of the Executive Board to:

- a) establish the goals and strategic program to meet those goals in keeping with CUHW's Mission and Constitution
- b) approve and authorize an annual budget and monitor the finances of CUHW
- c) establish a written policy to provide for compensation to the officers and executive board members. Inclusive of but not exclusive to, income lost and expenses incurred as a direct result of their conducting union business.
- d) ratify and approve any expenditure not provided for in the approved budget as may be necessary to promote the legitimate aims and objectives of CUHW.
- e) hire, fire, and evaluate the Executive Director in accordance with the Local Union's contract with the Executive Director. In the absence of the Executive Director or the Executive Director's inability to serve, the Executive Board shall have the authority to appoint an existing staff member of CUHW as an Interim Executive Director.
- f) For the transaction of its business, the Executive Board shall meet at least quarterly, or upon the call of the President or a majority of the members of the Executive Board. In between, the scheduled Executive Board meetings, when the President deems it necessary, the Secretary shall poll the Executive Board, and such action and vote may be taken by letter, facsimile, telephone, or any other appropriate means of communication. Such action so taken on the vote of the majority of the Executive Board shall constitute official action of the Executive Board.

- g) A majority of the Executive Board shall constitute a quorum. Decisions of the Executive Board shall be decided by a majority of those members voting and present.
- h) Actions of the Executive Board shall be published at least quarterly in the Local Union's publication, on the Local Union's website, or by other methods of communication to the membership

Section (5) Vacancies in Office

In the event of a vacancy of the officers, the vacancy will be filled by a majority secret ballot vote of the Executive Board members. Any member of the Executive Board may make a nomination of a member in good standing and meets the eligibility criteria. Vacancies of the Executive Board shall be filled no later than 30 days after the vacancy occurs.

ARTICLE VIII EXECUTIVE DIRECTOR

An Executive Director shall be established as the chief administrative officer of CUHW and shall be hired by the elected Executive Board and give full-time to their duties of CUHW.

The duties and responsibilities of the Executive Director shall be as follows:

- a) Direct CUHW's program including, organizing, political action, member engagement, community engagement, and innovation.
- b) Develop procedures as it relates to day to day affairs to facilitate the implementation of the programs and goals of the CUHW union
- c) While operating within an approved budget, he/she shall have the sole authority to manage his/her staff including employing, setting compensation, evaluating, or disciplining/terminating and directing the activities of such staff as are needed for the efficient administration of CUHW.
- d) Prepare an annual budget and monthly reports in conjunction with the treasurer and present it to the Executive Board for approval.
- e) Promptly report to the Executive Board any major deviation of 10% or more of a line item from the budget approved by the Board, and such deviation shall be subject to the approval of the Executive Board.
- f) Report at least quarterly on the Local Union's activities to the Executive Board
- g) Is one of the persons authorized to co-sign checks with the approval and direction of two of the following officers: the president, vice president, or treasurer.
- h) Supervise the bargaining and co-sign all collective bargaining agreements. Collective bargaining responsibilities shall not be delegated.
- i) With the approval of the Executive Board, engage such technical and professional services, including legal counsel and independent auditors, as may be required.
- j) Serves as a non-voting member of the all Union committees

- k) On behalf of CUHW shall receive all official communications and correspondence
- l) Serves as a non-voting member of the Executive Board
- m) Perform other such duties as the Executive Board may require

ARTICLE IX COUNTY CHAPTERS

Section (1)

Each county covered by a collective bargaining agreement shall be deemed as a chapter of this local union. In any case where a collective bargaining agreement covers the providers of more than one county, each county shall be deemed a separate chapter, and all counties covered by a multi-county collective bargaining agreement shall be required to coordinate their collective bargaining activities.

Section (2)

Each chapter shall elect a county chairperson, a county vice chairperson, a county treasurer, a county secretary and one (1) county executive board member who shall constitute the county's executive board; provided that the a county may provide, by a vote of its membership, for the election of additional board members.

Section (3)

A portion of dues monies collected will be dedicated for county activities. The Executive Board shall determine a policy of allocating such funds.

Section (4)

The executive board of each chapter shall select its delegates to labor councils or other organizations having jurisdiction in its respective county.

Section (5)

The executive board of each county may adopt such rules as are necessary to govern its functioning provided that such rule are not inconsistent with this constitution or the constitution of SEIU or AFSCME International constitutions.

Section (6)

Each IHSS provider who is a member of this Union shall be a member of a chapter, except as provided otherwise in this constitution.

ARTICLE X DUTIES OF COUNTY OFFICERS AND EXECUTIVE BOARD MEMBERS

Section (1) County Chairperson

The county chairperson shall:

- a) preside at all meetings of the chapter membership and of the chapter executive board and report on actions of the CUHW executive board
- b) be a member of all chapter committees
- c) co-sign all requests for the funds for chapter activities
- d) appoint all standing committees and all special committees of the chapter, subject to the chapter executive board's approval
- e) report at least quarterly to the members in good standing regarding the progress and standing of the chapter and regarding the chairperson's official acts

Section (2) County Vice Chairperson

The county vice chairperson shall:

- a) assist the chairperson in the work of the chairperson's office
- b) in the absence of the chairperson or in the chairperson's inability to serve, preside at all meetings and perform all duties otherwise performed by the chairperson
- c) upon approval of the chapter executive board, be authorized to act as a co-signer on requests for funds in place of either the chairperson or the chapter secretary

Section (3) County Treasurer

The county treasurer shall:

- a) prepare and sign requests for the release of funds for such purposes as are required by the constitution or are authorized by the chapter membership or the chapter executive board
- b) keep an accurate record of receipts and disbursements and shall, each quarter, submit to the chapter executive board and membership an operating statement of the financial transactions of the chapter for the previous period
- c) act as custodian of all financial properties of the chapter
- d) see that any financial reports required by this constitution or the CUHW Executive Board are submitted properly and timely
- e) Perform other such duties as the chapter executive board may require

Section (4) County Secretary

The county secretary shall:

- a) Keep a record of the proceedings of all chapter membership meetings and of all county executive board meetings
- b) Act as custodian of all non-financial properties of the county chapter
- c) Perform other such duties as the chapter executive board may deem necessary

Section (5) County Executive Board

The county executive board shall meet no less than quarterly at a time and place to be fixed by the members of the county executive board. Special meetings of the county executive board may be called by the chairperson or by a majority of the members of the

board. The International President of SEIU or AFSCME may also call a chapter executive board meeting.

A report on all actions taken by the county executive board shall be made to the membership of the membership of each county at the next following meeting.

A majority of the county executive board shall be required for a quorum.

Section (6) Vacancies in Office

In the event of a vacancy of the chapter officers or county elected CUHW executive board members, the vacancy will be filled by a majority secret ballot vote of the county executive board members. Any member of the county executive board may make a nomination of a member in good standing and meets the eligibility criteria. Vacancies of the county executive board shall be filled no later than 30 days after the vacancy occurs.

ARTICLE XI – ELECTIONS

Section (1) Term of Office

The terms of office for all Executive Officers and Executive Board and chapter officers and executive board members will be 3 years.

Section (2) Election Committee

The President of CUHW with approval of the Executive Board shall appoint an Elections Committee. The members of the committee shall determine the Chairperson of the Elections committee. No member of the Election Committee may be a candidate for office or member of the Executive Board.

The duties of the Election Committee are as follows:

- Validate eligibility of nominees
- Act as an initial judge in all matters arising from election procedures
- Tabulate results of the elections
- Certify results of the election
- All other duties necessary and appropriate to the proper conduct of CUHW elections

Section (3) Eligibility for Elections held after First Elections in 2009

Executive Officers:

A member who shall be eligible to be nominated and to serve, as Executive Officers must be a member in good standing for two (2) consecutive years.

Local Officers:

A member who shall be eligible to be nominated to serve as Local officer or as a member of the Local Executive Board shall be a member in good standing for one (1) year.

Section (3) Nominations

Any eligible member in good standing can nominate herself/himself or be nominated by another member.

All eligible candidates who accept the nomination have a right submit a candidate statement, not to be more than 500 words, no later that five (5) days after the opening of nominations. Candidate statements will be mailed to each member with election information.

No member shall be a candidate for more than one local-wide or county office at a time.

Section (4) Election Procedures

The election of Executive Officers and all Local members shall be conducted by mail ballot vote in the month of October.

The notice of the nominations will include the election procedures, election timetable and other rules as determined by the Election Committee.

In the event that a member running for a position is unopposed, that member shall be declared elected.

Those elected shall be installed in office on November 1st, or as soon thereafter as the results of the election are certified.

Section (5) International Convention Delegates

CUHW delegates to the SEIU and AFSCME International Conventions shall be elected in accordance with the procedures of each International Union.

ARTICLE XII – MEETINGS

Section (1) Executive Board Meetings

The Executive Board shall meet at least quarterly. The meeting shall take place at a consistent time and date as established by the Executive Board.

Special Meetings:

The President or a majority of currently seated Executive Board members may call special Executive Board meetings. The International Presidents or an authorized representative of the International Presidents may also call a special meeting.

Quorum:

A majority of the filled seats on the Executive Board shall comprise a quorum.

Meeting Procedures:

The President develops an agenda prior to each meeting. A copy of the agenda pertinent documents shall be distributed with the notification of meeting to the Executive Board members by electronic or other means.

Attendance:

All Executive Board members shall make every effort to attend all Executive Board meetings.

Absence from an Executive Board meeting shall be considered unexcused unless prior notification is made to the President and Secretary. All notification shall be made in writing, by electronic communications, or direct telephone call. In the event that any member of the Executive Board has an unexcused absence for three (3) meetings that member's seat shall be declared vacated by the President subject to the approval of the Executive Board.

Section (2) Local Membership Meetings

The members in each county shall meet at least quarterly at a time and place fixed by the County Chairperson.

Special meetings of a county membership may be called by the CUHW president, the CUHW Executive Board, the County chairperson, the County Executive Board, or by petition filed with the chairperson of the county and signed by thirty percent (30%) of the members of the county. The International Presidents of SEIU and AFSCME may call special meetings of a chapter.

Each county shall adopt rules for the conduct of its meetings that are not inconsistent with this constitution, including rules requiring that meetings of the county are held in various locations with the county's geographic area designed to maximize membership participation and, to the extent possible, provide to all members a reasonable opportunity to attend such meetings.

ARTICLE XIII CONVENTIONS

Section (1)

Except as otherwise provided in this constitution, all sovereign power and authority of the Union shall be vested in the regular and special convention of the Union.

Section (2)

The regular convention of this Union shall be held between March 1 and April 30 every three years beginning in 2012 at the place to be fixed by the Executive Board of the Union.

Section (3)

Special conventions of this Union may be called by the CUHW president or the CUHW Executive Board by a majority vote. One-third of the chapters of CUHW representing at least one-third of the membership may at any time require a special convention by filling a request with the CUHW President which petition shall name the purpose of the convention and set its date. The International Presidents or an authorized representative of the International Presidents may also call special conventions.

Section (4)

At least ninety day prior to each regular convention and at least thirty days prior to each special convention, the CUHW secretary shall send to each chapter copy of the convention call, accompanied by the appropriate, number of credential forms.

Section (5)

Properly executed and signed credential forms, together with a Chapter Delegate Certification Form designating the chairperson of the chapter's delegation should the chapter elect two or more delegates, must be postmarked and returned to CUHW office no later than twenty days prior to the opening of the convention. Any delegate whose credential was postmarked after the twentieth day prior to the convention shall be deemed irregular and shall not be included in the initial report of the credentials committee.

Section (6)

A quorum for the transaction of business at any regular or special convention shall consist of delegates representing not less than one-third of the chapters having at least one-third of the membership.

ARTICLE XIV
Representation at Convention

Section (1)

Chapters shall be entitled to delegates on the following basis:

Number of Provider Number	Delegates
1-50	3
51-100	4
101-300	5
301-500	6
501-700	7
701-1,000	8
1,001-1,500	9
1,501-2,100	10
2,101-2,800	11
2,801-3,600	12
3,601-4,500	13
4,501-5,500	14
5,501-7,000	15
7,001-10,000	16

For the purpose of determining a chapter's representation and voting strength at conventions, fair share and agency fee payers shall not be counted as members. Chapters may also elect an alternate delegate for each delegate..

Section (2)

Regardless of the number of delegates, chapters shall be entitled to vote on the basis of one vote for each member in all roll-call votes coming before the convention. A request for a roll-call vote shall require the support of one-third of the accredited delegates.

Section (3)

Chapters entitled to more than one delegate may send fewer than their quota of delegates, and the delegates present may cast the entire vote of the chapter on the basis of one vote for each member in all recorded votes coming before the convention. The number of votes shall be divided equally among the delegates, with any remaining votes to be cast by the chair of the delegation, as designated by the chapter. No fractional votes shall be permitted.

Section (4)

The basis of representation at any CUHW convention shall be the average number of members for whom dues were actually paid to CUHW by each affiliated chapter during the twelve-month period ending with the fourth full month prior to the opening of the convention. In the case of any chapter organized or affiliated after the beginning of the twelve-month period, the basis of representation shall be the average number of members for whom dues have been paid by members of the chapter.

Section (5)

Duly elected officers and members of the CUHW Executive Board who are not elected, as delegates representing their chapter shall nevertheless be entitled to all the rights and privileges of a delegate, except the right to vote. Only CUHW union members as defined in Article 5 Section 3 in good standing may be elected and serve as delegates to any regular or special convention.

Section (6)

To be accredited, delegates must be on the floor when the vote is taken, and voting by proxy shall not be permitted. All issues shall be decided by a majority vote of the accredited delegates voting, excepted as otherwise specifically provided in this constitution.

Section (7)

All delegates to any regular or special convention of the Union shall be elected in accordance with the SEIU and AFSCME Elections procedures. They shall be in good standing in their chapter and the names of such delegates shall be certified by the proper officers of the chapters to the CUHW Secretary.

Section (8)

Translation facilities shall be provided at all conventions in all languages, as the Executive Board shall determine to be appropriate and necessary.

ARTICLE XV BONDING

All officers of CUHW and employees handling monies of CUHW shall be bonded in the amounts and in the form required by applicable statutes as determined by the International Unions. The bond shall be procured immediately upon assuming office or employment. The premiums of which shall be paid for by CUHW.

ARTICLE XVI PROPERTY RIGHTS

All officers shall deliver to their respective successors at the conclusion of their term of office, all property in their possession belonging to this Union. All the funds and property of this Union shall be deemed held in trust for the benefit of the members, to be used in accordance with the direction of the Executive Board or the membership.

The title of all property, funds and other assets of this Union shall at all times be vested in this Union for the joint use of the general membership of this Union, but membership in this organization shall not vest any member with any severable proprietary right, title or interest in or to the funds, property or other assets of this Union, now owned or possessed or that may hereafter be acquired and each member hereby expressly waives any right, title or interest in or to the property of this Union, including the funds of this Union.

The funds or property of this Union shall not be divided among the members but shall remain intact for the use of this Union for its legal and legitimate purposes while this Union exists.

ARTICLE XVII AMENDMENTS

Section (1)

This constitution may be amended, revised, or otherwise changed by a majority vote of the members in good standing voting by mail ballot. A proposed amendment to this constitution must be submitted in writing to the CUHW Secretary who shall transmit such proposals to the Executive Board. The Executive Board shall review and make a recommendation to the membership on any proposal to amend this constitution. Within 30 days after such meeting of the Executive Board, a written copy of such proposed amendment and the recommendation of the Executive Board on such proposal shall be mailed to each member with at ballot to be used for voting. The deadline for the returned ballot shall be not less than twenty days after the date on which the amendment package is mailed.

Any member may bring a proposed amendment. In order for the amendment to be considered, it must be approved by a majority vote of the Chapter Executive Board prior to being submitted to the Executive Board.

In all cases, approval of a constitutional amendment shall require at least 2/3 of those voting.

The SEIU and AFSCME International Union Presidents must approve any amendment to this constitution.

Section (2)

The Constitution of CUHW shall at all times be in compliance with, and subordinate to, the SEIU and AFSCME International Constitutions and Bylaws.

ARTICLE XVIII DISSOLUTION

This Local Union cannot dissolve, secede or disaffiliate while there are seven (7) dissenting members. In the event of secession, dissolution or disaffiliation, all properties, funds and assets, both real and personal, of this Local Union shall become the property of the International Unions. Under no circumstances shall this Local Union distribute its funds, assets, or properties individually among its membership.

ADDENDUM

ELECTIONS

Terms of Elections

a) 2009 Elections

The first elections of CUHW shall be held in October of 2009. Elected officers will take office in November 1, 2009 and serve until August 31, 2012.

Eligibility

a) 2009 Elections

A member shall be eligible to be nominated and to serve as an elected Executive Board officer if he/she has been a member of CUHW in continuous good standing

for at 1 month immediately preceding the nomination period and has paid the full dues required for active members of the Local Union.

If a member is a part of a collective bargaining unit that has ratified a contract within this period, they will be eligible to run for and hold office.