

# **Association of California State Supervisors**



## **Operating Policy & Procedures**

*Updated: January 27, 2024*



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## Section 1: STRATEGIC PLAN

### **101.00 The Strategic Plan for ACSS**

ACSS shall establish and maintain a strategic plan to further the mission and goals of the Association of California State Supervisors. **(ACSS Bd 7/18/10)**

### **102.00 The Vision for ACSS**

The vision for ACSS is to be the pre-eminent excluded employee organization. Our vision is to grow and to establish a brand that is easily identified with excluded state employees. To cultivate and promote the values of ACSS, thereby enabling ACSS to be a powerful advocate for excluded employees across California. **(ACSS Bd 7/18/10)**

### **103.00 Member Activity**

Strengthening our organization by increasing membership, increasing member involvement, increasing member visibility, and increasing political power for excluded employees. **(ACSS Bd 7/18/10; 10/23/11)**

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## Section 2: DELEGATE ASSEMBLY

### 201.00 Accreditation of Delegates at the Delegate Assembly

Members elected as delegates and alternate delegates to represent the chapters at the Delegate Assembly shall be accorded membership at the Delegate Assembly by the Credentials Committee upon presentation of credentials signed by the ACSS President or Executive Vice President. **(ACSS Bd 7/13/08; 1/18/2020)**

### 202.00 Delegate Assembly Resolutions

#### **202.01 Drafting of Resolutions**

In drafting resolutions, each whereas clause shall be consecutively numbered, and each resolved clause shall be consecutively lettered. Resolutions shall be prepared according to the following procedures:

- A. The resolved clauses shall be complete statements and shall stand on their own merits;
- B. The resolved clauses affecting the Operating Policy and Procedures shall clearly state the intent of the author and the section of the Operating Policy and Procedure it affects; of the Operating Policy and procedure it affects;
- C. The resolved clauses shall clearly reflect the subject matter. **(ACSS Bd 1/15/94)**

#### **202.02 Responsibility of Proponent**

The primary responsibility for insuring that a resolution intended for submission to the Delegate Assembly is in proper form rests with the proponent.

#### **202.03 Format of Resolution**

Resolutions submitted by 10 or more active members of the Corporation or signed by 5 or more members or members-elect of the Delegate Assembly shall indicate the principal proponent in the following form:

Principal Proponent: \_\_\_\_\_ (chapter or individual) Resolutions submitted to the Delegate Assembly must set forth the subject, the name of the proponent, including chapter number if it is submitted by an individual, and a reference to the appropriate section of the Bylaws and the Operating Policy and Procedure, if ascertainable by the proponent, in the following form at the beginning of the resolutions:

Subject: \_\_\_\_\_

Submitted by: \_\_\_\_\_

Reference: \_\_\_\_\_

Amendments to the Bylaws or Operating Policy and Procedures manual shall be in a form which indicates proposed deletions to existing language in strikeout type and proposed additions to existing language in underline type. If a proposed amendment is to delete an entire section, a statement to that effect is all that is necessary.

The resolutions must contain estimates of probable cost to the Corporation in the following form:

Estimated cost: \_\_\_\_\_

**202.04 Processing of Resolutions**

All resolutions received in headquarters office no later than 90 days prior to the convening of the Delegate Assembly shall be forwarded to the members of the Bylaws & Policy File Committee for review and recommended action. At the completion of the Bylaws & Policy File Committee's review, all resolutions shall be retained by ACSS Headquarters staff until a Delegate Assembly Resolutions Committee is formed at Delegate Assembly. Requests for clarification or recommendations for amendment will be forwarded to the proponent. **(ACSS Bd 4/12/03; 7/13/08; 10/23/11)**

**202.05 Personal References**

Resolutions to be heard at the Delegate Assembly which name any individual person or allude to any Corporation member in language that will be deleterious to that person's character and reputation will not be published. Such resolutions shall be referred by the President to the Board of Directors for disposition.

**202.06 Suspended Resolutions**

The Board of Directors may, for substantial cause, suspend enforcement of a Delegate Assembly resolution by two-thirds vote. The Board of Directors must immediately initiate a resolution for submission to the Delegate Assembly delegates to rescind or amend the suspended resolution. Failure of the Delegate Assembly to rescind or amend the suspended resolution lifts the suspension and restores the suspended resolution to its original form, require immediate implementation.

**202.07 Conflicts between Resolutions**

In interpreting the actions of the Delegate Assembly where a conflict exists between two or more resolutions:

- A. The most recently adopted resolution shall govern when the conflicting resolutions were adopted at different Delegate Assemblies;
- B. The Board of Directors shall resolve the conflicts between resolutions adopted at the same Delegate Assembly by taking into consideration the overall actions of the Delegate Assembly in order to determine its intent with respect to any individual resolution and provided further that the Board of Directors conform to the requirements of Policy and Procedure Section 202.06. **(ACSS Bd 1/15/94)**
- C. If the Board of Directors cannot determine the intent of the Delegate Assembly, it shall submit conflicting resolutions to the delegates to resolve a conflict.

**202.08 Status Report of Delegate Resolutions**

At each meeting of the Board of Directors, the President shall report in writing on the status of all Delegate Assembly resolutions for which final action remains pending. **(ACSS Bd 10/23/11)**

**203.00 Rules of the Delegate Assembly****Rules Adopted by the Delegate Assembly**

It is the prerogative of each Delegate Assembly to adopt the rules to govern its own session of the Delegate Assembly. In order to provide for a continuing policy of rules of the Delegate Assembly, these rules are printed in the Operating Policy and Procedure manual so that the rules are available for study on a continuing basis.

- A. Only members of the Delegate Assembly (hereafter referred to as members), those person having official assembly duties and other person authorized by the President shall be permitted on the Delegate Assembly floor.

- B. Members must be present at all sessions of the Delegate Assembly unless excused by the presiding officer. Members must be seated at their designated tables and report to the sergeant-at-arms whenever leaving. Any delegate vacancy should be filled immediately following a negative roll call or after an unexcused absence of two hours or more, provided an alternate is available.
  - C. Certification by the Credentials Committee as to the attendance of members at the opening of each session shall constitute the roll call.
  - D. Once a quorum is established, that quorum, for the purpose of doing business continues in existence until adjournment.
  - E. The presiding officer shall make a motion establishing the order of business.
  - F. Three minutes to speak upon the matter currently before the Delegate Assembly will be allowed each member. No member may be allowed to speak more than twice on a matter currently before the Delegate Assembly and will not be allowed to speak a second time until all other members who have so requested have had an opportunity to speak. Two minutes shall be allotted for the second speech.
- 1. Resolutions
    - A. A Delegate Assembly resolutions committee shall consider all resolutions referred to it.
    - B. Resolutions may be amended and/or consolidated by the committee.
    - C. Committee reports shall be in writing and include recommendations for:
      - I. Adoption in original form;
      - II. Adoption in amended form;
      - III. Adoption as consolidated with one or more resolutions;
      - IV. Referral to the Board of Directors for study and appropriate action;
      - V. Referral to the Board of Directors for study and report to the next Delegate Assembly.
      - VI. Referral to the President for appropriate action;
      - VII. Rejection with reasons
    - D. When a committee has recommended an amendment to a resolved clause, the entire resolved clause as amended shall be presented to the Delegate Assembly in writing before action is taken on the resolution.
    - E. When called upon by the presiding officer, the Chairperson of the resolutions committee shall report the recommendation of the committee to the Delegate Assembly, such recommendations constituting a motion.
      - I. If a motion for adoption is not adopted by the Delegate Assembly, the resolution is rejected.

- II. If a motion to reject is not adopted by the Delegate Assembly, the resolution continues as a subject before the assembly and must be disposed of by subsequent action of the Delegate Assembly.
  - III. If a motion to amend and adopt is not adopted, then a motion to consider the resolution in its original form is in order; 30 seconds are required.
  - IV. If a motion to refer is not adopted by the Delegate Assembly, the resolution continues as a subject before the assembly and must be disposed of by subsequent action of the Delegate Assembly.
- F. Separate action is not required on resolutions which have been consolidated with other resolutions. However, upon proper motion and 20 seconds a resolution may be withdrawn and considered separately.
- I. A motion to accept the committee resolutions in toto is in order if the written committee recommendations have been distributed to the members at least four hours prior to the committee's report.
  - II. Committee recommendations which would change the Bylaws and budget resolutions shall require separate action by the Delegate Assembly.
- G. The final report of Delegate Assembly actions on committee recommendations shall be in written form and must show the amended resolved clause(s) and the action taken.
2. Motion
- A. Only one amendment and one amendment to the amendment may be pending concurrently.
  - B. A substitute motion is not in order.
  - C. A motion to table is not in order.
  - D. A motion to reconsider and enter on the minutes is not in order at any time.
  - E. A motion to reconsider may only be made by a member who voted on the prevailing side; it requires a second, is debatable; and requires a two-thirds vote. If the motion prevails, the motion which resulted in the action which has been reconsidered is restored to the floor. A motion to reconsider would be taken on the resolution. The resolution comes back exactly as it was when it was previously acted upon. It is then open for amendment, adoption or rejection.
  - F. A motion to rescind is amendable, debatable and requires a two-thirds vote.
  - G. A member who makes a motion must rise only for that purpose and will be given the first opportunity to speak on the motion.
  - H. A motion for the previous question may be made only by a member who rises solely for this purpose. The motion must be seconded by 10 members. It is not amendable; it is not debatable. It requires a two-thirds vote.
3. Voting
- A. Delegate Assembly actions on motions shall be by voice vote show of hands, standing vote or roll call vote.

- I. A request for a standing vote visually determined by the chair requires one second.
  - II. A request for a standing vote to be counted by the sergeant-at-arms must be concurred in by 10 members or more.
  - B. A request for a roll call vote must be concurred in by a majority of members present and would be accomplished with a recorded tally by the sergeant-at-arms of the delegates, by delegate number, within their assigned areas.
  - C. A request for a standing roll call vote must be made before another motion is put forward by the presiding officer.
  - D. The presiding officer may call for a show of hands, a standing vote or a roll call vote at his/her discretion.
  - E. On a standing vote or a roll call vote, the presiding officer shall direct the sergeant-at-arms to instruct all members who are away from the Delegate Assembly floor to return for the vote.
  - F. At the discretion of the presiding officer, a motion before the Delegate Assembly may be set aside until all delegates have been given an opportunity to return to the floor.
4. Candidate Election Protest Procedure
- A candidate for Association office may protest an election for that office at the general session of Delegate Assembly. The protestor shall:
- A. Seek recognition of the presiding officer, prior to recess on the day the elections are held, for presentation of the protest.
    - I. Specifically explain the irregularity or procedure violated.
  - B. The presiding officer shall immediately rule upon the protest and if the protestor or any candidate for that office disagrees with the ruling, he/she may challenge the ruling of the chair. The presiding officer shall immediately take appropriate action to enact the decision of the Delegate Assembly.
  - C. An appeal from the decision of the chair; is in order, requires concurrence of 10 members and is debatable. A motion to sustain the decision of the chair is adopted by a majority or a tie vote.
5. Motion to Suspend Rules
- A motion to suspend a Delegate Assembly rule is in order on all matter before the house except on those involving an amendment to the Bylaws, provided the maker of the motion states the purposes for which the suspension is requested. The motion must be seconded, is not amendable, is debatable only to the question of the suspension and not to the merits of the question to be considered under the suspension, and requires a three-fourths vote.
6. Elections
- A. After the nominations for all offices have been closed, the presiding officer shall call for a motion to declare elected any un-opposed candidate for an office. The Secretary shall cause the record to report the candidate as elected.

- I. No other business shall be conducted during the balloting period for Corporation Directors and officers.
  - II. All delegates must be seated at their designated locations and all entrances to the Delegate Assembly floor shall be secured from the time of distribution of the ballots until all ballots have been presented to the Election Tellers Committee.
- B. The election shall be conducted in accordance with procedures established by the Board of Directors.
7. Appeals from the decision of the Chair  
An Appeal from the decision of the chair; is in order, requires concurrence of majority of members present and is debatable. A motion to sustain the decision of the chair is adopted by a majority or a tie vote.
8. Campaign/Electioneering Material  
All campaign/electioneering material including posters, banners and other forms displayed material is not allowed in the area or in any location where it could be observed by delegates while they are in session. **(ACSS Bd 10/23/11)**
9. Rules of Order  
The Bylaws, these rules, Roberts Rules of Order, latest edition, in order of priority stated, constitute the rules during the session.
10. Smoking/Alcoholic Beverage Rule  
Smoking and/or consumption of alcoholic beverages shall be prohibited on the floor of the Delegate Assembly.

#### **204.00 Reports of the Delegate Assembly**

The report of the Delegate Assembly may be published in two segments to minimize publication costs and shall include, but not be limited to, the following: **(ACSS BD 10/23/11)**

- A. Reports of the ACSS President **(ACSS BD 1/18/2020)**;
- B. Corporation financial statement;
- C. A record of disposition of adopted resolutions, when appropriate, indicating whether each resolution was incorporated in Bylaws or Operating Policy and Procedure;
- D. A text of rejected resolutions, with the reason for rejection;
- E. The action taken on all resolutions not rejected by the previous Delegate Assembly;
- F. The status of significant legislation before the current legislature.

#### **205.00 Delegates to the Delegate Assembly**

##### **205.01 Dues to be paid prior to attendance at the Delegate Assembly**

Delegate Assembly delegates and alternates shall have their current dues paid prior to being seated as delegates to the Delegate Assembly.



**205.02 Delegate Binder (ACSS Bd 1/18/2020)**

The Delegates binder shall include at least the following **(ACSS Bd 1/18/2020)**:

- A. A section containing an accredited roll-call list of Delegates and Alternates in chapter order **(ACSS Bd 1/18/2020)**;
- B. A section containing rules from the preceding Delegate Assembly and/or proposed amendments to the rules **(ACSS Bd 1/18/2020)**;
- C. The minutes of the prior meeting of the Delegates for approval of the current accredited Delegates **(ACSS Bd 1/18/2020)**;
- D. A section containing the following **(ACSS Bd 1/18/2020)**
  - i. ACSS President's report
  - ii. HQ Staff reports
  - iii. B&P Committee report
  - iv. Legislative and PAC report including the status of significant legislation presented before legislature
- E. A section of the candidates running for the Board of Directors including a report of the Nominations Committee and Candidate Statements **(ACSS Bd 1/18/2020)**;
- F. A section containing the report of the ACSS Secretary-Treasurer including budget assumptions, a budget summary and expenditure details **(ACSS Bd 1/18/2020)**;
- G. Current Delegate Assembly proposed resolutions **(ACSS Bd 1/18/2020)**;
- H. Prior Delegate Assembly resolutions and the action taken on those resolutions **(ACSS Bd 1/18/2020)**;
- I. A section containing both the current ACSS Bylaws and Policy File. **(ACSS Bd 7/13/08; 1/18/2020)**

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## Section 3: Elections

### 301.00 Chapter Election Procedures

#### **301.01 Electorate**

Chapter Officers and Delegate Assembly delegates are elected by the active members of their respective chapters.

#### **301.02 Eligibility for Office**

Any active chapter member in good standing is eligible to run for a chapter officer position as long as no conflict of interest exists. **(ACSS Bd 10/23/11; 5/6/17)**

#### **301.03 Candidate Consent to Run for Office**

To be considered as a candidate for any open position, a signed Candidate Consent form must be received by ACSS. **(ACSS Bd 7/20/02; 7/13/08; 5/6/17)**

#### **301.04 Candidate Consent Form**

The signed Candidate Consent form shall be given to the Chapter President or, as appropriate, the Chairperson of the Chapter's Nominations Committee; or the presiding officer at the meeting convened for nominations of chapter officers and Delegate Assembly Delegates. Candidate Consent forms can be submitted online or directly to ACSS headquarters. **(ACSS Bd 5/6/17; 12/9/2023)**

#### **301.05 Nominations Committee**

Each Chapter President shall activate a Chapter Nominations Committee **by November 15** (the year prior to Delegate Assembly). The Nominations Committee shall consist of any willing chapter member, any current chapter delegates and/or the current chapter officers. **(Delegate Assembly 7/20/96; ACSS Bd 10/23/11; 5/6/17)**

#### **301.06 Nominations Committee Duties**

The Nominations Committee shall be responsible for actively recruiting candidates for chapter officer and delegate positions. The committee shall report the names of candidates to the chapter at the chapter's open nomination meeting by placing in nominations candidates for each office and as delegates. **(Delegate Assembly 7/20/96; ACSS Bd 10/23/11; 5/6/17)**

#### **301.07 Nominations Committee Meeting**

The Nominations Committee must hold their first meeting at least 10 days prior to the chapter's open nominations meeting. **(Delegate Assembly 7/20/96; ACSS Bd 10/23/11; 5/6/2017)**

#### **301.08 Chapter Open Nominations Meeting**

The members of each chapter shall be given at least 30 days advance notice of the open chapter meeting to accept nominations of candidates for chapter officer positions and delegates for Delegate Assembly.

To be eligible for a nominated position, the member must be an active member in good standing and have a willingness to serve the term of office by submitting a signed Candidate Consent form. **(Delegate Assembly 7/20/96; ACSS Bd 10/23/11; 5/6/2017; 12/9/2023)**

#### **301.09 Nominations from the Floor**

During the chapter's open nominations meeting, and after the Chapter's Nominations Committee has completed its report, nominations of candidates from the floor are in order. Any active member in good standing may nominate themselves, or any other eligible

member, as a candidate for any chapter officer or delegate position. (ACSS Bd 5/6/17; 12/9/2023)

### 301.10 Introduction of Candidates

After the close of nominations at the chapter's open nomination meeting, the presiding officer shall introduce the candidates and encourage them to express their qualifications, experience and abilities to serve if elected. (ACSS Bd 7/20/02; 5/6/17)

### 301.11 Election of Chapter Officer Positions

Nominations will remain open until January 31<sup>st</sup> of the year of Delegate Assembly. Unopposed candidates for a chapter officer position will be sworn in at Delegate Assembly and will assume their position responsibilities upon the conclusion of Delegate Assembly. Positions with multiple nominated candidates will be decided by secret ballot the following April. (ACSS Bd 1/18/2020);

All nominated delegates are elected by secret ballot the following April. (ACSS Bd 5/6/17)

### 301.12 Deadlines for Chapter Reporting of Nominees

Each chapter shall provide a list of candidates nominated, including those running unopposed, along with all Candidate Consent forms, to ACSS headquarters within 10 days of their open nominations meeting or **no later than February 15**, the year of Delegate Assembly. (ACSS Bd 7/20/02; 10/23/11; 5/6/17; 1/18/2020; 12/9/2023)

For chapters failing to report nominated candidates at their Open Nominating meeting or have unfilled chapter officer or delegate positions as of **February 15**, ACSS headquarters shall send a nomination by mail notice to the members in those respective chapters no later than **February 22**, the year of Delegate Assembly. Included with the letter shall be a list of unfilled Chapter and Delegate positions, a description of the duties for each office and a Candidate Consent form with a link to the online form. All Candidate Consent forms must be received **no later than 5 p.m. on March 25** to be included on the ballot in the April election. (ACSS Bd 7/20/02; 10/23/11; 5/6/17; 1/18/2020; 12/9/2023)

### 301.13 Post Nomination Timelines

- A. **March 6** – ACSS will certify the membership count (45 days before the election) which determines the number of Delegates each Chapter is allowed as set forth in ACSS Bylaws Section 5.2A. (ACSS Bd 12/9/2023)
- B. **March 10** – ACSS headquarters shall notify each candidate individually that their nominations have been received, other than those received after February 15 or as a result of the mailing as specified in 301.12 above. (ACSS Bd 7/20/02; 10/23/11)
- C. **March 25** – All Candidate Consent forms distributed under 301.12 above must be received by ACSS headquarters **no later than 5 p.m. March 25**, the year of Delegate Assembly, for the candidate to be included on the ballot for the election held in April. (ACSS Bd 5/6/17; 12/9/2023)
- D. **March 25** – Candidates must write a 200-word candidate profile to be included on the ballot expressing their qualifications, experience and abilities to serve if elected. Profiles must be in a typed or electronic format and received by ACSS headquarters **no later than 5 p.m. on March 25**. All candidate profiles are taken 'as is'. ACSS cannot offer any punctuation or grammar recommendations and any word after the 200-word limit is automatically deleted. (ACSS Bd 5/6/17; 12/9/2023)

**301.14 Notice of Elections**

Notice of elections or ballots shall be mailed by or on behalf of ACSS **no later than April 20** in the year of Delegate Assembly, to each active member in good standing, by first-class mail. **(ACSS Bd 5/6/17)**

**301.15 Election Process**

- A. Each ballot shall comply with the following: **(ACSS Bd 7/20/02; 10/23/11, 5/6/17; 12/9/2023)**
- I. Each uncontested position be listed;
  - II. Each position requiring a vote be listed;
  - III. Each candidate shall be identified by name, chapter, agency/department and classification;
  - IV. The order of the candidate's on the ballot for each position shall be determined by random selection;
  - V. There shall be no write-in candidates;
  - VI. First-class return postage envelopes shall be provided for mail-in paper ballots unless an electronic election process is used;
- B. The following voting instructions and information shall accompany each ballot: **(ACSS Bd 7/20/02)**
- I. The number of candidates to be voted for;
  - II. Indication where to place printed name and signature on the return envelope or the guidelines for a qualified electronic signature;
- C. To be valid, mailed ballots must be postmarked and received at ACSS headquarters or completed and submitted online by May 20, the year of Delegate Assembly. If May 20 should fall on a Saturday or Sunday, the deadline will be the first working day following; **(ACSS Bd 10/23/11)**
- D. Plurality is required to elect, a tie shall be broken by lot;
- E. Election protests must be in writing and received in ACSS headquarters by 5 p.m., June 10, the year of the Delegate Assembly. **(ACSS Bd 10/23/11; 5/6/17)**

**301.16 Retention of Ballots**

ACSS headquarters shall be responsible for retention of all election materials. **(ACSS Bd 1/15/94; 5/6/17)**

**301.17 Computation of Election Results**

Under direction of the ACSS Executive Vice-President, headquarters office shall confirm the validity of all returned ballots according to the following principles: **(ACSS Bd 5/6/17)**

- A. Absence of the signature in the designated location voids the ballots;

- B. If ballot irregularities go to the essence of the entire ballot, the ballot shall be invalidated;
- C. Where Corporation policy is silent; the ACSS Executive Vice-President shall be authorized to take appropriate steps consistent with public election laws in the computer counting of ballots. In the event of a tie vote, the ACSS Executive Vice-President shall resolve the tie by lot in the presence of witnesses. **(ACSS Bd 1/15/94; 5/6/2017)**

### **301.18 Notification of Election Results**

On behalf of the ACSS Executive Vice-President, ACSS shall notify each candidate and each Chapter President of the election results **by May 30**, the year of Delegate Assembly, except for any office where an appeal has been filed. **(ACSS Bd 5/6/17)**

The election results shall **NOT** be released publically prior to the candidate notification. A general announcement of the election results shall be released no sooner than two (2) working days after the candidates have been notified. **(ACSS Bd 1/15/94; 7/20/02; 10/23/11; 5/6/17)**

### **301.19 Recounts**

Upon written request from any candidate during the protest period, the ACSS Executive Vice-President shall cause an immediate recount of ballots for that position. No further recount shall be allowed unless it is requested through the election protest procedure. **(ACSS Bd 5/6/17)**

### **301.20 Installation of Chapter Officers**

All elected chapter officers and delegates will be sworn into office at Delegate Assembly, or as soon as possible thereafter. Chapter Officers will assume the duties and responsibilities of their office upon the conclusion of Delegate Assembly. **(ACSS Bd 7/20/02; 10/23/11; 5/6/17)**

### **301.21 Filling of Vacancies**

#### **A. Chapter Officer Vacancies**

Except for vacancies created by removal of an Office by the members, vacancies may be filled by majority vote of the Chapter Officers with the concurrence of the ACSS Board of Directors. A vacancy created by the removal of an Officer by the members may be filled by the members. Vacancies may also be filled by the ACSS Board of Directors. **(ACSS Bd 7/20/02; 5/6/17; 12/9/2023)**

#### **B. Delegate Vacancies**

Vacancies among the Delegates shall be filled, first by the promotion of Alternates. Vacancies that cannot be filled by any available Alternate may be filled by a special chapter election or the ACSS Board of Directors may fill any vacancy not filled by the Chapter within a reasonable time. (See ACSS Bylaws, Article 5, Section 5.14) **(ACSS Bd 12/9/2023)**

## **302.00 Election Protest Procedure**

### **302.01 Written Protest**

To be valid, any notification of an election protest must be submitted to the ACSS President in writing and received at ACSS headquarters by 5 p.m., June 10, in the year of Delegate Assembly. The incumbent in the protested office shall remain in office until the protest is decided. If there is no incumbent, the office shall remain vacant. **(ACSS Bd 1/15/94; 4/25/98; 9/15/00; 7/20/02; 10/23/11; 5/6/17)**

**302.02 Appointment of Election Protest Hearing Committee**

The ACSS President, within 10 calendar days of receipt of an election protest(s), the ACSS President shall appoint committee(s) of three (3) non-candidate members to investigate all timely appeals. These committee(s) must have the hearing(s) within 30 calendar days of appointment. **(ACSS Bd 1/15/94; 5/6/17)**

**302.03 Election Protest Hearing**

In hearing the election protest the hearing committee shall:

- A. Contact all persons known to be involved and request all information pertaining to the protested election(s) to be assembled for review;
- B. Review all material used in the election procedure relevant to the protest;
- C. Hold an open meeting for the purpose of hearing the protest. The protestor and all other persons known to be involved shall receive timely notice of the open meeting, and shall be afforded an opportunity to present information in person or in writing. If the investigation is completed at the open meeting, an oral report of findings and recommendations may be given.
- D. Within 10 days of the close of the hearing, the hearing committee shall report its findings to the ACSS President and the protestor. The findings and recommendations of the appropriate hearing committee shall be presented to the Board of Directors; and, when adopted by the Board of Directors, shall be final and binding on the parties. **(ACSS Bd 1/15/94; 5/6/17)**

**302.04 Re-election Process**

- A. Upon order of the Board of Directors for re-election, headquarters office shall, within 10 days, notify all interested parties in writing of the specific action of the Board of Directors.
- B. The Executive Vice-President shall be responsible for carrying out the directive of the Board of Directors. **(ACSS Bd 10/23/11; 5/6/17)**
- C. All reelections, unless otherwise specified by the Board of Directors, shall be completed no later than 60 days after the Board of Director's decision.

**302.05 Retention of Office**

Upon the filling of an election protest, the incumbent(s) in the protested office(s) remain(s) in office until the completion of the Board of Directors' action on the protest, including re-elections, if ordered.

**303.00 Election of Delegates****301.01 Election of Delegates to ACSS Delegate Assembly**

The election of Delegates to ACSS Delegate Assembly shall be accomplished in accordance with the provisions established in the Bylaws, Article 5, Section 5.3. This provision establishes the election date at not more than 180 days prior to Delegate Assembly. The election of Delegates to CSEA General Council shall be held simultaneously and in conjunction with the election of ACSS Delegates to Delegate Assembly. Because of the concurrence of the two elections, the timing for General Council Delegate elections is controlled by the ACSS Delegate Assembly Delegate elections. **(ACSS Bd 5/6/17)**

**303.02 Number of Delegates to ACSS Delegate Assembly**

Bylaws Article 5.2 (A) establishes the number of Delegates to ACSS Delegate Assembly at one for each 200 members per chapter. Delegate count is determined by a major portion on

the one per 200 count that is, a Chapter with 300 members is entitled to one Delegate, and a chapter with 301, or more, members is entitled to two Delegates. **(ACSS Bd 7/20/02)**

### **303.03 Selection of Alternates to ACSS Delegate Assembly**

After all chapter Delegate positions are filled, the Alternates to Delegate Assembly will be those candidates with the highest number of votes in order of the votes cast. The election process will be in accordance with the provisions of Bylaws Article 5, Section 5.3. The number of alternates is determined in the Bylaws, Article 5, Section 5.2 (C). **(ACSS Bd 5/6/17)**

### **303.04 Number of Delegates to CSEA General Council**

Bylaws Article 9.2(A) establishes the number of delegates to CSEA General Council at one for each 200 members per chapter. **(ACSS Bd 7/20/02)**

### **303.05 Dual Role of ACSS Delegates as General Council Delegates**

It is the intention of the ACSS Delegates that the Delegates for General Council and the Delegates for Delegate Assembly be the same. Therefore, all Delegates to Delegate Assembly will also be Delegates to General Council.

### **303.06 Election Process for Delegates**

The election process for Delegates to ACSS Delegate Assembly and CSEA General Council shall be one in the same election. The provisions for the election shall be as specified in Bylaws Article 5, Section 5.3. **(ACSS Bd 5/6/17)**

## **304.00 Election of Directors**

### **304.01 Nominations Committee**

A Nominations Committee consisting of the ACSS President, any past ACSS presidents who remain members in good standing, and any other members appointed by the ACSS President shall meet to select candidates for all Director positions. The Nominations Committee shall meet to select candidates for all positions on the Board of Directors. The Nominations Committee shall select qualified active members in good standing who are willing to serve if elected. **(ACSS Bd 1/15/94; 4/25/98; 4/15/00; 10/23/11; 5/6/17)**

### **304.02 Report of Nominees**

The Nominations Committee shall report to the Board of Directors no later than June 1st in the year of Delegate Assembly. The Board of Directors shall review the report, make any changes to the list of candidates which it deems advisable, and authorize publication of the names and qualifications of the nominees. The Executive Vice-President shall thereupon forward to each person, entitled to receive notice, the notice of such meeting and other information required by Bylaws Sections 5.5 and 5.13. **(ACSS Bd 10/23/11; 5/6/2017)**

### **304.03 Nominations by Delegates**

Delegates representing at least two percent (2%) of the active members may place in nomination the name of one candidate for Director for each position to be filled. If any nominations are made in writing to the Secretary/Treasurer more than 30 days before the meeting at which Directors are to be elected, the Secretary/Treasurer shall cause the names of such qualified nominees to be placed on the ballot along with the names of those candidates selected by the Nominations Committee and/or Board of Directors. **(ACSS Bd 5/6/17)**

### **304.04 Nominations from the Floor**

Delegates to the Delegate Assembly may place in nomination the names of candidates for each position to be filled. Ballots shall have a space for writing in the names of candidates nominated from the floor.



**304.05 Term of Office**

The term of office of Directors shall be for three years. (ACSS Bd 4/25/98; 7/20/02; 10/23/11)

**305.00 Election of Officers of Corporation****305.01 Time of Election**

The first meeting of the newly elected ACSS Board members shall be the day after adjournment of Delegate Assembly at which time the Board will elect the Officers of the Corporation. No other business shall be conducted at this first meeting of the Board. (See ACSS Bylaws Section 6.9). (ACSS Bd 10/23/11; 12/9/2023)

**305.02 Nominations**

The elected Directors shall elect the Corporation officers from among their number following standard nomination procedures.

**305.03 Secret Ballot**

The election of the Corporation officers shall be by secret ballot.

**305.04 Term of Office**

The term of office of Corporation officers shall be for three years. (ACSS Bd 7/20/02; 10/23/11)

**305.05 Vacancies**

Vacancies shall be filled by a majority vote of the Directors then in office.

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## SECTION 4: ACSS REPRESENTATION POLICY

### **401.00 Scope of Representation**

Representation is the means by which ACSS makes its resources available in accordance with the ACSS Policy File to ensure a fair and full review of any infringement of its members' rights and to obtain for them the full realization of any and all benefits to which they may be entitled by reason of being a state excluded employee. The access to and/or use of any attorney by any ACSS member will be afforded only at the discretion of the ACSS Executive Board. **(ACSS Bd 1/20/07; 10/23/11)**

#### **401.01 Merit-Related and Government Code-Related Matter (ACSS Bd 10/23/11; 5/2/15)**

The ACSS policy is to provide formal representation only in merit-related and Government Code-related matters within the scope of the following definitions:

- A. "Merit-related" means matters that are within the exclusive jurisdiction of the State Personnel Board.
- B. "Government-Code related" means protections and benefits afforded employees by Title 2 of the California Code of Regulations and the laws governing the California State Civil Service System. Including matters under the jurisdiction of the California Department of Human Resources.
- C. "Formal Representation" means representation provided by specially trained staff members assigned to ACSS. **(ACSS Bd 1/20/07)**
- D. "Appeals Body" as used herein applies to any group elected or appointed to hear appeals of staff representation decisions.

#### **401.02 Court Representation (ACSS Bd 10/23/11; 5/2/15)**

Representation in court is not automatically afforded unless approved by the ACSS Executive Board. Representation in individual civil lawsuits is also not provided unless it comes within the scope of representation set forth in Section 401.01(a) and (b) and is approved by the ACSS Executive Board. **(ACSS Bd 1/20/07)**

#### **401.03 Workers Compensation and Whistleblower Matters (ACSS Bd 10/23/11; 5/2/15)**

Representation is not provided in workers compensation matters, whistleblower retaliation claims, or any matter for which ACSS representation is sought but deemed too complex, costly or time-consuming, unless otherwise determined by the ACSS Executive Board **(ACSS Bd 1/20/07)**

### **402.00 Representation Rights and Limitations**

The right of representation by ACSS is subject to both the financial ability of ACSS and to such specific limitations as may be imposed by ACSS. The right to representation is further subject to a formal request for representation and an initial review of the matter by ACSS. **(ACSS Bd 1/20/07; 10/23/11)**

#### **402.01 Representation Limitations (ACSS Bd 10/23/11; 5/2/15)**

ACSS will provide representation within the limitations set forth in this policy to ACSS members based upon their status as follows:

- A. Active members in good standing have the full right to good faith representation in any employment-related matter, subject to the limitations set forth in Section 401.01 (a) and (b) by ACSS' designated representative, including legal counsel, subject to the discretion of the ACSS Executive Board, without charge therefore. **(ACSS Bd 1/20/07)**

- B. Associate members of ACSS shall not be entitled to representation unless they are associate members as defined in Article 3, Section 3.2(b)(3) and (b)(4) and are in good standing as defined in Article 3, Section 3.3. **(ACSS Bd 10/7/05)**

#### **402.02 Late Joiners**

Representation will not be provided to late-joiners who knew or could reasonably be expected to know that events occurring prior to the date of their application for membership in ACSS had the potential to have adverse consequences requiring representation, except as provided by Section 4, 402.03. **(ACSS Bd 1/15/94; 10/23/11; 5/2/15)**

#### **402.03 Exception to Late Joiners (ACSS Bd 10/23/11)**

Representation of a late-joiner will only be undertaken if a favorable result would benefit ACSS members or establish precedent favorable to excluded employees. The determination to represent a non-member rests with the ACSS Executive Board of Directors. **(ACSS Bd 1/20/07; 10/23/11)**

#### **402.04 Approval or Disapproval of Representation (ACSS Bd 10/23/11)**

ACSS has the right to make fair and impartial decisions as to the merits of a particular request for representation, including, but not limited to decisions:

- A. Whether to undertake representation;
- B. Whether to discontinue representation at any time;
- C. Whether to recommend that a matter be settled prior to exhaustion of the applicable administrative procedures;
- D. Whether to refused to continue representation in the event that its recommendation of settlement is not satisfactory to the employee;
- E. Whether to seek judicial relief and redress for a particular matter, including but not limited to whether that relief is in addition to or in lieu of representation through any or all of the available administrative procedures; **(ACSS Bd 4/19/97)**
- F. Whether to discontinue its representation in judicial proceedings at any point prior to their exhaustion;
- G. Whether to discontinue its representation in the event that the member is found to be uncooperative or has withheld or misrepresented facts;
- H. Whether to utilize an ACSS attorney to represent the interests of a member. **(ACSS Bd 1/20/07)**

### **403.00 Types of Representation**

Representation consists of either services or indemnity or both.

#### **403.01 Services Rendered (ACSS Bd 10/23/11)**

Services consist of advice, counsel and assistance rendered by competent and qualified persons, and may include investigation, negotiation and settlement as well as appearances before administrative, judicial or legislative tribunals.

#### **403.02 Indemnity (ACSS Bd 10/23/11)**

Indemnity consists of money payment in reimbursement of either a portion of or all actual and necessary representation costs up to the amount of the fiscal limitations set forth in

Section 5, 502.04 and 503.05. ACSS will not indemnify anyone for costs or expenses incurred without prior written authorization from either the representation appeals committee or the board appeals committee. No indemnification monies will be paid absent written documentation consisting of both a detailed billing statement and the work performed, including but not limited to copies of any documents filed with a judicial, administrative or legislative tribunal. ACSS does not provide indemnification unless the member has first sought formal representation and/or review by an ACSS Labor Relations Representative or other specially trained member of the ACSS Staff. **(ACSS Bd 1/20/07)**

#### **404.00 Representation before Licensing or Examining Boards**

ACSS does not normally provide representation before licensing or examining boards but may provide such representation if the following conditions are satisfied:

- A. The individual seeking representation faces revocation or suspension of his/her license and such license is a condition of employment; **(ACSS Bd 10/23/11)**
- B. The license or certificate is sought to be revoked or suspended because of conduct which occurred in connection with the individual's employment; and **(ACSS Bd 10/23/11)**
- C. The representation is specifically approved by ACSS. **(ACSS Bd 10/23/11)**

#### **405.00 Requests for Formal Representation**

All requests for formal representation shall be accompanied by a form signed by the individual requesting representation which: **(ACSS Bd 10/23/11)**

- A. Certifies that he/she is a member in good standing and was such prior to the time the matter involved first arose;
- B. Acknowledges that ACSS may review the case for merit before representation is undertaken;
- C. Acknowledges that no representation in court proceedings will be undertaken unless approved by ACSS;
- D. Authorizes disclosure of information concerning the case to the appropriate appeals body of ACSS in the event an appeal is taken to such body;
- E. Acknowledges that ACSS will be the exclusive representative and that if any other representative is retained, ACSS shall thereby be relieved of any representational obligation. **(ACSS Bd 1/20/07)**
- F. Acknowledges that ACSS will not grant requests for indemnification unless an ACSS labor relations representative or other specially trained member of the ACSS staff has first reviewed the matter. **(ACSS Bd 1/20/07)**
- G. Use of an attorney will be at the discretion of the ACSS Executive Board.

#### **406.00 Denial of Representation**

It is ACSS' general policy to deny representation through notification via U.S. Postal Service certified mail on the following grounds:

##### **406.01 Unapproved Actions**

ACSS may deny representation with respect to disciplinary action arising from inappropriate work place behavior, insubordinate behavior, or any other pattern of behavior or conduct deemed inappropriate by the employer's written work rules. **(ACSS Bd 1/20/07)**

**406.02 Best Interest of ACSS**

ACSS shall not provide representation that would conflict with the best interests of ACSS or would require ACSS or its staff to take a position in any manner inconsistent with established positions or policies of ACSS. **(ACSS Bd 4/19/97)**

**406.03 Conflict of Interest**

ACSS shall not provide representation services that would result in a conflict of interest for ACSS staff, or a conflict of interests between ACSS members on the same matter. Indemnity for representation costs may be authorized if prior approval is obtained from ACSS. **(ACSS Bd 1/20/07)**

**406.04 Lack of Merit**

ACSS may deny representation in matters that appear to lack factual or legal merit.

**406.05 Other Representation**

ACSS shall deny representation when it determines that an individual has another representative in the same matter.

**406.06 Late Joiner**

Representation may be withheld from a member who knew or could reasonably be expected to know that events occurring prior to the date of his or her application for membership in ACSS had the potential to have adverse consequences requiring representation. **(ACSS Bd 1/20/07)**

**406.07 Failure to Pay Dues**

Representation will not be provided to those active or associate members who are not in good standing as defined in Article 3, Section 3.3. ACSS shall deny representation to members who have not paid their dues at the rate that exists just prior to their separation from state service and/or commencement of ACSS' representation of them. **(ACSS Bd 10/7/05; 1/20/07)**

**406.08 Refusal of Settlement**

Representation may be denied if an ACSS recommended settlement is refused by the member being represented. **(ACSS Bd 7/13/08)**

**406.09 Failure to Cooperate**

Representation may be denied if ACSS determines that the member is uncooperative or has withheld or misrepresented facts or information pertinent to his/her representation. **(ACSS Bd 7/13/08)**

**406.10 Procedures for Denial of Representation**

A denial of representation shall be submitted to the member in writing and delivered via U.S. Postal Service regular mail by the ACSS labor relations representative assigned to the particular case. Each labor relations representative shall include in his or her denial letter the grounds for denial of representation, including a reference to the applicable section(s) of the ACSS Policy File, and the process for filing an appeal. Each labor relations representative shall also provide a copy of his or her denial letter to the ACSS President, ACSS Executive Officer, ACSS attorney and the Chapter President for the denied member and U.S Postal Service certified mail with proof of service **(ACSS Bd 1/20/07; 7/13/08; 5/2/15)**

**407.00 Review of Decisions**

Matters for which ACSS staff has denied representation may be reviewed in accordance with Section 5: Member Representation Appeals. (ACSS Bd 1/15/94; 4/19/97; 5/2/15)

**408.00 Attorney-Client Relationship**

ACSS does not practice law nor solicit matters requiring legal services. It does employ staff attorneys whose services are made available in accordance with representation policy. ACSS may authorize representation, but having given such authorization will not thereafter interfere in the attorney-client relationship so established unless authorized by the client.

**409.00 Function of Chapters**

Chapters should inform their members of the fact that representation is available for those who express a need for such help. (ACSS Bd 10/23/11)

Chapters should inform their members about the person to whom grievance problems are to be referred. (ACSS Bd 10/23/11)

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## Section 5: MEMBER REPRESENTATION APPEALS

### 501.00 Representation Appeal

Any member or member's designee may appeal a staff decision to deny a request for representation in adverse actions and all other matters within the scope of representation or a staff decision to discontinue representation. (ACSS Bd 4/19/97; 7/13/08; 10/23/11)

An appeal must be filed within ten calendar days of proof of service of the denial. An appeal is deemed filed when it is received by ACSS at the address below. (ACSS Bd 4/19/97; 7/13/08; 10/23/11)

The appeal must be in writing stating whether the appellant is seeking staff services or indemnification as set forth and defined by this Policy. The appeal shall be addressed to the ACSS President, in care of Association Headquarters, Attention: ACSS, 1108 'O' Street, Suite 400 Sacramento, CA 95814. (ACSS Bd 4/19/97; 7/13/08; 10/23/11; 5/2/15)

### 502.00 Structure (1<sup>st</sup> Level)

#### **502.01 Representation Appeals Panel (ACSS Bd 10/23/11)**

- A. A first level representation appeals panel consisting of three ACSS members shall be selected to each first level appeal. The panel members may vary with each hearing but should be selected from the geographical area within which the individual lives or works. (ACSS Bd 1/20/07; 10/23/11)
- B. Each chapter shall compile a list of names of those members who desire to serve on the representation appeals panel and submit this list to ACSS Headquarters. This list shall be reviewed annually by the appropriate Chapters and changes submitted as required. (ACSS Bd 1/20/07; 10/23/11)
- C. Once an individual on this list has been asked to serve on a panel and agrees to do so, his or her name shall be moved to the bottom of that particular list to ensure: (1) that each person listed has been given an opportunity to participate, and (2) that the composition of the panel will continually change. (ACSS Bd 1/20/07; 10/23/11)
- D. Training for a representative panel member will be provided as necessary. (ACSS Bd 10/23/11)
- E. When an appeal is received at ACSS Headquarters, ACSS Headquarters shall refer to any individual chapter list located in the geographical area within which the individual lives or works and contact the appropriate members to create the three-person appeals committee. Upon creation of the appeals panel, the appeals panel shall convene, determine the merits of the appeal, and issue a decision within thirty (30) calendar days of receipt of the appeals request. (ACSS Bd 1/20/07; 10/23/11)
- F. In the event ACSS Headquarters is unable to assemble a three-person panel within thirty (30) days of notification of the request for an appeal, ACSS Headquarters will notify the individual requesting the appeal of this fact. At such time, the appeal will be placed in abeyance for an additional fifteen (15) days to secure an appeals panel. Once the appeal is placed in abeyance, ACSS headquarters may seek to create the three-person panel by drawing from members outside the individual's geographical area. Upon formation of the three-person panel, they shall have an additional fifteen (15) days within which to issue a decision. (ACSS Bd 1/20/07; 10/23/11)

- G. When an appeals panel has reached a decision on a particular appeal, the panel shall designate one member to draft the findings and conclusions of the committee to be issued to the member. **(ACSS Bd 1/20/07; 10/23/11)**
- H. Any decision issued by an appeals panel must be submitted via U.S. Postal Service regular mail to ACSS Headquarters for dissemination, with at least one original signature from a member of that particular panel on the document. **(ACSS Bd 1/20/07; 10/23/11)**

#### **502.02 Call to Meetings**

The representation appeals panel meets on an as needed basis at the call of the ACSS. **(ACSS Bd 4/19/97; 10/23/11)**

#### **502.03 Appellate Body**

Each representation appeals panel is a body whose agenda consists entirely of matters of members' appeals from decisions of the ACSS by which they have been denied representation and/or for requests for indemnification. **(ACSS Bd 10/23/11)**

A panel decision to uphold the staff denial of representation; or denial of a request for indemnification is further appealable to the second level representation appeals panel. A member granted indemnification by the first level representation appeals panel may also petition the second level representation appeals panel for more financial assistance than that granted by the first appeal panel subject to limitation set forth in Section 503.05. The appeal or petition must be filed in writing with the ACSS President at headquarters office within five (5) calendar days of proof of service of the decision of the first level hearing panel. **(ACSS Bd 7/20/01; 7/13/08; 10/23/11)**

#### **502.04 Fiscal Limitations**

The chapter member representation appeals panel may recommend granting financial assistance of up to \$1,000 per case to be paid by ACSS. **(ACSS Bd 1/15/94; 7/13/08; 10/23/11)**

### **503.00 Structure (2<sup>nd</sup> Level)**

#### **503.01 Board Appeal Panel**

The ACSS board appeals panel shall consist of three board members appointed by the ACSS President. Upon receipt of notification of an appeal of a decision of the first level hearing panel from ACSS Headquarters, the board appeals panel shall convene, determine the merits of the appeal, and issue a decision within thirty (30) calendar days of notification of the appeal. **(ACSS Bd 1/20/07; 10/23/11)**

Any decision issued by a board appeals panel must be submitted to ACSS Headquarters for dissemination via U.S. Postal Service First-class mail, with at least one original signature from a board member of that particular panel on the document. **(ACSS Bd 1/20/07; 7/13/08; 10/23/11)**

#### **503.02 Scope of Authority**

The ACSS Board Appeal Panel shall have the authority to hear individual representation appeals at the second level and have final authority to act for the ACSS Board of Directors. **(ACSS Bd 4/19/97)**

#### **503.03 Call of Meetings**

The ACSS Board Appeal Panel shall meet at the call of the chairperson who shall be appointed by the president.

**503.04 Appellate Body**

The ACSS Board Appeal Panel is the appellate body whose function is to represent the ACSS Board in reviewing members' appeals from actions taken by the chapter representation appeals panel. **(ACSS Bd 10/23/11)**

The ACSS Board Appeal Panel may sustain, modify or set aside the decision of ACSS staff or the first level panel with direction to take action in accordance with the findings and conclusions of ACSS. There shall be no further review or appeal of the action taken by the ACSS Board Appeal Panel and that its decision shall be deemed final when rendered. **(ACSS Bd 7/20/01)**

**503.05 Fiscal Limitations**

The ACSS Board Appeal Panel may authorize additional indemnification in the amount of \$2,000 with an aggregate total expenditure not to exceed \$3,000 per case. **(ACSS Bd 7/13/08)**

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## Section 6: ASSOCIATION EXPENSES

### 601.00 Persons Eligible for Reimbursement

#### **601.01 Reimbursement on ACSS Business**

The following persons may be reimbursed for expenses in connection with official business of the Association of California State Supervisors.

- A. Members of the ACSS Delegate Assembly.
- B. An alternate delegate from each chapter in the ACSS having only one delegate to the Delegate Assembly.
- C. Members of CSEA General Council, if held. **(ACSS Bd 5/2/15)**
- D. Members of the ACSS Board of Directors.
- E. Members of ACSS committees, Ad Hoc committees and advisory groups. Reimbursement for expenses from the Corporation for attendance at Board meetings will be limited to Board-directed business. **(ACSS Bd 4/15/00)**
- F. Other members of the ACSS assigned by the President to perform duties benefitting the ACSS.
- G. Members of ACSS or CSEA staff.
- H. Consultants.

### 602.00 Processing of Expense Claims

#### **602.01 Necessary Expenses**

The most economical use of ACSS and chapter funds, consistent with the convenience of the claimant and the schedule for the meeting, is the standard to be used in determining whether expenses claimed are "necessary." In review, the Secretary/Treasurer shall include mode of travel, needed lodging and meals in relation to necessary time of departure and return. **(ACSS Bd 5/2/15)**

#### **602.02 Committee Member Expenses**

Committee members shall receive reimbursement from the Corporation as provided, limited to expenses incurred attending Committee meetings.

### 603.00 Limitations on Reimbursements

#### **603.01 Expense Reimbursement Limits**

Reimbursement for meal and travel expenses in excess of reimbursement limits is paid only with the approval of the secretary-treasurer or president. **(ACSS Bd 4/25/98; 4/15/00)**

### 604.00 Computation of Expenses

#### **604.01 Meals**

The daily meal allowance is \$92. Individual meal limitations are as follows: breakfast \$25, lunch \$25 and dinner \$42. **(ACSS Bd 7/16/94; 7/13/08; 5/2/15; 1/27/24)**

- A. When meals are purchased for other persons authorized to claim meal expense, such persons must be listed on the expense claim.
- B. When meals are purchased for other than authorized persons, such persons must also be listed on the expense claim with receipts attached.

- C. Member of headquarters staff are authorized, when necessary, to claim meal expenses for other persons authorized to claim meal reimbursement. No receipt is necessary, but such persons must be listed by name and title. Meal expenses for other than authorized persons may be allowed when supported by:
- I. A complete explanation of the need for the exception.
  - II. The names and business affiliation of the persons.
  - III. Receipts for the meal expense.

#### **604.02 Lodging**

Lodging - the regular allowance is up to CalHR's published state rates for excluded employees plus tax per night or the negotiated rate. Lodging other than Delegate Assembly or General Council lodging shall not be allowed if residence is within 40 miles from meeting location, unless expressly authorized by the president. Only actual expense within the above limits is reimbursed and receipts are required. **(ACSS Bd 4/25/98; 7/13/08; 5/2/15)**

Lodging for Delegate Assembly or General Council shall be for the negotiated rate or less, based upon single occupancy by delegates. Only actual expense within the above limitations is reimbursed, and receipts are required. General Council delegates opting not to take lodging may claim \$15 a day, without receipts to cover mileage, parking and other incidental expenses.

Incidental expense for up to \$17 per day is allowed if lodging is involved. No receipts are required. **(ACSS Bd 7/13/08)**

#### **604.03 Travel**

Travel expense allowances are computed as follows:

- A. Common carrier – actual coach fare expense is reimbursed and receipts are required.
- B. Airporter – actual is reimbursed and receipts are required.
- C. Personal car – authorized use of a personal car is reimbursed at the current IRS standard mileage rate (rounded down to the nearest whole cent), shall not exceed the common carrier rate unless the common carrier would be reasonable inconvenient as determined by the President or Secretary-Treasurer. Under no circumstance can a member claim both the mileage reimbursement of a rental car and the expenses of a rental car. The number of miles traveled must be indicated; if more than one person eligible for mileage rates rides in the car, reimbursement will be allowed for only one claimant. **(ACSS Bd 7/17/05; 5/20/06)**
- D. Privately-owned or rented aircraft – authorized use of a privately-owned aircraft is reimbursed at the rate of 50 cents per statute mile, 30 cents per kilometer. Distance shall be computed on the basis of shortest air route from origin to destination, using airways wherever possible. Reimbursement for use of the rental aircraft will be for actual and necessary costs for such rental when substantiated by voucher. Reimbursement for rental aircraft is authorized only for the size and type of aircraft necessary to safely complete the trip. Reimbursement shall not exceed the common carrier rate unless the common carrier would be reasonable inconvenient as determined by the ACSS Secretary-Treasurer. If more than one person eligible for travel reimbursement rides in the aircraft, the eligible reimbursement will be allowed for only on claimant. Authorization for use of the above aircraft will be granted only after

receipt of a certificate of insurance from the member/pilot indicating that he/she has insurance sufficient to hold the Associate harmless from claims resulting from the operation of the aircraft.

- E. Parking – actual authorized expense is reimbursed but amounts in excess of \$9.00 per day require receipts. **(ACSS Bd 10/23/11)**
- F. Bridge and road tolls – actual expense is reimbursed and no receipts are required. **(ACSS BD 1/15/94)**
- G. Taxicab – taxi fares will be reimbursed only when no other transportation is practical or available or unless the taxi fare for several riders is less than the common carrier fare. Delegates to the General Assembly and General Council may not claim reimbursement for taxi fares.
- H. Telephone or internet access – actual expense is reimbursed when date and place are shown on the expense claim, but amounts in excess of \$1.00 require receipts. Telephone calls home associated with lodging may be claimed at \$2.50 per day without a receipt. **(ACSS Bd 1/21/07; 07/13/08)**

## **605.00 Entertainment**

### **605.01 ACSS Officers (ACSS Bd 10/23/11)**

Entertainment may be an authorized expense for ACSS officers when incurred in the performance of official business. The names and titles of persons for whom this type of expense is claimed, an explanation of expenses, and receipts must be included with the expense claim. When receipts are not available, that fact must be stated on the claim.

### **605.02 Other Members**

Entertainment is not an authorized expense for delegates to the Delegate Assembly or General Council.

### **605.03 Management Staff**

Expenses for approved legislative and administrative business activities involving entertainment of non-Association persons are authorized for headquarters management staff members whose assignments require such entertainment. The names and titles of persons for whom this type of expense is claimed, explanation of expenses, and receipt for entertainment expense, must be included with the claim. In the event it is impractical to list the names of each person in a sizeable group, the name and title of the main person in the group, the total number of persons, and the receipts will be sufficient.

## **606.00 Management Staff**

All required information (date, location, signature, etc.) on the claim must be supplied by the claimant.

### **606.01 Deadline for Submission of Claims**

- A. Expense claims may be submitted at any time, but no later than the calendar month following the date the expenditures were made.
- B. Delegate Assembly and General Council claims not submitted within sixty days after the close of General Council shall be deemed untimely and the amount that was advanced:
  - I. To a member shall be immediately due and collectable. **(ACSS Bd 7/13/08)**

- II. To a board member shall be recovered from the board member's next travel expense account claim.

**606.02 Requirement of Receipt**

Deductions may be made from expense claims for any item which is not accompanied by the required receipt, authorization or explanation.

**606.03 Expenses Paid by Others**

When expenses are paid by another, that person's name must be indicated where the expenses would appear on the claim.

**606.04 Reimbursement from Other Sources**

No expense may be claimed which was reimbursed from any other source.

**606.05 Travels from Delegates' Home to General Council**

Travel to and from the delegates' home to Delegate Assembly and General Council is included in the delegate allowance. No claim should be made for travel to the Delegate Assembly, Board of Directors or committee meetings which normally precede General Council, unless a committee member is not a delegate to General Council and the appropriate claim is submitted.

**606.06 Expenses of Spouse or Domestic Partner**

Members of the ACSS Executive Committee may claim all reasonable and necessary out-of-pocket expenses of their spouse or domestic partner when attending meetings of the ACSS Board of Directors and Delegate Assembly or any other meeting which they are authorized to attend. (ACSS Bd 1/12/08; 7/13/08; 5/2/15)

**606.07 Travel Companion**

Members of the ACSS Board of Directors and Committee members who are accompanied by their spouse, significant other, or domestic partner to a Board of Directors meeting are entitled to reimbursement for the additional cost of a double room if any. Directors and Committee members are not entitled to any other expense reimbursements for travel companions. (ACSS Bd 1/12/08; 7/13/08)

**606.08 Extraordinary Expenses**

- A. Officers of the Association are reimbursed for all allowable expenses incurred in the performance of official business of the Association. In addition, they may claim all reasonable and necessary out-of-pocket expenses incurred in fulfilling the requirements of their office, subject to the approval of the president and secretary-treasurer.
- B. Delegate Assembly and General Council delegates and (alternate delegates as defined in Policy File Section 601.01(b)) are reimbursed only for actual authorized expenses necessary for attendance at the Delegate Assembly and General Council and related preliminary committee meetings.
- C. Claims for reimbursement of extraordinary expenses of delegates to the Delegate Assembly shall be submitted to the ACSS president for approval and submission to the secretary-treasurer. Members of the ACSS Board of Directors shall submit claims directly to the ACSS secretary-treasurer for approval.
- D. Expenses resulting from assignment of members of the Delegate Assembly to a hotel/motel more than one mile distance from the Delegate Assembly location shall be approved by the ACSS president prior to submission to the secretary-treasurer.



**606.09 Travel Advance**

- A. A travel advance, in an amount not to exceed estimated expenses for one month, may be requested of headquarters. However, each advance must be fully accounted for before further advances can be issued.
- B. Headquarters office shall estimate expenses for members of the General Council and issue an advance check to each chapter for distribution to the delegates prior to their departure, the amount of the advance later to be deducted from the delegate's expense claim.

**606.10 Exception to Expense Rules**

- A. The ACSS secretary-treasurer may make exceptions to the rules in unusual circumstances. The secretary-treasurer shall require concurrence of the ACSS president prior to approval. **(ACSS Bd 10/23/11)**
- B. The Executive Director has authority to permit exceptions from the expense rules and standards for headquarters staff, but this approval must be in writing and attached to the expense claim. The Executive Director's approval of a continuing requirement for variance from the rules and standards may be obtained once in writing and filed with the accounting unit. **(ACSS Bd 5/2/15)**

**607.00 Expenses of ACSS Executive Committee (ACSS Bd 4/25/98)****607.01 Reimbursable Expenses**

ACSS Executive Committee members are reimbursed for allowable expenses incurred in: **(ACSS Bd 1/15/94; 4/25/98)**

- A. Attending ACSS Board of Directors meetings;
- B. Attending CSEA Board of Directors meetings
- C. Attending statewide committee meetings;
- D. Attending any other activities requiring ACSS participation.

**608.00 Appeals**

A claimant may appeal the deduction of any expense item from the expense claim, first to the ACSS officers through the ACSS president; if satisfaction is not received at that level, the claimant may appeal to the ACSS Board of Directors. **(ACSS Bd 4/25/98)**

**609.00 Travel Accident Insurance**

When on official ACSS business, members of the ACSS Board of Directors, committee members, chapter officers, delegates to the Delegate Assembly and General Council, and headquarters staff shall be covered by a master travel accident policy. The face amount, terms and conditions shall be determined by the CSEA Board of Directors and shall be the same for all persons covered. **(ACSS Bd 4/25/98)**

**610.00 Paid Leave for ACSS Business**

ACSS may authorize officers and members to request paid leave from their state jobs to perform ACSS business subject to prior approval of the President and subject to the availability of funds. Paid leave shall not ordinarily be granted for attendance at regular ACSS Board of Directors meetings. **(ACSS Bd 7/20/01; 10/23/11)**

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## Section 7: ACSS/CHAPTER FINANCING AND ACCOUNTING

### 701.00 Corporate Fiscal Accounting

#### **701.01 Mission Statement**

It is the stated mission of the Fiscal Committee to safeguard the assets of the ACSS Corporation at all times through periodic review of its financial statements and review of any extraordinary items which may impact its budget, as adopted, and to advise the Board accordingly. **(ACSS Bd 4/15/00; 7/13/08)**

#### **701.02 Referral of Corporate Expenditures to Fiscal Committee**

It is the ACSS corporate policy to refer non-budgeted expenditure items in excess of \$10,000 per item to the Fiscal Committee for review and recommendation as to source of funds, impact upon current budget and impact on corporate reserves. **(ACSS Bd 7/13/08)**

It is important and good fiscal policy to always seek and receive fiscal review of significant expenditures for appropriateness, impact on corporate reserves and relevance to mission and purpose of the Corporation. Having the Fiscal Committee review all significant, unbudgeted proposed expenditures and recommend action to the Board will enhance the objectivity of such transactions.

It is the ACSS corporate policy to refer all corporate committee actions that result in the expenditure of general funds in excess of \$10,000 to the Fiscal Committee for review and recommendation to the Board for action. Time sensitive actions can be referred directly to the Board by the President. **(ACSS Bd 5/2/15)**

#### **701.03 Budget Amendments**

Article 10, Section 10.2 (B) of the ACSS Corporate Bylaws addresses Budget amendments. It was the intent of the drafters of the Bylaws that the budget be a working document and as such would require periodic modification during the course of any fiscal year. Section 10.2 (B) was incorporated into the Bylaws to accommodate such modifications. The drafters further intended that the modifications in line items within major categories of the budget could be made at the discretion of the Secretary/Treasurer. Modifications of the budget between major categories of the budget were at the discretion of the Board. Modifications of the budget which affected an increase in the total budget were at the discretion of the majority of the delegates.

### 702.00 Chapter Fiscal Policy

Section 6 of the ACSS Chapter Bylaws sets the parameters of the Chapter Financial reporting. **(ACSS Bd 7/13/08; 5/2/15; 1/18/2020)**

#### **702.01 Subordination of Chapters to Corporation**

Article 4 of the ACSS Bylaws clearly establishes the intent of the corporation to require each chapter to be "subject in all respects to the control of the Corporation". This subordination truly establishes the oversight control and the directive nature of the corporation. **(ACSS Bd 1/18/2020)**

#### **702.02 Chapter Record Keeping**

In view of the many requirements and need for specific fiscal expertise in the chapter financial management, the Corporation has established a central accounting function in the Headquarters staff to assist and provide the Chapter Bookkeeping and Accounting functions. The professional accounting staff at Headquarters will provide timely, accurate, and supportive financial services for each chapter and shall file all necessary reporting records and reports. **(ACSS Bd 5/2/15; 1/18/2020)**

### 702.03 Chapter Accounting and Reports

#### A. Fiscal Year

The fiscal year of the Chapter shall be the calendar year. All the books of account of the Chapter shall be closed as of the last day of December each year. **(ACSS Bd 1/18/2020)**

#### B. Financial Statements

Copies of the quarterly financial statements shall be made available to the members at the next membership meeting. All such financial statements shall consist of a statement of revenue and expense, a balance sheet and a cash-flow statement, all prepared according to generally accepted accounting principles, and all accompanied by notes as required by generally accepted accounting practice. **(ACSS Bd 1/18/2020)**

### 702.04 Chapter Budgets

#### A. Adoption

The Chapter's fiscal affairs shall be managed pursuant to annual budget. No later than November 30 each year, the Chapter shall have adopted a proposed budget for the following year. The proposed budget shall be submitted to the members for ratification no later than December 15. The proposed budget shall be forwarded to ACSS for approval by December 31. ACSS may make such changes as it deems necessary or advisable, and return the budget with such changes to the Chapter. The budget, as so amended and approved, shall thereupon become the budget of the Chapter for the forthcoming year. If the budget has not been adopted and approved before January 1, ACSS may establish the Chapter budget for the year. **(ACSS Bd 1/18/2020)**

#### B. Sources of Funding

Funding for all Chapter activities required by the Bylaws of ACSS is to be provided by ACSS, pursuant to a Chapter budget approved or established by ACSS. **(ACSS Bd 1/18/2020)**

#### C. Amendment

With the consent of the members and of ACSS, the Chapter may amend the budget for any purpose. An amendment shall become effective, it at all, when it has been approved by ACSS. The Chapter may amend the budget without the consent of the membership to allocate expenditures from one item to another, provided such reallocation does not increase total expenditures, does not involve more than 10% (on a cumulative basis with all other amendments during the same fiscal year) of the annual budget total for any of the line items involved in the amendment, and does not contravene any ACSS policy or membership resolution. Such Amendment must be approved by ACSS. **(ACSS Bd 1/18/2020)**

#### D. Exceeding Budget

With the approval of ACSS, the Chapter may incur and pay obligations in excess of those included in the budget if funding for such additional expenditures is provided by either (a) dues or other revenues in excess of those anticipated by the budget; or (b) savings on other budgeted items. Amounts included as "reserves" in the budget may be used only with the approval of ACSS and then only to cover obligations that were incurred involuntarily and must be paid to avoid legal liability for the Chapter. **(ACSS Bd 1/18/2020)**

## E. Control of Funds

### I. Budget Limits

No expenditure of the Chapters funds or other assets may be made or contracted for except, pursuant to and in accordance with, a budget duly adopted or established as set forth above, and specifically authorized. **(ACSS Bd 1/18/2020)**

### II. Deposit and Expenditure of Funds

All of the Chapter's money shall be administered and controlled by ACSS and shall be deposited immediately in one or more bank accounts in the name of the Chapter. No Officer or other person may hold any Chapter money under his or her own name or any other name. Any funds in excess of those needed for current purposes as set forth in the budget shall be deposited with or returned to the Secretary/Treasurer of ACSS, as directed by ACSS. No money belonging to the Chapter shall be disbursed except by a check or other written instrument signed by the President or by any two Officers so authorized. **(ACSS Bd 1/18/2020)**

### III. Payment of Claims and Obligations

The President or the Chapter shall certify in writing to ACSS that such obligation or claim arises from the satisfactory provision of goods and/or services to the Chapter or for its benefit; that such goods and/or services were ordered as authorized by the budget; and that such obligation is properly due and payable or such claim is timely and proper. Such certificate shall be accompanied by any and all contracts, purchase orders, invoices, reports, correspondence and other documents received by the Chapter in connection with such claim. No claim by a member, whether for reimbursement of expenses or for payment for goods or services, shall be paid unless certified as true and correct by the member and also certified and documented as set forth above by the President under whose direction such expense was incurred. **(ACSS Bd 1/18/2020)**

### IV. Borrowing and Leasing

The Chapter shall not borrow money or rent or lease any property, except from ACSS, and then only to the extent provided in the current budget of the Chapter. It shall not rent or lease any property to others. **(ACSS Bd 1/18/2020)**

### V. Chapter Property

The Chapter shall not purchase or possess any real or personal property other than its books and records, stationery, forms, brochures and pamphlets, office supplies, furniture and office equipment, and meeting paraphernalia. Any and all other property that comes into its possession shall promptly be turned over to ACSS at its Headquarters Office. No money or property of the Chapter shall be paid or distributed to any member, Officer or Delegate except as reimbursement for properly authorized and documented expenses reasonably and properly incurred in connection with the business of the Chapter. In the event the Chapter is dissolved or surrenders its charter, or its charter is terminated, all Chapter money and property of every kind shall promptly be turned over to ACSS at its Headquarters Office. **(ACSS Bd 1/18/2020)**

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## Section 8: CHAPTER GRANT

### **801.00 ACSS Chapter Grant**

The ACSS Chapter Grant was established in order to assist those chapters that have special funding needs. The amount of funding will be determined by the written request from the chapter and availability of funds in the ACSS Chapter Grant. Any chapter may make a written request for funding, to carry out chapter business throughout the year. **(ACSS Bd 1/10/04; 7/13/08; 5/2/15)**

### **802.00 Required Chapter Grant Request Documentation**

A written request for chapter funding must be presented to the ACSS Executive Committee. The Chapter must provide a copy of its proposed budget with an explanation on how the grant money will be used. The letter must provide the Executive Committee with pertinent information outlined below and shall include a request for immediate deposit of either all or part of the funds:

- A. Regularly scheduled meetings;
- B. Communication network;
- C. Membership recruitment program;
- D. Any other area of benefit.

No later than December 31 of each year, the chapter shall provide the Executive Committee with an accounting of monies used from the Chapter Grant. **(ACSS Bd 5/2/15)**

If funding from the Grant is approved, progress reports of expenditures incurred and on-going activities shall be made quarterly. Failure to submit timely reports may result in curtailment of any additional funding. **(ACSS Bd 1/10/04; 5/2/15)**

### **803.00 ACSS Executive Committee**

Requests for Grant funding will be screened by the ACSS Executive Committee. The Committee will review the Chapter's written request for funding and, if approved, will require chapters to submit quarterly reports on the chapter activities for which the funding was approved. **(ACSS Bd 1/10/04)**

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## Section 9: ACSS MEMBERSHIP/WORKSITE LISTS

### 901.00 Availability of Membership Mailing Lists

ACSS shall ensure that permitted use of its membership lists shall be for purposes consistent with its stated goals and organizational activities.

#### **901.01 Definition of Lists**

- A. Membership List – a membership list is a confidential list of names and addresses for all ACSS members in each chapter. Lists are printed and provided to the Chapter Presidents on a monthly basis. **(ACSS Bd 7/13/08)**
- B. Worksite List – a worksite list is a list of both members and non-members by worksite in each chapter. Lists are printed on an annual basis and provided to the Chapter Presidents

### 902.00 Use of Membership/Worksite Lists

- A. The ACSS Board of Directors authorizes headquarters to disseminate by direct mail:
  - I. Official publication and communications as directed by the Board or as required and budgeted for the normal business of ACSS;
  - II. Official chapter communication within respective jurisdictions at cost of materials, labor and postage to the chapter requesting mail services.
  - III. Information to the full membership or any portion thereof on matters relating to member benefits, including PERS-sponsored health programs. **(ACSS Bd 5/2/15)**
  - IV. Educational information with respect to ACSS' legislative program;
  - V. Information with respect to the interest of an individual member as it applies to their candidacy for ACSS/Chapter Office.
- B. Any direct mailing will be reviewed as to context in conformity with all applicable policies.
- C. Chapters may utilize the names and addresses of their own members by requesting headquarters to provide them with addressed envelopes and/or sticker tapes for use in the conduct of official chapter business, the cost of which shall be borne by the chapter. Chapters may not receive mailing addresses for members of other chapters.
- D. The Executive Vice President may authorize the use of the appropriate membership list by headquarters to mail election material on behalf of an individual member. To be eligible for such a mailing, a member must apply for use of the membership list by submitting a written request to the Executive Vice President stating: **(ACSS Bd 5/2/15)**
  - I. The purpose for the mailing, explaining how such a mailing is in the person's interest as a member;
  - II. Specifying which members are to receive the mailing. A copy of the material to be mailed must accompany the request. A form to make such a request may be obtained from headquarters;

- III. The Executive Vice President shall verify that the member(s) requesting the mailing are dues paying member(s) in good standing. If not, the request will be denied; **(ACSS Bd 5/2/15)**
- IV. If any names are on the material to be mailed, those names of non-dues paying members shall be stricken and only the name(s) of dues paying members shall remain;
- V. The request must be signed by the member(s) requesting the mailing; and
- VI. If denied, the member may appeal to the President.

The Executive Vice President will respond within ten business days as to whether the membership list can be used for the mailing and, if the use is authorized, the print shop shall also be notified. In making this determination, the Executive Vice President shall act in accordance with applicable law.

When notifying a member that use of the membership list is approved, the Executive Vice President will advise the member of the estimated cost the services required to do the mailing on the member's behalf. This cost will be the actual cost of the services, by either first class mail or by pre-sorted standard mail at the member's option. The member(s) must deliver the materials to ACSS Headquarters already prepared for mailing and must pay for the services in full prior to the mailing. The check or other proof of payment received for the services shall be copied and the copy shall be attached to the work order. **(ACSS Bd 5/2/15)**

- E. All mailings under this section shall have the following statement prominently displayed on the outside of the mailer at no less than 14 point bold print on the bottom or along the side margin of the materials being mailed, and the return address must be the home address of the person requesting the mailing: "THIS MATERIAL IS NOT PAID FOR OR ENDORSED BY ACSS." **(ACSS Bd 7/17/04)**

### **903.00 Improper Use of Membership/Worksite Lists**

- A. Membership lists shall not be used for:
  - I. Dissemination of information which is contrary to provisions of CSEA's Bylaws or aimed at opposing any program endorsed or sponsored by General Council or the CSEA's Board of Directors or the approved policies of the Association.
  - II. Dissemination of information which is contrary to provisions of ACSS' Bylaws or aimed at any program endorsed or sponsored by Delegate Assembly or the ACSS Board of Directors or contrary to the approved policies of ACSS.
  - III. Sales, loan or gift to any person or organization.
  - IV. Subject to the provisions of the California Corporation code, CSEA's Bylaws and Policies, membership lists shall not be given to anyone without permission of ACSS' Board of Directors.
  - V. Solicitation for or opposition to the candidacy of any member other than yourself for any election position in ACSS, except as provided in ACSS Policy File.
- B. The Chapter President is responsible for the proper use of the membership lists when distributed to the chapter pursuant to Section 901.00, 901.01 and 902.00 above.
- C. ACSS will hold individuals liable for the misuse of membership lists and/or unauthorized release of the information contained in the membership lists. In the event of any legal action against the

Association for any type of allegations based on misuse of the membership list information and/or the unauthorized release of the information contained on those lists, ACSS reserves the right to deny legal representation. Furthermore, ACSS reserves the right to take any disciplinary or legal action deemed necessary against the individual who improperly used, abused, or released information without appropriate authorization. Prior to the release of the membership list to any authorized member, any authorized user must sign a privacy statement. **(ACSS Bd 7/13/08)**

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## Section 10: ACSS BOARD OF DIRECTORS MEETINGS

### 1001.00 Absences from Board of Directors Meetings

#### **1001.01 Excused Absence**

No Director may miss two (2) consecutive Board meetings unless the Director has authorized excuse. The President has the authority to review and determine whether or not a Director's absence is excused. In the President's absence or unavailability the Executive Vice President is authorized to review the Director's request for an authorized absence. **(Special Delegate Assembly 10/7/05; ACSS Bd 5/2/15)**

#### **1001.02 Authorized Excuses (ACSS Bd 5/2/15)**

A Director may be excused from attending a Board meeting for the following reasons, including but not limited to:

- A. Serious illness of the Director or his/her family;
- B. Death of a family member;
- C. Unavoidable work obligations;
- D. Good cause.

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## Section 11: REVIEW AND APPROVAL OF CHAPTER BYLAWS

### **1101.00 Chapter Bylaw Modification or Revision**

Upon revision or modification of a Chapter's Bylaws, the Chapter President submits the Bylaws to the Secretary under a transmittal memo outlining the sections of the Bylaws that have been revised, or that represent a substantial re-write of a previously approved document. The Secretary submits the documents (Bylaws and Transmittal) to the Association President. The President then assigns them to the Bylaws & Policy (B&P) Committee for review and recommendation to the Board of Directors. The B&P Committee review is based on the template/model language and any possible conflicts with Association Bylaws or Policy File. Committee recommendations are restricted to approve, approve with recommended change(s) or, reject with explanation.

### **1102.00 Board of Director Determination**

The Board of Directors accepts or rejects the B&P Committee recommendation and notifies the Chapter President. The Chapter President is required to take the Association's Board of Director mandates.

### **1103.00 Appeal of Board Determination**

Appeals of the Board's decision may be requested in writing to the Association President. The Association President must schedule the appeal before the Association Board of Directors at the earliest possible opportunity. The appeal will be heard in open session. **(ACSS Bd 1/8/05)**

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## **Section 12: ACSS POLITICAL ACTION**

### **1201.00 Purpose of the ACSS Political Action Committee**

The ACSS Political Action Committee (PAC) is formed for the expressed purpose to advance the cause of the members of ACSS Inc. as it pertains to salaries, benefits, and working conditions, through the establishment of a Political Action Committee Fund (APAC). **(ACSS Bd 7/18/10)**

#### **1201.01 Composition of the Political Action Committee**

The Political Action Committee shall consist of enough members from every geographical district statewide. Every effort will be made to achieve a political balance of Democrats and Republicans on the committee. **(ACSS Bd 10/23/11)**

#### **1201.02 Distribution Authority**

- A. Within the PAC Committee only the ACSS President, the ACSS Secretary/Treasurer, and the ACSS Administrator each will have the authority to authorize distribution for payment for the APAC Administrator. **(ACSS Bd 7/18/10)**
- B. Distribution as directed above if deemed to be in the best interest of ACSS members, and within legal guidelines governing Fair Political Practices regulations. **(ACSS Bd 7/18/10)**

### **1202.00 Funding of the APAC**

#### **1202.01 Allocation of Member's Dues**

The Board of Directors (BOD) has the authority to allocate a portion of member's dues in keeping with the wishes of the Delegate Assembly. As of January 1, 2008, the BOD has authorized \$2 per member to be transferred monthly to the APAC. **(ACSS Bd 7/18/10)**

#### **1202.02 Voluntary Member Contributions**

Individual members may contribute additional voluntary funds. Forms for that purpose will be made available. Members may opt out of this voluntary contribution via written notification to the Association. **(ACSS Bd 7/18/10; 10/23/11)**

#### **1202.03 Other Political Action Committee Contributions**

Funds may be accepted from other PACS or other sources. **(ACSS Bd 7/18/10)**

### **1203.00 PAC Administration**

The administration of ACSS PAC shall be contracted out to a qualified Political fund Administrator with experienced in such matters. Expenses incurred as a result shall be paid from the APAC. **(ACSS Bd 7/18/10)**

#### **1203.01 Treasurer of the PAC**

The ACSS Secretary-Treasurer shall serve as the Treasurer for the APAC. **(ACSS Bd 7/18/10)** The ACSS Secretary-Treasurer shall not be a voting member of the PAC Committee. **(ACSS Bd 10/23/11)**

### **1204.00 APAC Disbursement Authority**

Ultimate authority for approving APAC disbursements rest with the Board of Directors, delegated to the Political Action and Executive Committees. **(ACSS Bd 7/18/10; 10/23/11)**

#### **1204.01 Distribution Approval Procedure**

Any ACSS member can make a request for a PAC donation. Requests for a PAC donation shall include the following:

- A. Event details
- B. Amount of request
- C. Justifications for the donation

Request shall be submitted to the PAC Chair who shall electronically forward the request to the PAC. The Chair, in forwarding the request to the PAC, shall include current political fund budget expenditures and fund totals. The PAC shall vote on the requests for donations submitted to them by the chair within 48 hours. PAC members that do not respond to the request within 48 hours shall be deemed to have voted to approve the donation. Requests submitted to the PAC shall be approved by a majority vote. Expenditures in excess of \$1,500 must be submitted to PAC Committee for approval. Expenditures up to \$4,500 can be approved by the Executive Committee. **(ACSS Bd 10/23/11)**

#### **1204.02 Distribution Authority**

Within the PAC Committee only the ACSS President, the ACSS Secretary-Treasurer and the ACSS Administrator each will have the authority to authorize distribution for payment by or for the APAC Administrator.

#### **1204.03 Distribution of Funds**

Funds may be distributed for candidates for statewide offices, state legislative offices, political parties and/or political coalitions in advancing the best interests of members of ACSS. **(ACSS Bd 7/18/10)**

### **1205.00 Coordination with CSEA and other Affiliates**

Nothing in the previous sections, preclude ACSS Inc. through the APAC from supporting any candidate, which may be in conflict or in opposition to CSEA or CSEA Affiliates. However, to the extent possible, on issues and candidates to which there is common agreement, ACSS Inc. may support mutual alliances with other groups including but not limited to CSEA and its affiliates. **(ACSS Bd 7/18/10)**

### **1206.00 ACSS PAC Candidate Endorsement Procedures**

The following guidelines will be observed with respects to the endorsement(s) of political candidates running for statewide office. **(ACSS Bd 7/18/10)**

#### **1206.01 Statewide Offices**

The Executive Committee will review the candidate's list and make a recommendation to the ACSS Political Action Committee (PAC). The full PAC will decide on the final endorsement recommendation to the Board of Directors by majority vote. The PAC will have the following options: **(ACSS Bd 10/23/11)**

- A. No endorsement
- B. Dual endorsement
- C. Sing endorsement **(ACSS Bd 7/18/10)**

#### **1206.02 Candidate Interview Questions**

The PAC, in a timely manner, will develop questions to be used when interview panels are convened. **(ACSS Bd 7/18/10)**

**1206.03 Composition of the Interview Panel**

The interview panel shall consist of not more than five members. Every effort will be made to achieve a political balance of Democrats and Republicans. The panel recommendation(s) will be forwarded to the PAC Committee for the final endorsement recommendation of the Board of Directors. **(ACSS Bd 7/18/10; 10/23/11)**

**1207.00 ACSS Political Event Attendance Guidelines**

The PAC will keep in line with being “Fiscally Responsible”, transparent and setting an example for the membership. **(ACSS Bd 7/18/10)**

**1207.01 First Consideration for Attendance**

The ACSS President or his/her designee has first option to attend political events. **(ACSS Bd 7/18/10)**

- A. ACSS will endeavor to have as many different members as possible attend political events. **(ACSS Bd 10/23/11)**

**1207.02 Local Political Events**

In keeping in line with being fiscally responsible with respect to attendance of local events, consideration should be given to the geographical area where PAC members live when inviting members to attend. Whenever possible, constituents should always be recruited to attend. Members(s) of the local chapter(s) shall be the primary person(s) attending, with the remaining attendees from local or adjoining chapters. **(ACSS Bd 7/18/10; 10/23/11)**

**1207.03 District Office Visits**

ACSS will endeavor to have as many different members as possible to attend District Office Visits (DOV). **(ACSS Bd 10/23/11)**

**1207.04 Political Event and District Office Visit Reporting**

For all DOV's and political events, a closing report will be filed at ACSS Headquarters within 30 days of the event or visit. **(ACSS Bd 10/23/11)**

**1208.00 Responsibilities of the Political Action Committee (ACSS Bd 10/23/11)**

Responsibilities of the PAC are:

- A. The development of a decisive Political Action Plan (Annually or Election Cycle) to include General Fund expenditures for travel expenses, to be approved by the Board of Directors. **(ACSS Bd 10/23/11)**
- B. Actively developing sponsors for ACSS Bills. **(ACSS Bd 10/23/11)**
- C. Develop and maintain interview questions for candidate interviews. **(ACSS Bd 10/23/11)**