



# HPAE

**CONSTITUTION and BY-LAWS**

OF THE

**HEALTH PROFESSIONALS and ALLIED EMPLOYEES**

*AFT/AFL-CIO*

**Revised and Ratified, October 5, 2018**



## **Constitution and By-Laws**

### **HEALTH PROFESSIONALS AND ALLIED EMPLOYEES AFT, AFL-CIO**

#### **ARTICLE I. PREAMBLE TO THE CONSTITUTION**

This Union shall be known as the Health Professionals and Allied Employees (HPAE) and shall be the State Federation AFT/Healthcare, AFT/AFL-CIO in New Jersey.

HPAE is a democratically run labor union of health care professionals and allied workers, committed to the growth and empowerment of its membership and all health care workers. HPAE seeks to secure optimal working conditions and professional development for its members, while playing a leadership role in establishing high standards of clinical practice, patient care, and research.

HPAE achieves its objectives through concerted action by our members and leaders in the collective bargaining, professional, and political arenas.

Each Local of the HPAE shall develop a Constitution and By-Laws specific to the goals of the unit involved. Nothing in the Constitution and By-Laws of the Local shall be in conflict with this Constitution and By-laws.

#### **ARTICLE II. OBJECTIVES**

The objectives of this organization shall be as follows:

- a) To organize registered nurses, licensed nurses, advanced practice nurses, health professionals and allied health care workers, in both public and private sector, within our jurisdiction to work together to improve professional practice and economic standards in workplaces and within the health care industry.
- b) To unite our local unions into one statewide and regional organization to speak with a collective voice and maximize our power to bring social, political and economic justice to our workplaces, the healthcare industry and our communities.
- c) To provide representation for all our members to bargain collectively with respect to wages, hours and other terms and conditions of employment, to negotiate written agreements with employers relating thereto and to achieve benefits and working conditions at all levels commensurate with the skills and expertise required of its members.
- d) To coordinate a program of legislative and political action that includes membership involvement to advance the interests of health care workers, the labor movement and our community partners at all levels of government.
- e) To work for improvement and access to quality health care for all.
- f) To seek appropriate recognition of the skills and training required of our members in all specialized professional and allied occupations and to formulate and adopt such ethical practices and personnel requirements to elevate the status of its members.
- g) To maintain and improve employment standards related to members and to critically examine and evaluate all new developments relating to their professions and all legislation which may have an effect upon the membership.
- h) To engage in research and educational activities to promote a better understanding and advancement of this organization.
- i) To foster and develop harmonious relations with other labor organizations.

- j) To promote the health, economic well-being and safety of all members and to take such action as may be necessary to protect the interests of the organization and each of its members.
- k) To engage in all other lawful and incidental activities and to take such other actions as shall be necessary to effectuate the aforesaid objectives of this organization.

### **ARTICLE III. Collective Bargaining**

- a) The Health Professionals and Allied Employees shall be the collective bargaining representative of the members of the Union.
- a) Collective bargaining within established bargaining units shall be conducted under the direction of the President of the State Federation.
- c) All contracts or agreements entered into shall be in the name of the Health Professionals and Allied Employees and bear the signature of approval of an authorized agent or representative of the State Federation.

### **ARTICLE IV. MEMBERSHIP QUALIFICATIONS**

#### **Section 1. Qualifications**

- a) All health professionals, and allied employees and any other employee in the health care field whose membership is not specifically prohibited by this Constitution and By-Laws of this organization shall be eligible for membership so long as they agree to abide by the Constitution and By-Laws. No person shall be denied membership on the basis of race, creed, color, disability, sex, sexual orientation, gender identity or expression, age, marital status, national origin, social, political, or economic status.
- b) Any other employee or groups of employees who wish membership with HPAE may submit a written application. The HPAE State Executive Council will render a decision on such application.
- c) Except as provided herein, membership in an affiliated Local shall be equivalent to membership in the HPAE.
- d) Membership in Good Standing: A member in good standing is one who:
  - 1. Has submitted an application for membership on a form provided by the Union;
  - 2. Has remitted the appropriate initiation fees and membership dues directly to the State Federation; or has authorized their Employer, pursuant to a collective bargaining agreement, to deduct appropriate initiation fees and membership dues from his/her paycheck in accordance with applicable laws;
  - 3. Is a member of a bargaining unit represented by HPAE, or is serving as an elected HPAE Officer.
- e) Membership-at-Large: A member who has left the bargaining unit represented by a local may be eligible to apply for member-at-large status. If accepted, members-at-large shall retain membership standing in their local.
- f) HPAE will establish a Council of Retirees chapter of HPAE. Membership in the chapter will be available to all HPAE members, current and past, who have retired. The chapter will establish by-laws to address officer structure, meeting and a formal program. Members of the Council of Retirees Chapter shall also be considered to be Members-at-large.
- g) HPAE, as a State Federation, reserves to itself the ability to determine membership exclusive of, and in addition to, any ability of each of the Locals to determine membership. HPAE shall have the right to establish a council of locals on a statewide and/or regional basis to better serve the interests of our members. Any determination of membership status by a Local shall be subject to and subordinate to any membership determination by the State Federation. The State Executive Council, or designee, may adopt rules governing qualifications for membership or office.

- h) No person shall be admitted to membership in this organization or in any Local affiliated with the organization who occupies a supervisory position (as determined by relevant statute) within a bargaining unit represented by HPAE.

In the case of a conflict with a Local or the State Federation concerning membership rights, the State Federation's determination shall be predominant.

Any action concerning membership shall be considered by the State Executive Council, or any committee, representative or official so delegated by the State Executive Council. No person shall be expelled from or denied membership unless such person has been provided with written specific reasons or charges for denial or expulsion, given a reasonable time to prepare a response or defense and afforded a full and fair hearing as per Article 6, Section 4. The State Executive Council, or its designee, may adopt reasonable rules for the conduct of such proceedings not inconsistent with this clause.

If any person is convicted of a crime against the union, or advocates the non-payment of dues or fees, the resignation of membership, or the decertification of the union, such act or conviction shall be cause for expulsion from membership and/or disqualification from union office.

## **Section 2. Application for Membership**

All applications for membership shall be made in writing on a form provided by the HPAE and shall be required of employees seeking new or reinstated membership in this organization.

## **Section 3. Membership Fees**

- a) Membership dues shall consist of an initial payment of no less than fifteen (\$15.00) dollars nor greater than forty (\$40.00) dollars as determined by the State Executive Council in addition to membership dues of one point two five (1.25%) percent of gross pay, paid to the State Federation. Said dues shall at no time be refunded in full or in part.
- b) Dues for Membership-at-large, which includes members of the Council of Retirees shall be \$40 per year. Said dues shall at no time be refunded in full or in part.
- c) The State Executive Council shall have the right, by majority vote, to waive the initial payments for newly organized locals when such payments are required.
- d) Nonpayment of dues or fees:
  - 1. A member more than one month in arrears of dues payments as required by this Section shall not be considered in good standing; except that no member shall be considered in arrears based solely on the failure of an Employer to forward to the Union appropriate initiation fees and membership dues it so authorized.
  - 2. A member in good standing may apply for reinstatement to membership upon paying all delinquent amounts owed.
- e) In the event that payroll deduction of dues is not available under the member's collective bargaining agreement or applicable law, the HPAE State Executive Council shall have the right to determine a fixed rate of dues in lieu of the percentage amount as defined in Section 3(a) and the effective date of implementation. The fixed rate shall be effective only until the next regular HPAE convention.

## **Section 4. Transfer of Membership**

In the event that a member obtains employment at an institution where HPAE is the bargaining agent, a new dues deduction authorization form will be signed for the appropriate local.

## **Section 5. Assessments**

The HPAE may levy a per capita assessment in addition to dues upon its membership, provided that the amount and method of payment has been approved:

- a) By a majority vote of its members in good standing at a regular or special convention after a reasonable notice of the intention to vote upon such a question.
- b) Voting shall be by secret ballot.
- c) Only the members affected by the assessment shall vote on the assessment.

## **ARTICLE V. ADMINISTRATORSHIP**

### **Section 1. Grounds for Administratorship**

In exceptional and unusual circumstances where an HPAE local union is incapable of taking adequate remedial measures on its own initiative, HPAE may establish a temporary administratorship for the purpose of:

- a) Restoring the rights of members in situations where there has been a significant failure either in election procedures or representation required under the HPAE or local union constitution(s) and by-laws; and/or
- b) Assisting a local that is unable to function as a bargaining representative, whose officers fail to administer existing agreements properly, or that is unable to offer adequate membership representation; and/or
- c) Correcting financial malpractice or misappropriation or loss of funds.

### **Section 2. Process for Approval of an Administratorship**

Where the State Executive Council has reason to believe that the grounds set forth in Section (1) above exist to consider an administratorship, the HPAE President shall be authorized to appoint a committee of the SEC to investigate and conduct a hearing. That hearing shall be scheduled within 30 days, at which time the affected parties will be able to appear and present evidence, witnesses and arguments. Notice of such hearing and a written statement of the grounds for the proposed administratorship will be provided to the affected local no less than two weeks prior to the hearing. After completion of the investigation, the committee shall submit its findings and recommendations to the State Executive Council for review and action. Thereafter, the State Executive Council, by a two-thirds vote, shall have the power to authorize the HPAE President to establish an administratorship and appoint an administrator.

In situations where an administratorship has been approved, the members of the affected HPAE local union will be notified of the reasons for such decision, including an explanation of the administrator's duties and functions.

### **Section 3. Emergency Administratorship**

Under grounds pursuant to Section (1), the HPAE President, upon the unanimous decision of the HPAE President, Secretary-Treasurer and First Vice President, is authorized to invoke an emergency administratorship in situations requiring immediate action for the purpose of securing and safeguarding an affiliate's assets and vital records from immediate threat, with the approval of the State Executive Committee, provided that the Executive Council by a two-thirds vote approves such emergency action within five business days of its having been invoked. Within 24 hours after the President's invocation of the emergency administratorship, the President shall appoint a committee of the Executive Council, in keeping with Section 2 of this Article, to investigate and conduct a hearing; and the normal processes, timetables, hearing rights and approval requirements set forth in Section 2 of this Article shall apply.

### **Section 4. Termination of Administratorship**

The State Executive Council shall terminate an administratorship as soon as the cause for its establishment has been remedied. Where officer positions have been vacated as a result of the administratorship, then, prior to the termination of an administratorship, an administrator shall conduct an election in accordance with the applicable provisions of the governing documents of the affected local and the HPAE constitution to fill such positions. Such officers will take office as of the date of the termination of the administratorship. At such time, an administrator shall also return control of the books, records, funds and other assets to the local union.

## **ARTICLE VI. CONVENTION**

### **Section 1. State Convention**

The convention shall take place every three years at such time and in such place as the State Executive Council may determine. The rules for the convention will be in compliance with Title IV of the Labor Management Reporting and Disclosure Act (Landrum Griffin). Each local of the HPAE shall be sent a written notice (convention call) of the time and place postmarked ninety (90) days prior to the opening date of the convention. This written notice will include regulations concerning delegate nominations and elections and the agenda.

### **Section 2. Special Convention**

A Special Convention may be called at any time by the majority of the State Executive Council or by written request of twenty-five (25%) percent of the membership. Only those items set forth in the notice of a Special Convention shall be discussed and acted upon at such a meeting.

### **Section 3. Quorum**

A quorum for the conduct of business at a convention shall be twenty-five (25%) percent of the delegates who have been seated.

### **Section 4. Robert's Rules**

Except as specifically set forth in this Constitution and By-Laws, all organization procedures shall be governed by the most recent edition of "Robert's Rules of Order".

## **Section 5. National Convention**

The membership shall nominate and elect delegates to attend the National Convention in accordance with the Landrum Griffin Act.

## **ARTICLE VII. DUTIES OF OFFICERS**

### **Section 1. Number, Nominations and Elections**

- a) The officers of the HPAE shall be President, First Vice-President, Second Vice-Presidents (as defined in Section 5), Secretary-Treasurer.
- b) Nominations and Elections shall be made in accordance with the procedure set forth by the Nominations/Elections Committee.

### **Section 2. Terms of Office**

The term of office for President, First Vice President, and Secretary-Treasurer shall be three (3) years which shall commence at the time of election at the State Convention.

### **Section 3. President**

The President is the principal officer of the Union. It shall be the President's duty to administer the affairs of the Union and to execute policies established by the HPAE convention and the HPAE State Executive Council. The President has the authority to direct and supervise the State Officers. In addition, each state officer has the responsibility to insure that the other State Officers are performing their roles and duties as outlined in this constitution.

The President shall be the presiding officer at the state convention and serve as ex-officio member of all committees; may appoint chairpersons of committees and shall discharge all duties incidental to the office of President.

The President shall be a delegate to the AFT National Convention. The President shall also be a delegate to the HPAE State Convention. The President or designee shall Chair the State Executive Council meetings.

### **Section 4. First Vice President**

The First Vice President shall perform all duties of the office of the President in the absence of the President and when so acting shall have all the powers of and be subject to all the restrictions upon the President. Duties specific to the office of First Vice President will include chairing the committee for the HPAE State Convention, monitoring pertinent State regulatory agencies, assisting in establishment of local programs, and overseeing state and local officer elections.

The First Vice President shall be a delegate to the HPAE State Convention and the AFT National Convention.

### **Section 5. Second Vice President (Local Presidents)**

Each Local shall elect a member who shall be designated as Second Vice President (Local President), whose functions shall include coordinating the internal activities and issues confronting the members at each respective institution.

The Second Vice President shall be a delegate to the State Convention.



## **Section 6. Secretary - Treasurer**

The Secretary-Treasurer shall keep or cause to be kept an accurate record of minutes of the meetings of the HPAE and shall in general perform all duties incidental to the office.

The Secretary-Treasurer shall supervise the maintenance, distribution, and investment of all funds of HPAE, shall keep accurate and current records of such funds, shall work with the HPAE accountant in developing and implementing a budget, shall oversee the annual audit, and shall report regularly to the State Executive Committee and Council.

The Secretary-Treasurer will be the Chairperson of the Budget Committee, which is composed of all Local Treasurers.

The Secretary-Treasurer will assist and oversee Local Secretaries and Local Treasurers in the performance of their duties. The Secretary-Treasurer shall also assume the role of recorder at the State Convention.

The Secretary-Treasurer shall be a delegate to the HPAE State Convention and AFT National Convention.

## **Section 7. Vacancies**

In the event a vacancy occurs in any office or on the State Executive Council due to a change in status or otherwise, such vacancy shall be filled in the following manner:

- a) President - The First Vice President shall assume the office.
- b) First Vice President - The State Executive Council shall have the authority to appoint a member in good standing to fill the vacancy for the remainder of the term of office.
- c) The Second Vice President –Second Vice President is the Local President. Should the Local President position be vacated, the Second Vice President’s Local Union shall fill the vacancy consistent with its local Constitution and By-Laws.
- d) All others by appointment of the President with the approval of the State Executive Council.

## **Section 8. Bonding**

The State Executive Council shall see to it that all officers authorized to collect and handle monies for this Union are bonded.

## **Section 9. Transition of Officers**

All union officers shall deliver all books, records, funds and property of the Union to their successors in office by the first day of the successor’s terms of office.

## **Section 10. Reimbursement**

Any member or officer who shall lose time or incur expenses to attend to HPAE business, authorized by the State Executive Council of the HPAE, may be reimbursed.

## **ARTICLE VIII. STATE EXECUTIVE COUNCIL AND EXECUTIVE COMMITTEE**

### **Section 1. Definition**

- a) The State Executive Council shall be composed of the Constitutional officers as defined in Article V, section 1.a, and one designated local officer or elected Local Executive Board member designated by each Local Union; and the Executive Committee.
- b) A maximum of five (5) members of the State Executive Council shall be elected by the State Executive Council, to serve a one year term on the Executive Committee with the current State Executive Council Officers.
- c) Each member of the State Executive Council and/or the Executive Committee including those with dual membership is entitled to a single vote.

### **Section 2. Meetings**

- a) The State Executive Council shall meet bi-monthly or as designated by the President.
- b) The Executive Committee shall meet monthly or as designated by the President.

### **Section 3. State Executive Council - Purpose and Authority**

The State Executive Council will be the governing body of the HPAE. It shall have the general supervision of the affairs and property of the Union and shall have charge of all business delegated to it by the HPAE Convention and shall act upon all the Resolutions of the Convention.

It shall have the authority to make rulings and adopt policies not covered by the Constitution and By-Laws but which are not inconsistent with the provisions of the Constitution and By-Laws.

It shall have the power to authorize the expenditure, investment, management and use of the funds and property of the Union, not only for the purpose and objectives expressly set forth in this Constitution but for such additional purposes and objectives as may be set forth in the resolutions and the programs adopted and/or ratified by the membership or which the State Executive Council believes will further the general interest and welfare of this Union.

The State Executive Council shall determine the expenses, allowances and fringe benefits which will be provided to Union officers and employees in such amount and extent and pursuant to such conditions and circumstances as they may deem necessary or appropriate except as otherwise provided herein. Such determinations will be made through the Executive Committee with input from the Secretary/Treasurer and Budget Committee and, for unionized employees, in conjunction with the collective bargaining process.

### **Section 4. Executive Committee - Purpose and Authority**

The Executive Committee will oversee issues and matters referred to it by the State Executive Council and report their findings to the State Executive Council. The following shall be the responsibility of the Executive Committee and performed on a regular basis:

- a) Periodic review of finances, including income, expenses and investments.
- b) Participation in annual audit through meetings with the auditor and Secretary/Treasurer at the beginning and end of the process.
- c) Review and approval of personnel policies and employment decisions of officers and staff.
- d) Review and approval of all non-budgeted expenditures greater than \$5000.00.

- e) Review and investigation of all issues relating to conflicts of interest. In the event a committee member is the subject of the investigation, such person shall be recused from all matters of the investigation including the vote.
- f) Review and investigation of complaints from locals, state officers or representatives, including requests for disciplinary action against members, officers or representatives on the State or Local level.
  - 1. In the case of disciplinary action, no member, representative, or officer shall be fined, suspended, expelled from membership or otherwise disciplined unless such member has been provided with written specific charges, given a reasonable time to prepare his/her defense and afforded a full and fair hearing.
  - 2. Any officer, representative or member may be suspended immediately pending formal written charges by the Executive Committee in such cases where there can be immediate harm to the union.
  - 3. Any disciplinary action shall be reviewed by the Executive Committee or by a committee, representative or official so delegated by the Executive Committee.
  - 4. The Executive Committee may adopt reasonable rules for the conduct of such proceedings not inconsistent with this clause.
  - 5. Disciplinary action taken by the Executive Committee shall be exclusive of, and in addition to, any ability of the Locals to take disciplinary action.
  - 6. Any determination of a disciplinary matter by a local shall be subject to and subordinate to any determination made by the Executive Committee. The Executive Committee must be notified of any charges filed at the local level.
  - 7. Any disciplinary action taken by a local may be appealed to the Executive Committee under rules it may adopt for such purposes. Each or any local must adopt by-laws that conform to the appellate process herein. Each local has the option to refer charges initiated at the local level to the Executive Committee for appropriate action. The Executive Committee may elect either to assume jurisdiction of the charges or may direct the local to conduct the initial hearing.
  - 8. Any disciplinary action taken by the Executive Committee may be appealed to the State Executive Council under rules it may adopt for such purposes.
  - 9. If any person is convicted of a crime against the union, such conviction shall be cause for expulsion from membership, disqualification from union office and/or denial of membership status.
  - 10. Any determination by the State Executive Council shall be final.
- g) The Executive Committee shall appoint from its members a chairperson.
- h) The Executive Committee will assist the President in building the membership and improving the functioning of the HPAE.

## **Section 5. Training**

There will be a formal training program for all State Executive Council and Executive Committee members addressing their role and responsibilities.

## **Section 6. Quorum**

A quorum shall be defined as a majority of the members of either the State Executive Council or the Executive Committee. In the absence of a quorum, business may be conducted which does not require a vote.

# **ARTICLE IX. EXECUTIVE DIRECTOR**

## **Section 1.**

The HPAE State Executive Council shall have the right to establish a position of Executive Director. The Executive Director shall have the responsibility to run the day-to-day operations and functioning of the union. Executive Director shall have the authority to hire and supervise staff and shall be responsible for oversight of the financial operations of the union.

Executive Director's position and duties shall be determined by the President, subject to the approval of the State Executive Committee. The Executive Director shall report directly to the President.

**Section 2.**

Executive Director will be an ex officio member of the State Executive Council and the State Executive Committee without voting privileges.

**ARTICLE X. COMMITTEES**

**Section 1. Standing Committee**

The committees of the HPAE shall be Standing and Special. Each standing committee shall consist of no less than two (2) members in good standing. The committee chairperson shall be appointed by the President, the committee members by the chairperson, all subject to the approval of the State Executive Council. Each standing committee member's term shall be concurrent with the HPAE's term of office.

Each standing committee shall hold meetings as designated by the committee chairperson. Each standing committee shall report directly to the President.

**Section 2. Special Committee**

Special committees may be appointed by the President with the approval of the State Executive Council for such special tasks as warranted. Special Committees shall be limited to the activities necessary to accomplish the task for which they are created and upon completion of such task shall be discontinued.

**ARTICLE XI. SPECIAL FUNDS**

**Section 1. Activity Support Fund**

**a) Definition**

A Special Fund shall be maintained in a separate and special account. Such funds will be available and expended to support and sustain strikes, boycotts, or other concerted actions. In addition, such monies may be applied for special use, as approved by a two-thirds (2/3) vote of the State Executive Council at a regular meeting.

Monies from this fund shall be released at the discretion of the President and Secretary-Treasurer in accordance with standards approved by the State Executive Council.

**b) Funding**

Ten (10%) percent of the membership dues may be set aside in a separate and special account. The State Executive Council may temporarily suspend deposits into the special account when it determines a reasonable balance has been achieved. A financial report on this fund shall be made annually to the State Executive Council and at the triennial State Convention or any Special Convention.

**Section 2. Donna Benjamin Special Assistance Fund**

**a) Definition**

A separate fund will be established for the exclusive purpose of assisting members who are experiencing undue financial hardship. An initial amount of ten thousand dollars (\$10,000) will be budgeted for this purpose. Up to five thousand dollars (\$5,000) may be added to the fund annually through the normal budgeting process, based on the activity of the fund.

**b) Administration**

Application for monies from the account, not to exceed one thousand dollars (\$1,000), can be made by any member in good standing experiencing undue financial hardship. Certain criteria must be met according to HPAE policy. Application shall be made to the State Executive Council or in an emergency (when time is of the essence) to the Executive Committee.

**ARTICLE XII. CONVENTION**

**Section 1. Representation**

- a) **Election of Delegates/Alternates** - Delegates and/or alternates to the convention from a local shall be elected by secret ballot. Members of each local must be given suitable opportunity to nominate candidates for the position of delegate and alternate. Notice of the right to make nominations and notice of the election may be combined in one notice. Election of delegates to take place no later than thirty (30) days prior to the start of the convention. The results of the election must be published and the ballots kept for one (1) year.
- b) **Delegate/Alternate Lists** - Each local chairperson must send to the HPAE office a list of all elected delegates and alternates no later than thirty (30) days prior to the opening date of the convention. Only delegates and alternates on this list shall be registered and seated at the convention.
- c) **Delegate/Alternate Eligibility** - All members have an equal opportunity to become a delegate to the convention as long as they are a member in good standing.
- d) **Membership at Large** - Members at Large shall be considered in the numbers of their last local membership.
- e) **Delegate Entitlement**
  - 1) The number of delegates a Local and Retiree chapter is eligible to send to a convention will be determined by the number of members in good standing sixty (60) days prior to the date of the convention.
  - 2) A Local and Retiree chapter shall be entitled to up to two (2) delegates for the first thirty (30) members.
  - 3) For every additional thirty (30) members, a local will be entitled to one (1) additional delegate.
- f) **Voting Strength & Distribution** - Each local represented shall be entitled to the number of votes equal to the number of members of said local as of thirty (30) days prior to the opening of the convention. The votes of a local shall be distributed evenly among the delegates present at the time of the voting. The credentials committee shall evenly divide votes to four (4) decimal positions at the time of the tabulation.
- g) **Alternates** - When a delegate leaves the convention, his/her place in the convention may be taken by an alternate, if any has been certified as provided in Article X., Section 1 (b), and in the order as listed. No other transfer or substitution of voting rights shall be allowed.

**ARTICLE XIII. CONVENTION RECORDER**

**Section 1. Recording Officer**

The convention recorder will be the Secretary/Treasurer of the HPAE.

## **ARTICLE XIV. STATE CONVENTION PROGRAM**

### **Section 1. Program**

The convention shall be called to order and conducted according to the printed program.

### **Section 2. Voting**

Except on ballot votes, all voting shall be by a show of hand, but the chair may call for a standing vote when in doubt. A motion calling for a ballot vote shall require a one-fourth (1/4) vote for adoption. When a ballot vote has been ordered, the presiding officer shall at once call for the next item on the agenda, action of the pending motion being automatically postponed pending the tabulation of the results of the ballot vote. No debate, amendment, or other motion affecting the question on which the ballot vote was ordered may be made after a ballot vote has been ordered.

The ballots shall be distributed to the ranking delegates of each local under the direction of the presiding officer. (These ballots shall be prepared in advance.) Each delegate voting shall enter on his/her ballot the number of his/her local, his/her full name, the number of votes, he/she may deliver his/her ballot directly to the committee on credentials. No vote shall be accepted later than one (1) hour following the ordering of a ballot vote. The results of the ballot vote shall be tabulated by the committee on credentials and reported to the convention immediately upon completion of the tabulation according to the following procedure:

- a) The total vote shall be read.
- b) If any delegate challenges the vote of his/her local, the ballots of the delegates from that local shall be read, and each delegate shall rise as his/her name is called, announce his/her vote and state the number of votes he/she is casting.
- c) The report on the ballot vote shall then be revised to agree with the oral vote just taken.

### **Section 3. Delegate Seating**

Delegates shall be seated upon meeting the requirements of the credentials committee. This list of delegates shall be made available to the members of the convention.

### **Section 4. Order of Business**

The order of business for business sessions of the convention shall be as follows:

- a) Action on minutes of the previous convention as summarized in the delegate's reports prepared by the convention reporter.
- b) Report of the State Executive Council
- c) Report of special committees.
- d) Report of standing committees.
- e) Report of convention committees
- f) Officer Election

## **ARTICLE XV. CONVENTION PROGRAM COMMITTEE**

### **Section 1. Appointment**

The committee on convention program shall be appointed by the President with the approval of the State Executive Council and shall be notified of their appointment at least four (4) months prior to the convention. This committee shall consist of at least three (3) members and shall prepare the tentative program and shall submit it to the State Executive Council ninety (90) days before the convention.

## **ARTICLE XVI. COMMITTEE ON CREDENTIALS**

Registration of delegates and visitors.

### **Section 1. Appointment**

The committee on credentials shall be composed of delegates and shall be responsible for registration of delegates, State Executive Council members, and visitors. Visitors can include members in good standing not elected as delegates.

### **Section 2. Registration Procedures**

Registration of delegates, members of the State Executive Council and visitors shall begin one-half (1/2) hour preceding the convention. Each delegate, member of the State Executive Council and visitor shall be furnished with an appropriate official badge to be worn at the convention.

## **ARTICLE XVII. GENERAL CONVENTION PROCEDURE**

### **Section 1. Convention Floor Admission**

Only credentialed delegates and members of the State Executive Council shall be admitted to the convention floor except invited guests who are participating in the program of the convention. All visitors shall secure a pass from the credentials committee and shall be seated only in a special section reserved for them.

### **Section 2. Resolution Procedure**

Resolutions to the convention may be introduced by members, locals, or the State Executive Council of the HPAAE. The resolutions shall contain the title and shall be submitted to the State Executive Council in type written form no later than sixty (60) days prior to the opening of the convention. The State Executive Council shall provide all locals with a copy of the proposed resolutions no later than thirty (30) days prior to the opening of the convention.

### **Section 3. Presiding Officer**

The President of HPAAE shall be the presiding officer and chair of the convention.

### **Section 4. Priority of Constitution Committee**

The Constitution Committee shall be heard in full prior to other committee reports. The Constitution Committee shall report only the proposed amendments which it recommends for adoption.

At the conclusion of the committee's full report, any delegate may move adoption of a proposed amendment not recommended by the committee. The chair shall allow one statement for the proposed amendment and one statement against the proposed amendment. The chair shall then immediately put the question of whether the convention desires to debate the proposed amendment. If this motion prevails by one-third (1/3) vote, the proposed amendment shall be before the convention.

### **Section 5. Resolution Duration**

Resolutions upon which no action has been taken shall die when the convention adjourns.

## **Section 6. Rule Adoption**

A copy of the rules of conduct for conventions should be provided for delegates and visitors upon convention registration and should be voted on at the opening session at the beginning of the convention.

## **ARTICLE XVIII. AFFILIATIONS**

**Section 1.** This organization shall maintain affiliation with the Central Trades and Labor Councils.

**Section 2.** This organization shall maintain affiliation with the State AFL/CIO.

**Section 3.** This organization shall maintain affiliation with the American Federation of Teachers.

## **ARTICLE XIX. AMENDMENTS TO THE CONSTITUTION AND BY-LAWS**

Amendments to this Constitution and changes in the By-Laws may be proposed by any local in good standing or the State Executive Council of the HPAAE, for action at the convention provided that such amendments and changes have been submitted in writing to the State Executive Council no later than 60 days prior to the opening of the convention. The State Executive Council shall provide all locals with a copy of the proposed amendments no later than 30 days prior to the opening of the convention.

Amendments to the Constitution and By-Laws shall require a two-thirds (2/3) vote of delegates present at the convention.

## **ARTICLE XX. SAVINGS CLAUSE**

If any provision of this Constitution and By-Laws is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Constitution and By-Laws.

**Revised and Ratified, October 5, 2018**



