

Constitution and By-laws of Nurses United of the National Capital Region

ARTICLE I - NAME, PURPOSES, FUNCTIONS

Section 1. Name. The name of this organization shall be Nurses United of the National Capital Region, hereinafter referred to as Nurses United.

Section 2. Purpose. The purpose of Nurses United shall be to represent nurses at the Washington Hospital Center (WHC) as their collective bargaining agent, to promote and protect the economic and general welfare of these nurses, and to promote high standards of quality nursing care. These purposes shall be unrestricted by considerations of race, color, religion, national origin, gender, age, marital status, sexual orientation, handicap, status as a veteran, political affiliation or belief, ethnic background, military draft status, or organizational activity.

Section 3. Functions. The functions of Nurses United shall be to:

- Represent nurses for the purposes of collective bargaining to secure fair wages, hours of work, and working conditions, and to negotiate and enforce the collective bargaining agreement.
- Advance and strengthen the rights of working women and men to bargain collectively.
- Strengthen and safeguard this organization by every lawful means so that it may carry out its purpose, objectives, and obligations.
- Promote the educational, personal, and professional growth of nurses.

ARTICLE II - MEMBERSHIP

Section 1. Eligibility. Membership in this union shall be open to any graduate or registered nurse, whose position is within the collective bargaining unit as that unit may be determined by the National Labor Relations Board or the agreement of Nurses United and WHC. Nurses United members in good standing who enroll

in the "Senior Nurse Work Option" shall be and remain members without obligation to pay dues while so enrolled.

Section 2. Good standing. A member in good standing is:

a. One who has completed and had approved a dues membership authorization and whose dues are current. Prior to the implementation of a dues checkoff agreement with WHC anyone who has completed and had a dues membership and authorization card approved shall be deemed to be current in the payment of her or his dues. A member whose dues have been withheld by WHC may not be declared ineligible to vote or to be a candidate for office by reason of alleged delay or default in the payment of dues.

b. Is not in violation of this Constitution and Bylaws.

c. Has not been suspended or discharged from membership as otherwise provided for in this Constitution and By-Laws.

d. A member in good standing has the right to nominate candidates, to be a candidate subject to reasonable qualifications uniformly imposed, to hold office, and to support and vote for the candidates of the member's choice.

ARTICLE III - MEETINGS

Section 1. Call for Meetings. Membership meetings shall be held at least four times per year. Upon petition by twenty-five (25) members, or at the call of the President or Vice President, when acting in the President's stead, a meeting of the members shall be held within 10 days. Members shall be given reasonable notice of all meetings.

Section 2. Membership Authority. The ultimate decision-making authority of this union shall rest with the membership. Between meetings of the membership, the Executive Committee shall possess such authority.

Section 3. Quorum. A quorum shall consist of twenty five members in good standing.

Section 4. Annual Budget Meeting. There shall be an annual meeting in March of each year. At this meeting the proposed annual budget will be presented to the membership for their consideration.

ARTICLE IV - FINANCES

Section 1. Finance Committee. There shall be a Finance Committee composed of the Treasurer and at least two other members in good standing to make recommendations and prepare an annual budget for Nurses United.

Section 2. Annual Budget . An annual budget shall be published with actual and proposed budget income and expense items. All expenditures of Nurses United shall be within the limitations of the budget, unless otherwise approved by the Membership. The annual budget shall be subject to approval by the membership.

Section 3. Authorized Expenditures. Only payments for expenditures authorized in the budget shall be made; however, upon a finding of urgent need, unbudgeted expenditures may be approved by the Executive Committee. All checks shall be signed by two members of the Executive Committee that have signature cards on file with our financial institution. The ledger shall be signed monthly after balancing the account, by the Treasurer and one other member of the Executive Committee.

Section 4. Dues. Dues for Nurses United shall be determined by majority vote by secret ballot of the members in good standing, present and voting at a general or special membership meeting, after reasonable notice of intention to vote upon such question has been made.

Section 5. Delinquent Dues. If dues are not paid within sixty (60) days after they become due, a member shall forfeit all rights and privileges of membership.

Section 6. Fines and Penalties. Fines and penalties shall be adopted by the Executive Committee for violations of policies or rules of this organization or of this Constitution and By-Laws. When notice of such fines and penalties is adopted, it shall be published in writing and distributed to the membership. Fines and penalties shall not be adopted retroactively.

Section 7. Audits. An annual audit conducted by an independent certified public accountant shall be performed of all Nurses United financial activity.

Section 8. Bonding. Every officer, agent, shop steward, or other representative or employee of Nurses United, who handles funds or other property thereof shall be

bonded to provide protection against loss by reason of acts of fraud or dishonesty.

Section 9. Availability of Financial Statements. Any financial statements including, but not limited to, the LM-1, LM-3, 990's, audit, ledgers, etc. shall be available at any time to the membership. The information will be responsibly handled with respect to an individuals privacy and confidentiality (i.e. social security numbers and 1099 forms).

ARTICLE V - OFFICERS AND SHOP STEWARDS

Section 1. Officers and Executive Committee. The officers of Nurses United shall be a President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, Chief Shop Steward and three Directors. No one shall hold more than one office on the Executive Committee at the same time. These nine positions shall constitute The Executive Committee. All officers shall have an equal vote on the Executive Committee. There will be no vote by proxy. Five (5) members, including either the President or the Vice President, shall constitute a quorum. The Executive Committee shall meet at least four times a year, or more frequently at the call of the President or any three (3) members of the Committee.

Section 2. Authority of Executive Committee. The Executive Committee shall govern all affairs of Nurses United between membership meetings and shall report all of its actions to the membership at each meeting. The Executive Committee shall determine whether or not a grievance will be arbitrated.

Section 3. Terms of Office. Officers shall be elected to serve for a term of two years, or until their successor assumes office; provided however the Vice President, Chief Shop Steward, and three Directors shall be first elected for a term of one year. An officer shall be considered to have served a full term if the office was assumed more than twelve months prior to expiration of that term.

Section 4. Officers-Elect. Newly elected officers to the Executive Committee shall serve for a period of three months as non-voting members of the Executive Committee, as Officers-Elect. Their responsibilities as Officers will commence at

the first Executive Committee meeting, three months following their election to office. They will be encouraged to attend all Membership meetings and Executive committee meetings during this three-month time period.

Section 5. Eligibility to Hold Office. Any member in good standing shall be eligible to run for and to hold office.

Section 6. President's Duties. The President shall preside at membership meetings and all meetings of the Executive Committee; appoint standing committees (except the Shop Steward Nominating and Elections and Finance Committees) with the approval of the Executive Committee; appoint members to the Negotiating Committee and Negotiating Team; serve as an ex-officio member of all committees, except the Nominations and Elections Committee; and serve as Chief Executive Officer of Nurses United.

Section 7. Vice President's Duties. The Vice President shall perform the duties of the President in her/his absence and shall become the President if the office falls vacant; and shall be responsible for maintaining the Clinical Unit Contact system.

Section 8. Recording Secretary's Duties. The Recording Secretary shall keep minutes of all meetings of Nurses United and the Executive Committee and be the custodian of all Nurses United records.

Section 9. Corresponding Secretary's Duties. The Corresponding Secretary shall carry out all correspondence on behalf of Nurses United; be responsible for the official publications of Nurses United; and coordinate media and public relations.

Section 10. Treasurer's Duties. The Treasurer shall be the Chief Financial Officer of Nurses United and shall be responsible for its fiscal affairs. The Treasurer shall collect dues from the membership, enforce in consultation with the Chief Shop Steward any checkoff, maintenance of membership and union security provisions of the collective bargaining agreement; record all income and disbursements of organizational funds, prepare the annual budget, assist any audit and file all required financial disclosures. The Treasurer shall act as chairperson of the Finance Committee and shall appoint at least two members in good standing to serve on the Finance Committee.

Section 11. Duties of Chief Shop Steward. The Chief Shop Steward shall chair the Shop Steward Committee and be responsible for coordinating the filing and processing of grievances. The status of all grievances shall be reported to the Executive Committee and membership at least once per calendar quarter.

Grievances shall be arbitrated only by the approval of the Executive Committee.

Section 12. Other Duties of Officers. Members of the Executive Committee shall perform all duties as assigned by the President.

Section 13. Shop Stewards. There shall be 21 Shop Stewards elected to represent nurses in any Clinical Service Areas called for in a collective bargaining agreement.

Section 14. Shop Stewards' Term of Office. Shop Stewards shall be elected to serve for a term of two years without limit to number of terms; provided however, that for the first election of Shop Stewards, the twelve candidates receiving the most votes shall be elected to two year terms and the next nine to one- year terms.

Section 15. Vacancies. Vacancies on the Executive Committee shall be filled by appointment by the President. An appointment is subject to veto by the membership at its next regular meeting or a special meeting called for such purpose. An officer appointed to fill a vacancy shall complete the term of office of her/his predecessor. A vacancy in the position of Chief Shop Steward shall be filled by majority vote of the Shop Steward Committee. Vacancies in the Shop Steward Committee positions that occur between elections will be filled by appointment by the President or by special election. An appointment is subject to veto by the membership at its next regular meeting or at a special meeting called for such a purpose. A Shop Steward filling a vacancy shall complete the term of office of her/his predecessor.

ARTICLE VI - DISCIPLINARY ACTION

Section 1. Removal of officers. In cases of neglect of duty or violation of this Constitution and By-Laws or applicable local, state or federal law on the part of

any officer of this organization, the Executive Committee, upon majority vote, shall have the power to remove her/him from office or assign such other penalty as it may deem proper. Provided: (1) a member has filed with the Executive Committee a specific charge that an officer has been guilty of neglect of duty or violation of these Constitution and By-Laws; and (2) Upon the filing of the charge, the President (or the Vice President if the President is charged) will, as soon as possible, inform in writing, the officer of the specific charge(s); and (3) an impartial three-member committee has been appointed by the Executive Committee to investigate the charge; and (4) the committee shall have reported to the Executive Committee within thirty (30) days and the Executive Committee shall have then determined that there is cause to remove the officer.

Section 2. Removal from membership. Members shall be subject to suspension, censure, or expulsion by the organization for violation(s) of this Constitution and By-Laws. No such action shall be taken against a member until such member shall have been served with written specific charges, given a reasonable time of not less than 30 days to prepare a defense and offered an opportunity for a fair and full hearing. To the extent applicable, the procedures for removal of officers shall apply to removal of a member from membership.

Section 3. Neglect of Duty. A member who is elected or appointed as an officer or shop steward is expected to attend regular and special meetings appropriate to her/his level of responsibility within the organization. If a member is unable to attend a meeting for which proper notice was given, he/she is expected to contact the convener of the meeting to ascertain the nature of the business conducted. If a member who is elected or appointed to a position within the organization is absent without excuse from three meetings during the calendar year, such absence shall constitute a resignation and the vacancy shall be filled by appointment by the President.

ARTICLE VII - NOMINATIONS AND ELECTIONS

Section 1. Nominating and Election Committee. The Executive Committee shall appoint a five-member Nominations and Elections Committee, which shall be composed of members in good standing who are not themselves seeking nomination or election to any office or committee and who are not current office holders. Beginning in 2004, elections for the Nominating and Elections Committee shall be held in June. Members of the Nominations and Elections Committee shall maintain their neutrality and shall not campaign or assist any candidate other than by fulfilling their duties as specified herein.

Section 2. Term of Office. The Nominating and Elections Committee shall consist of five (5) members-in-good-standing. The member receiving the highest number of votes shall be chairperson. Members shall be elected for a three-year term.

Section 3. Committee Functions. The Committee shall: (1) check qualifications of prospective nominees; (2) assure that there is at least one candidate for every office; (3) prepare ballots; (4) supervise the election process to ensure fairness and secrecy of the ballot; (5) count ballots and certify the results; (6) hear election appeals, recount ballots, and order election re-runs.

Section 4. Nomination Process. Nominations for officers and shop stewards shall take place in July and elections shall take place in September approximately six weeks apart. The Nominating and Elections Committee shall request names of candidates for elective offices and elective committee positions from the membership. Nominees selected by the membership shall have consented to serve if elected, and shall have met established qualifications. The Committee shall prepare and publish/post a slate prior to the election. Nominations shall be made in writing by any member in good standing.

Section 5. Notices. Reasonable notice of nominations will be provided and written notice shall be mailed to each member no less than fifteen (15) days prior to an election. Such notices will also be posted on Nurses United bulletin boards.

Section 6. Campaign Conduct. No union member shall use union funds for the purpose of campaigning. Once an agency shop agreement is in effect, Nurses

United will provide an opportunity to all candidates at least 30 days prior to an election to inspect a list containing the names and addresses of members.

Nominees shall not campaign prior to the publishing of the slate.

Section 7. Right to Vote. All members in-good-standing shall be entitled to vote in elections. Reasonable opportunity to vote shall be provided. Voting by absentee mail-in ballot shall be allowed for elections only. The ballot shall allow a place for write-in candidates.

Section 8. Additional Procedures. Additional nomination and election procedures consistent with this Constitution and By-Laws shall be determined by the Nominating and Elections Committee, including procedures for protesting and remedying a defect in any election.

Section 9. Election Results. The candidate for each position receiving the most votes cast shall be elected. Vote results shall be announced/posted as soon as possible. All ballots and records of election shall be preserved for one year after an election.

ARTICLE VIII - COLLECTIVE BARGAINING AND CONTRACT RATIFICATION

Section 1. Negotiation Committee and Negotiating Team. There shall be a Negotiating Team which shall consist of at least five (5) members and two (2) alternates. The President and Chief Shop Steward shall be members of the Negotiating Team. There shall also be a Negotiations Committee consisting of the Negotiating Team and other members as may be appointed by the Executive Committee. The Team and Committee shall be chaired by the Nurses United President. The Negotiation Committee shall prepare for negotiations. The Negotiating Team will participate in contract talks with WHC with the support and guidance provided by a designated labor negotiator and other consultants as deemed necessary, selected by the Executive Committee.

Section 2. Membership Ratification Vote Required. Upon recommendation of the Negotiating Team, a proposed contract shall be presented to the membership. Two-thirds (2/3) majority of those members-in-good-standing, present and voting by secret ballot, shall constitute ratification. If a contract is rejected, such rejection shall automatically authorize the Executive Committee to call job actions, other than a strike, to extend any existing contract, or to work without a contract. All members shall be given reasonable notice prior to holding the secret ballot vote.

Section 3. No Conflict with Strike Authorization. Nothing contained herein shall limit the opportunity to authorize a strike, as provided in Article IX.

ARTICLE IX - STRIKE AUTHORIZATION

Section 1. Notice of Intent to Strike. The Negotiating Team may issue a notice of Intent to strike at any time with or without a vote of the membership.

Section 2. Membership Vote Required. The Executive Committee, upon notification by the Negotiating Team that a dispute with the employer exists, shall prepare ballots to submit the question at issue to the membership for a secret ballot vote as to whether or not they will withdraw their service to the employer until the said dispute is adjusted. If a two-thirds majority of members-in-good-standing, present and voting, vote in favor of such withdrawal, the Executive Committee may order a strike. All members shall be given an equal opportunity to vote.

ARTICLE X - COMMITTEES AND STANDING COMMITTEES

Section 1. Composition. There shall be standing committees of Nurses United which shall assume such duties as are specified in these By-Laws and such other duties as may be assigned. A standing committee shall consist of no fewer

than three (3) members unless otherwise specified herein or defined otherwise in the collective bargaining agreement. Committee members shall be members of Nurses United in good standing. Standing committees, unless otherwise specified herein, shall be appointed by the Executive Committee. Members shall be appointed at, or immediately after, each annual meeting for one year terms. Members may be re-appointed on an annual basis.

Section 2. Standing Committees. Standing Committees shall be (1) Shop Steward Committee; (2) Finance Committee; (3) Nominating and Elections Committee; and (4) Negotiations Committee.

Section 3. Other Committees. The Executive Committee shall appoint members-in-good standing to those committees called for in a collective bargaining agreement.

Section 4. Special Committees. The President shall appoint other special committees with the approval of the Executive Committee. Special committees shall perform all duties as assigned.

Section 5. Committee Authority. Standing and special committees may determine specific policies and procedures consistent with this Constitution and By-Laws and subject to approval by the Executive Committee.

Section 6. Obligation to Report to Members. All committees shall report their recent activities at membership meetings.

ARTICLE XI - FISCAL YEAR

The fiscal year of Nurses United shall be the calendar year.

ARTICLE XII - PARLIAMENTARY AUTHORITY

The business of this Association shall be governed by the rules contained in "Robert's Rules of Order Newly Revised" in all cases to which they are applicable and where they are not inconsistent with this Constitution and By-Laws.

ARTICLE XIII - AMENDMENTS

Section 1. Membership Vote Required. Provided reasonable notice of proposed changes has been issued to the membership, the Constitution and By-Laws can be amended by a two-thirds (2/3) vote of members-in-good-standing present and voting at a regular or special meeting.

Section 2. Implementing Policies. Policies consistent with the Constitution and By-Laws may be enacted by majority vote of those present and voting at a regular or special membership meeting.