

BY – LAWS

MORENO VALLEY CITY EMPLOYEES ASSOCIATION

AMENDED NOVEMBER 1, 2008

ARTICLE 1 – NAME

Section 1: The name of the organization shall be the Moreno Valley City Employees Association (MVCEA).

ARTICLE 2 – OBJECTIVE

Section 1: The objective and purpose of this organization (MVCEA) shall be to promote cooperation between employees in classifications represented by MVCEA, to provide for mutual protection through representation in grievances and disciplinary action appeals, and to maintain and improve working conditions, safety, career advancement, and compensation of the membership.

Section 2: MVCEA has a primary purpose the representation of its members in matters of employer-employee relations with the City of Moreno Valley.

ARTICLE 3 – MEMBERSHIP

Section 1: Regular membership is available to any employee of the City of Moreno Valley in a job classification within a bargaining unit or units represented by MVCEA.

Section 2: Associated membership is available to any employee of the City of Moreno Valley not qualifying for regular membership subject to the conditions and limitations established by the MVCEA Board of Directors.

Section 3: Application for membership shall be made on the appropriate form established by the city for payroll deduction of MVCEA dues. No representation in matters of employer-employee relations shall be provided by MVCEA to any member delinquent in the payment of dues or for any matter including disciplinary appeals the genesis for which existed prior to the employee becoming a member of MVCEA.

Section 4: Resignation from MVCEA may be accomplished by submitting a written statement to any MVCEA Board member and by canceling payroll deduction of dues. Resignation from MVCEA shall not relieve bargaining unit employees from any service fee obligations under the Agency Shop agreement between MVCEA and the City.

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Section 5: Reinstatement may be accomplished by making application to the MVCEA Board of Directors. The MVCEA Board of Directors may place limitations, restrictions, and/or assessments as a condition of reinstatement on a case-by-case basis pursuant to an open discussion at a regular MVCEA board meeting and applicable state and federal law.

Section 6: MVCEA has no restrictions on membership based on race, color, creed, sex, national origin, ancestry, political affiliation, religion, marital status, sexual orientation, medical condition, or mental/physical handicap.

ARTICLE 4 – OFFICERS AND DIRECTORS

Section 1: The MVCEA Board of Directors shall consist of eight (8) members from the MVCEA regular membership as follows:

- A. Four (4) Directors from maintenance and crafts classifications, the animal control facility, park rangers, and support staff who work at the corporate yard.
- B. Four (4) Directors from civic center, public safety, senior/community center, recreation facilities, and libraries. (This includes maintenance and security personnel assigned to city hall)
- C. At the first MVCEA Board of Directors meeting following the regular election of MVCEA Board members, the newly elected Directors shall nominate and elect Board Officers. The Officers shall be President, Vice-President, and Treasurer.

Section 2: ELECTIONS:

- A. In November of even numbered years the MVCEA President shall appoint an election committee to secure nominations with the concurrence of the MVCEA Board of Directors. The committee shall be made up of two members from the civic center group and two members from the maintenance and crafts group. This committee shall secure nominations for MVCEA Board of Director elections to be conducted before December 15th on even numbered years. The Board of Directors shall be elected to a two-year term which begins on January 1st of odd numbered years.
- B. All regular MVCEA members in their respective divisions (civic center and maintenance) shall be entitled to nominate and vote for MVCEA Board members from their respective divisions.

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Section 3: A Board of Director vacancy that may occur during the two-year term of a Director shall be filled from the respective division by an appointment by the President with majority approval of the remaining MVCEA Board members.

Section 4: Recall of any Director may be accomplished as follows:

A recall petition consisting of a statement of charges against a Director accompanied by signatures of at least twenty-five (25) MVCEA members dated within thirty (30) days shall be delivered to the MVCEA Board of Directors. Upon receipt of a recall petition the President shall appoint a two member committee from the Board or MVCEA membership to verify the petition and signatures, investigate the charges, and issue a written opinion on the accuracy of the charges for Board and membership review.

The committee shall conclude their tasks within ten (10) calendar days after appointment by the President. If the committee verifies that the petition is valid and in compliance with the provisions of these bylaws, the President shall cause a recall election to take place by the MVCEA membership in the division of the Board member subject to recall within fourteen (14) calendar days.

A two-thirds affirmative vote of the MVCEA members in the named Director's division shall be required to remove a Director from office. Any Director removed from office by recall shall not be eligible to run for re-election until the next regular MVCEA Board election.

Vacancies created by recall shall be filled in accordance with the provisions of ARTICLE 4, Section 3 of these bylaws.

ARTICLE 5 DUTIES OF DIRECTORS AND OFFICERS

A. PRESIDENT

Presides over all MVCEA meetings and serves on the negotiations team

Appoints committee chairpersons and establishes committees as needed

Countersigns checks and drafts prepared by the MVCEA Treasurer as one of the three authorized signatories

Executes duties normal to the chief executive officer of a public sector employee organization

B. VICE – PRESIDENT

Executes the duties of the President in his/her absence and serves on the negotiating team

Countersigns checks and drafts prepared by the Treasurer as one of three authorized signatories

Performs duties described under Director

Assists President as requested in attending to MVCEA business

C. TREASURER

Accepts, collects, and deposits all MVCEA monies using appropriate depositories, banks, and/or credit unions

Prepares and countersigns checks and drafts for payment of MVCEA bills and properly authorized expenditures

Act as one of three authorized signatories on MVCEA checks and drafts

Maintains petty cash fund

Prepares and presents MVCEA financial reports

Maintains MVCEA membership dues records

Performs duties as MVCEA PAC treasurer

Maintains MVCEA financial records

Advises MVCEA Board upon request as to the eligibility of any member to vote as a member in good standing (current on MVCEA dues)

D. DIRECTORS

Attends Board, membership, and special meetings

Communicates positions of members in respective divisions to MVCEA Board and communicates on MVCEA Board meetings, decisions, actions and responses to the membership in respective divisions

Submits information for newsletters and membership updates

Serves on committees as assigned

Assists members as needed in matters of employer-employee relations including placing members in contact with the MVCEA labor consultant

Reports unabated unsafe working conditions to MVCEA labor consultant

Recruits non-members and new hires in work area

ARTICLE 6 MEETINGS

Section 1: Order of Business

- a. Establish a Quorum
- b. Call to Order
- c. Reading and approval of minutes
- d. Treasurer's report
- e. Reports of officers
- f. Reading of correspondence
- g. Unfinished business
- h. New business
- i. Bills presented
- j. For the good of the Association
- k. Next meeting and adjournment

Section 2: The MVCEA Board of Directors shall meet at least four (4) times per calendar year. Meeting shall be called by either the President or by three (3) members of the Board of Directors. The Board of Directors may establish a regular time and date for monthly Board meetings.

Membership meetings shall be held at least twice per calendar year. Membership meetings may be called by the President and three Board members or by a written request of twenty MVCEA members made to the MVCEA Board of Directors stating the purpose for requesting a meeting.

Notices must be posted or made to the membership at large at least five working days prior to a membership meeting. Written notice of a Board meeting must be given to any MVCEA Board member not present at the scheduling of the next Board meeting at least three working days prior to the meeting

Section 3: Actions Without A Meeting

The MVCEA Board of Directors may take an action without a meeting if all Board members consent collectively or by being polled individually to act absent a meeting when time is of the essence. Actions without a meeting may be taken by a 2/3 majority of the MVCEA Board in the event of not more than two (2) Board members being unavailable for telephone contact for more than 48 hours due to illness/injury or out of town travel incommunicado.

ARTICLE 7 COMMITTEES

Section 1: The President shall be charged with the responsibility of making committee appointments. All committees must be chaired by an MVCEA Board member. Any MVCEA member in good standing may serve on a committee.

ARTICLE 8 PARLIAMENTARY AUTHORITY

Section 1: The parliamentary authority of this association shall be the current edition of Robert's Rules of Order.

ARTICLE 9 MANNER OF ACTING

Section 1: The act of the majority of the MVCEA Board members present at a meeting at which a quorum is present shall be the act of the MVCEA Board of Directors, unless the act of a greater number is required by law or these bylaws.

ARTICLE 10 QUORUM

Section 1: A simple majority shall constitute a quorum for an MVCEA Board meeting.

Section 2: The majority of the MVCEA Board of Directors plus twenty (20) members shall constitute a quorum for a membership or special meeting.

ARTICLE 11 COMPENSATION AND EXPENSES

Section 1: All members of the MVCEA Board of Directors shall serve without compensation. The MVCEA Board of Directors may provide for the expenses of attendance at meetings or other functions related to MVCEA business including but not limited to meals at MVCEA Board meetings, seminars, training functions, PAC meetings and civic functions and events.

ARTICLE 12 LIABILITY

Section 1: The members of the MVCEA Board of Directors shall not be personally liable for the debts, liabilities, or obligations of MVCEA.

Section 2: The MVCEA may secure general liability and/or errors and omissions insurance to protect MVCEA officers and directors and the Association's assets.

ARTICLE 13 CONTRACTS, CHECKS, DEPOSITS, AND REFUNDS

Section 1: The MVCEA Board of Directors may authorize any officer or director of MVCEA to enter into any contract or agreement and to execute and deliver any instrument in the name of and on behalf of MVCEA and such authority may be general or confined to specific instances.

Section 2: All checks, drafts, or orders for payment of money, notes, or other evidences of indebtedness issued in the name of MVCEA shall be signed by such officers or agents of MVCEA and in such manner as shall be determined by these bylaws or resolution of the MVCEA Board of Directors. In the absence of such determination, all checks shall be signed by any two of the three authorized signatories pursuant to these bylaws.

Section 3: All funds of MVCEA shall be deposited to the credit of MVCEA in such banks and other depositories as authorized by the MVCEA Board of Directors.

Section 4: The MVCEA Treasurer shall be empowered to issue checks for payment of all regular MVCEA obligations including professional representation retainers and holiday membership emoluments. All other checks shall be issued pursuant to the direction of the MVCEA Board of Directors acting on behalf of the membership.

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Section 5: Other than the payment of regular and routine expenses and obligations described in Sections 1 and 2 above and/or the transfer of membership PAC contributions to the MVCEA PAC account, the MVCEA Board of Directors shall be authorized to spend up to five hundred dollars (\$500) per expenditure on the approval of a majority of the MVCEA Board of Directors. Said expenditures must be directly related to MVCEA business. Any other expenditure in excess of \$500 shall require approval of the MVCEA membership by a majority vote at a meeting where a quorum is established prior to acting on the expenditure.

These bylaws as amended pursuant to a vote of the MVCEA membership contain all previously approved and adopted amendments from the original 1991 bylaws and are a true and accurate record of the official MVCEA bylaws.