



November 6, 2007

Kim Evon, Area Director  
SEIU California Regional Office  
3055 Wilshire Blvd., Suite 1050  
Los Angeles, CA 90010

Re: SEIU California State Council

Dear Ms. Evon:

Consistent with my authority under Article XIV, Section 1 of the International Constitution and Bylaws, I have established the California State Council of the Service Employees International Union, CIO, CLC, effective October 15, 2007.

In addition, I have named the individuals listed on Attachment 1 to this letter as Executive Board Members of the California State Council, effective October 15, 2007. Further, I hereby impose the attached Constitution and Bylaws for the SEIU California State Council [Attachment 2].

Please provide a copy of this letter (including attachments) to the Executive Board Members of the California State Council.

In unity,

Andrew L. Stern  
International President

cc: Anna Burger  
John Ronches  
JJ Johnston, Jr.

ANDREW L. STERN  
International President

ANNA BURGER  
International Secretary-Treasurer

MARY KAY HENRY  
Executive Vice President

GERRY HUDSON  
Executive Vice President

ELISEO MEDINA  
Executive Vice President

TOM WOODRUFF  
Executive Vice President

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**Attachment 1**

**SEIU California State Council  
Executive Board Members  
(as of October 15, 2007)**

Steve McClenathan, SEIU Local 247  
Julio Solarsona, SEIU Local 87  
Bill Lloyd, SEIU Local 99  
Sue Weinstein, RN, SEIU Local 121RN  
Sharon-Frances Moore, SEIU Local 221  
Irving Rosenberg, SEIU Local 265  
Richard D. Castro, SEIU Local 280  
Kristy Sermersheim, SEIU Local 521  
Annelle Grajeda, SEIU Local 721  
James R. Hard, SEIU Local 1000 CSEA  
Damita Davis Howard, SEIU Local 1021  
Mike Garcia, SEIU Local 1877  
Simon Ahtaridis, SEIU Local 1957  
Liz Tiaz, SEIU Local 1983  
Sergio Sanchez, SEIU Local 2004  
Sal Rosselli, SEIU UHW - Local 2005  
Faith Culbreath, SEIU Local 2006  
Zev Kvitky, SEIU Local 2007  
Patrick N. Gantt, SEIU Local 2579  
Tyrone Freeman, SEIU Local 6434

**Attachment 2**

# CONSTITUTION & BYLAWS

## CALIFORNIA STATE COUNCIL OF SEIU, CtW, CLC

October 2007

### ARTICLE 1 – NAME

Section 1. This organization shall be known as the California State Council of the Service Employees International Union, CtW, CLC, also known as the SEIU California State Council, CtW, CLC, and shall be composed of Local Unions affiliated with the Service Employees International Union in the State of California. When the International Union creates new umbrella organizations that impact multiple SEIU Local Unions in California, such as the California property services council to be established pursuant to the Joint Report and Recommendations on California local union jurisdiction adopted by the SEIU International Executive Board in June 2006, this Constitution & Bylaws will be amended to reflect those changes.

### ARTICLE 2 – PURPOSE

Section 1. Purpose. The purpose of the Council is to build and exercise political power to grow the union, win for our members, and make SEIU the dominant political force in each of its industries in California.

Section 2. Objectives. The Council builds power to grow in our industries and win for our members by speaking with one voice so the full power of all our members can be applied to each priority and no one can divide us against ourselves; by coordinating SEIU's legislative, budget and other policy agendas, including managing and prioritizing our asks through an industry-focused planning process; by making SEIU's support and opposition the difference between winning and losing elections; and by giving voice to SEIU members in the political process by constantly expanding our members' involvement.

Section 3. Functions. To better achieve its purpose and objectives, the Council shall:

- a. Forge consensus among locals and their leaders on policy and political goals and priorities for SEIU in California through the Council's industry-based planning process;
- b. Engage registered lobbyists to advocate with one SEIU voice in the legislature, with boards and commissions, and in executive offices of state government for pro-worker laws and regulations based on the goals and priorities established by the Council (however, locals representing state employees may employ their own registered lobbyists and, in special circumstances the Council, based on a written policy outlining the responsibilities of locals and the Council in such circumstances, may approve the need of locals also to be represented by their own lobbyists);

- c. Coordinate issue campaigns engaging members and allies in support of policy goals and priorities established by the Council;
- d. Coordinate industry-based budget or issue campaigns;
- e. Advocate on retirement issues, including coordination with the SEIU Capital Strategies program;
- f. Set statewide standards and capacity goals that meet or exceed International Union standards for COPE, member involvement, voter registration and other areas, and create and support campaigns and programs to help locals meet or exceed their goals;
- g. Develop and execute effective strategies with our allies to win on state ballot measures and referenda affecting our members;
- h. Establish policies on endorsement procedures and forge consensus among locals on candidate and ballot issue endorsements;
- i. Elect pro-worker state candidates through direct contributions, independent expenditures and member education and involvement;
- j. Coordinate SEIU participation in federal elections with locals and the International Union;
- k. Coordinate SEIU participation in local elections when multiple SEIU locals are involved;
- l. Develop and support statewide alliances with other unions and community allies in the political arena, including coordination of SEIU participation in the California Labor Federation and Change to Win;
- m. Provide policy and research support on issue goals and priorities established by the Council; and
- n. Communicate SEIU's positions statewide and coordinate communications strategies with locals.

### **ARTICLE 3 – EXECUTIVE BOARD**

Section 1. Membership. The Executive Board shall consist of the President, Vice Presidents, and Executive Board Members.

Section 2. Selection. Executive Board members shall be elected at the regular Convention of the Council by the Convention delegates from the local they represent. A person need not be a delegate to the Convention in order to be elected as an Executive Board member. Each affiliated local is entitled to one Executive Board member for each 25,000 members or fraction thereof.

Section 3. Terms of Office. Executive Board Members shall serve four year terms, commencing with their election at the regular Convention and ending when the next regular Convention is convened.

Section 4. Vacancies. Vacancies on the Executive Board between regular Conventions shall be filled by vote of the Executive Board, upon recommendation by the Local Union that was represented by the Executive Board member who was responsible for the vacancy. Board Members filling a vacancy shall serve in office until the next regular Convention is convened.

Section 5. Meetings. The Executive Board shall meet at least twice annually. The Executive Board may meet at any time and place at the call of the President or at the request of Board Members representing one-third of affiliated locals. A quorum shall consist of at least one Board Member from a majority of affiliated locals. The Executive Board also may exercise its powers by having its members polled by telephone or in writing by the Executive Director.

Section 6. Duties. The Executive Board shall adopt and carry out the policies of the Council between Conventions. The Executive Board shall adopt an annual budget; review and approve an annual audit; endorse federal candidates for the House and Senate, state candidates, and state ballot measures; elect the President of the Council; fill vacancies in the office of President or Executive Board Member; employ the Executive Director; and act as a trial body to consider and, following a full and fair hearing, make final determinations concerning charges filed against Executive Board members for violation of an oath of office, gross disloyalty or conduct unbecoming a member, financial malpractice, engaging in corrupt and unethical practices or racketeering, and other bases contained in Article XVII, Section 1, of the International Union Constitution and Bylaws.

#### **ARTICLE 4 – EXECUTIVE COMMITTEE**

Section 1. Membership. The Executive Committee shall consist of the President and Vice Presidents of the Council.

Section 2. Selection. Vice Presidents of the Council shall be appointed by the President. Each affiliated local with 10,000 or more members is entitled to one Vice President. The President shall appoint as Vice President from each eligible local the Executive Board Member who is the principal executive officer representing her or his local on the Executive Board or, if the principal executive officer is not an Executive Board Member, the Executive Board member who is recommended to the President by the principal executive officer of the local. The President may not appoint a Vice President from her or his local.

Section 3. Terms of Office. Vice Presidents shall serve four year terms, commencing with their appointment following the regular Convention and ending when the next regular Convention is convened.

Section 4. Vacancies. Vacancies in the office of Vice President between regular Conventions shall be filled by appointment of the President, pursuant to Article 4, Section 2. Vice Presidents filling a vacancy shall serve in office until the next regular Convention is convened.

Section 5. Meetings. The Executive Committee shall meet at any time and place at the call of the President or at the request of Committee members representing one-third of affiliated locals represented on the Committee. A quorum shall consist of at least one Executive Committee member from a majority of affiliated locals. The Executive Committee also may exercise its powers by having its members polled by telephone or in writing by the Executive Director. A Committee member who is unable to attend a meeting may give her or his proxy to an Executive Board member from her or his local to act on their behalf at the meeting, provided the designated Board member has full authority to act for the local on all decisions before the Committee.

Section 6. Duties. The Executive Committee shall adopt and carry out the policies of the Council between Conventions and meetings of the Executive Board. The Executive Committee shall approve all expenditures for candidates and ballot measures, and may recommend policy and political priorities and an annual budget to the Executive Board. The Executive Committee also may approve adjustments to the budget and act on policy and political priorities between meetings of the Executive Board. The Executive Director shall report on actions taken by the Executive Committee at each meeting of the Executive Board.

#### **ARTICLE 5 – PRESIDENT**

Section 1. Selection. The President shall be elected by vote of the Executive Board from among its members at its first meeting following the regular Convention.

Section 2. Term of Office. The President shall serve one four year term, which will end upon the election of a new President.

Section 3. Vacancy. A vacancy in the office of President shall be filled by vote of the Executive Board. The President elected to fill a vacancy shall serve until the next President is elected by vote of the Executive Board at its first meeting following the next regular Convention.

Section 4. Duties. The President shall preside at all meetings of the Council, unless otherwise determined. The President shall appoint the Vice Presidents of the Council as provided in Article 4. The President shall appoint all Committees, as provided in Article 6. The President also shall perform such other duties as may be determined by the Executive Board or the Executive Committee.

#### **ARTICLE 6 – COMMITTEES**

Section 1. The President shall appoint all committees as are necessary for the work of the Council, subject to approval of the Executive Board or the Executive Committee between meetings of the Executive Board, and shall serve as an ex-officio member of all committees.

Committees may not obligate the Council or its resources without the express approval of the Council as provided for in these Bylaws.

#### **ARTICLE 7 – CONVENTION**

Section 1. Representation. Each affiliated local in good standing is entitled to four delegates to the Convention for up to ten thousand (10,000) members. Each affiliated local also may select one additional delegate for each additional five thousand members (5,000), or major portion thereof, not to exceed a total of 22 delegates.

Section 2. Delegate Selection. Convention delegates shall be selected in accordance with the local's methods and procedures as set forth in the Local's Constitution and Bylaws and in accordance with any applicable law. The names of delegates shall be certified by the chief executive officer of the Local Union and transmitted to the Executive Director no later than seven days prior to the Convention.

Section 3. Meetings. A regular Convention shall be held once every four years during the calendar year following the year in which an election for President of the United States is held. The Executive Board may vote to authorize a Special Convention. The Executive Director shall set the date and place of each Convention at the direction of the Executive Board. Local unions shall be notified of the time, date and location of a Convention in writing no less than thirty days in advance of the Convention. At least one delegate from a majority of the affiliated locals shall be present in order to constitute a quorum for the transaction of all business at a Convention.

Section 4. Duties. The Convention shall elect Executive Board members, as provided in Article 3, Section 2; approve amendments to this Constitution and Bylaws, as provided in Article 13; and adopt policies and programs consistent with the purpose of the Council as provided in Article 2.

#### **ARTICLE 8 – VOTING IN MEETINGS AND CONVENTIONS**

Section 1. Majority Vote. All decisions made in meetings and Conventions of the Council shall be by majority vote, except as provided in Article 12, Section 3.

Section 2. Per Capita Voting. A per capita vote may be called for at any State Council meeting by 25% of those in attendance. Each affiliated local's vote shall be based on the average full per capita equivalent (excluding associate members, life members and agency fee payers when electing officers) paid the preceding six months or, in the case of a local affiliated for less than six months, as determined by the Executive Board or by the Executive Committee when the Executive Board is not meeting. When a local is represented by two or more officers or delegates at a meeting of the Council, the per capita votes of the local shall be divided equally among the officers or delegates present.

## **ARTICLE 9 – EXECUTIVE DIRECTOR**

Section 1. Appointment. The Executive Director shall be appointed by the Executive Board upon the recommendation of the Executive Committee.

Section 2. Duties. The Executive Director is the chief executive officer of the Council. The Executive Director shall carry out the policies, programs and directions of the Council as adopted in Convention and by the Executive Board and Executive Committee. The Executive Director shall represent the Council before elected officials, government agencies and other entities; manage the operations of the Council staff, including the selection, supervision and removal of staff; and shall serve as the chief financial officer of the Council responsible for managing its finances as directed by the Executive Board and the Executive Committee.

## **ARTICLE 10 – EXPENSES**

Section 1. Officers shall serve without compensation. Officers and employees of the Council may be reimbursed from Council funds for any and all expenses incurred while in the service of the Council upon proper authorization by the Executive Board or the Executive Committee.

## **ARTICLE 11 – PROTECTION AGAINST PERSONAL, COUNCIL LAWSUITS**

Section 1. In the event a suit is brought against the State Council or any of its officers or employees, funds of the State Council may be expended to the extent permitted by law for all legal costs of the Council, its officers or employees in defense of such lawsuit, including attorneys' fees, court costs and investigative expenses. In the event any officer or employee of the State Council is held personally liable, either by way of judgment, compromise or settlement arising out of a lawsuit against such officer or employee regarding the performance of duties on behalf of the State Council, the funds of the State Council may be expended to satisfy such judgment, compromise or settlement to the extent permitted by law.

## **ARTICLE 12 – REVENUES**

Section 1. Per Capita. The per capita tax of the Council shall be approved by majority vote of the Executive Board. Any change of the per capita tax shall be adopted by two majority votes of the Executive Committee. The first majority vote shall be followed by a written notice sent by the Executive Director informing all locals of the proposed change. The second majority vote of the Executive Board to approve the proposed change shall not occur sooner than thirty (30) days after notice was sent to the locals.

Section 2. Required Per Capita. The number of local per capitas paid to the Council each month shall be identical to the number of per capitas paid to the International Union for the same month.

Section 3. Assessments. The Executive Board shall approve any assessment in addition to the per capita tax by two two-thirds votes. The first two-thirds vote shall be followed by a written notice sent by the Executive Director informing all locals of the proposed assessment. The second two-thirds vote of the Executive Board to approve the proposed assessment shall not occur sooner than thirty (30) days after notice was sent to the locals.

Section 4. Authorization to Raise and Expend Funds. The State Council, its officers and employees, may raise revenue by any other lawful methods or procedures, and all monies derived from any such other manner or procedure shall be deposited in an appropriate account of the Council as determined by the Executive Board. All funds shall be expended for any expenditures and objectives as authorized by this Constitution and Bylaws.

Section 5. Good Standing. For a Local Union to be considered in good standing, per capita tax must be paid by each Local Union to the Council before the end of the month following the month in which the local union received dues or other payments on account of which per capita tax is payable to the Council. Any Local Union of the State Council which shall become two months in arrears for per capita tax or other indebtedness shall be notified on the first day of the third month and, if it fails to pay, it shall be suspended on the fifteenth day following the date of notification. No suspended Union shall be entitled to any rights or privileges granted under this Constitution and Bylaws, and the International Union shall be advised of such suspension.

#### ARTICLE 13 - AMENDMENTS

Section 1. Approval. This Constitution and Bylaws may be amended by majority vote at any Convention or by a two-thirds vote of the affiliated Unions at any time between Conventions by written ballot conducted by the Executive Director.

Section 2. International Union. No amendments shall be valid or become effective until approved by the International Union. The Constitution and Bylaws of this Council shall at all times be subordinate to the International Constitution and Bylaws. If any conflict should arise between the Constitution and Bylaws of this Council, or any amendments thereto, and the International Constitution and Bylaws, the provisions of the International Constitution and Bylaws shall be controlling.

