

Local 176-Licensed Ushers & Ticket Takers Union

Constitution, By-Laws, & Code of Ethics

ARTICLE I

Name

This organization shall be known as The Licensed Ushers and Ticket Takers, SEIU Local 176, of the Service Employees International Union.

ARTICLE II

Membership

Section 1. This Local union shall have such jurisdiction as granted and approved from time to time by the International Union in accordance with the International Constitution and Bylaws.

This Local Union shall be composed of and have jurisdiction over licensed ushers and ticket takers who are employed in the operation of sports arenas, ball parks, stadia and sports centers, convention centers, located in New York City or Nassau County.

Section 2. The object of this Local Union shall be to develop a closer union and more complete organization of all wage earners under its jurisdiction, and to assist its members in obtaining adequate compensation for their labor and the general improvement of the conditions under which they work. It shall be the object and duty of this Local Union to organize within its jurisdiction completely and fully. This Local Union shall, as an affiliate of the International Union, carry out all of the objects and purposes of the International Union.

ARTICLE III

Membership V

Section 1. Any person employed in any employment over which this union claims or exercises jurisdiction shall be eligible to be considered for membership.

Section 2. This Local Union can, with the approval of the International Union, establish different categories of membership and rates of dues for persons represented and not represented by this Local Union for collective bargaining purposes including retired members and associate members.

Section 3. No member shall discriminate or advocate discrimination against any other member on the basis of race, creed, color, religion, sex, sexual orientation, national origin, citizen status, marital status, ancestry, age, or disability.

Section 4. Newly elected members before being admitted to membership shall subscribe to the Membership Obligation set forth in the International Constitution and Bylaws.

Section 5. Every member by virtue of his or her membership in this local Union, is obligated to adhere to and follow the terms of the International Constitution, this local Constitution and the working rules promulgated in accordance to this Constitution with respect to his or rights, duties, privileges and Immunities by them and by statute. Each person shall carryout such duties and obligations and shall

not interfere with the rights of fellow members.

Section 6. Every member by virtue of his or her membership in this Local Union, authorizes this local union to act as his or her exclusive bargaining representative with full and exclusive power to execute agreements with his or her employer governing terms and conditions of employment and to act for him or her and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of his or her employment. With such employer, in such manner as this Local Union or its officers deem to be in the best interest of this Local Union.

This Local Union or its officers, business representatives or agents may decline to process any such grievance, complaint, difficulty or dispute, if in their discretion and judgment such grievance, complaint or dispute lacks merit.

Section 7. No member shall interfere with the elected officers or business representatives or business agent of this organization in the performance of their duties and each member shall, when requested, render such assistance and support in the performance of such duties as may be required of him or her, provided that this does not interfere with his or her individual rights as a member. Each member shall adhere to the terms and agreement of the pertinent collective bargaining agreement and shall refrain from any conduct that would interfere with the performance of this Local Union of its legal or contractual obligations.

Section 8. No member shall engage in dual membership or espouse dual unionism or disaffiliation in the course of any meeting, or shall slander or libel this Local Union, its members, or officers, and shall not be a party to any activity to secure the disestablishment of this Local Union as the collective bargaining agent for any employee.

Section 9. No member shall be permitted at any assembly or meeting of members, to engage in any of the conduct heretofore described. No person shall be admitted to membership unless he/she shall be at least eighteen years of age and known personally by one member in good standing.

Section 10. All head ushers and their assistants are invited to join, provided they are on a per diem basis and not on a yearly salary.

Yearly salary.

ARTICLE IV

Section 1. Officers

The Officers shall be a President, a Vice-President, a Secretary-Treasurer, a Recording Secretary, a Business Agent, and a Sergeant-at-Arms.

Section 2 — Trustee

There shall be a Trustee who shall be elected by the membership.

Section 3 – Executive Board

There shall be an Executive Board consisting of the President, Vice-President, Secretary-Treasurer, Recording Secretary, and five (5) members of the Local Union, who shall be elected by the membership.

Section 4 — Term of Office

The term of office for all officers and members of the Executive Board shall be three (3) years and the officers and members of the Executive Board shall hold office until their successors are duly elected and installed.

ARTICLE V

Section 1. —Duties of the President

- (a) He/she shall preside at all meetings of the members and of the Executive Board and generally perform the duties pertaining to his/her office. He/she shall have supervision over all organization work in conjunction with the Business Agent, and whenever he/she deems necessary, shall conduct all negotiations with Employers involving Union business. He/she shall appoint all committees. he/she shall, subject to the approval of the Executive Board, decide all questions on the scale of wages.
- (b) He/she shall have the power to suspend any employee for neglect of duty, or malfeasance in office, and in case of defalcation or misappropriation of funds he/she shall file claims on any surety bonds which shall be required under this Constitution.
- (c) He/she shall be a member ex officio of all committees. He/she shall designate counsel for all appeals made by the Local Union to the International Union. He/she shall countersign all vouchers issued by the Treasurer and execute all contracts. He/she shall appoint all delegates to labor bodies with which this Local Union may affiliate except delegate to the New York State Federation of Labor who shall be elected by the membership, and except further for delegates to the International Convention, inasmuch as the International Convention shall consist of duly elected delegates from their Local Union and none but duly elected delegates elected in accordance with the laws of the International] Union shall be eligible to represent any Local Union at the International Convention or be entitled to vote. He/she shall call such special meetings as he/she in his/her judgment may deem necessary.

Section 2. Duties of the Vice—President

In case of the death, resignation or disability of the President, the Vice-President shall assume all the duties of the President until his/her successor shall have been elected at the next general election.

Section 3. — Duties of the Financial Secretary—Treasurer

The Financial Secretary—Treasurer shall be responsible for all financial records and transactions. The

Financial Secretary- Treasurer shall collect all dues and other revenues of this Local Union and issue official receipts of same, and notify all suspended members two (2) months in arrears of the amount of their indebtedness.

The Financial Secretary Treasurer shall send to the International Union an accurate record of all dues payments and other revenue. He or she shall forward to the International Secretary-Treasurer of the International Union and to any state council with which this local is affiliated the correct names and addresses and Social Security numbers (including e-mail addresses and phone number, if available) of all members initiated or readmitted, and of all other persons from whom revenue is derived, as well as those suspended for non-payment of dues or for any other cause. Also a correct list of those who take transfer or withdrawal cards and other membership information as specified by the International Executive Board. The proper zip code shall be included for each address. Beginning in 2006, the Financial Secretary-Treasurer shall forward to the International Secretary-Treasurer, by April 1 of each year, information and supporting documentation showing the average gross wage rate its membership for the previous year.

The Financial Secretary-Treasurer shall submit his or her books and receipts to the Trustees for their audit and approval when called upon to do so, and at the expiration of his or her official term of office shall turn over to his or her successor all moneys and property of the Local Union that may be in his or Possession.

All funds shall be deposited in a bank in the name of the Local Union, subjects to an order signed by the President and the Financial Secretary-Treasurer.

The Financial Secretary-Treasurer shall keep all membership records and application cards, and a record of all members admitted by initiation or otherwise, as well as rejections and suspended or expelled members. The Financial Secretary-Treasurer shall send to the International Union an accurate record of all dues payments and other revenue, and he or she shall forward to the International Secretary—Treasurer of the International Union the correct names and addresses and Social Security or Social Insurance numbers of all members initiated or readmitted, and of all other persons from whom revenue is derived, as well as those suspended for nonpayment of dues or for any other cause; he or she shall also forward a correct list of those who take transfer or withdrawal cards. The proper Zip code shall be included for each address.

The Financial Secretary Treasurer shall promptly forward to the International Secretary-Treasurer copies of all annual audit reports and copies of all financial reports setting forth a statement of assets and liabilities and a statement of receipts and disbursements which are required by law.

Section 4. Recording Secretary

It shall be the duty of the Recording Secretary to keep a correct and impartial account of the proceedings of each meeting of the Local Union and Executive Board. The Recording Secretary shall furnish the chairperson of each committee a copy of such resolutions as may be adopted by the Local Union, applicable to its respective duties. The Recording Secretary shall notify the International Union of the names and addresses (with Zip codes) of all officers elected to office within fifteen (15) days after the election. The Recording Secretary shall, on behalf of the Local Union, receive all official communications and correspondence except that addressed to the Financial Secretary-Treasurer.

Section 5- Duties of Business Agent

He/she shall attend to all Local Union business between the regular meetings subject, however, at all times to the orders of the President and the Executive Board.

Section 6 – Duties of the Sergeant-at-Arms

He/she shall assist the President or other presiding officer in maintaining order at all membership meetings. He/she shall inspect all dues books of members before admitting them to meetings, and shall perform all other duties required of him/her by the President or other presiding officer.

Section 7 — Duties of the Trustees

He/she shall examine into and report to the membership the financial condition of the Local Union at least once every year. He/she shall have the right at all reasonable times to inspect all books of accounting and all records.

Section 8 Duties of the Executive Board

(a) The Executive Board shall meet at least bi – monthly, however special meetings may be called by the President at any time at his/her direction.

(b) A majority of the members of the Board shall constitute a quorum necessary for a meeting of the Board.

(c) The Executive Board shall be the governing board and shall have the power to act upon all questions referred to it by the President in addition to its powers and duties contained in this Constitution.

(d) The decision of the Board shall in all matters and things be final and conclusive unless overruled by a majority vote of the members present at the regular meeting of the Local Union.

(e) Decisions of the Executive Board shall be made upon a majority vote of those present.

Section 9 Shop Chairperson

(a) The members employed in arenas, stadia and similar centers over which the Local Union has jurisdiction shall elect one of their members to serve as Shop Chairperson for a period of one year, subject to removal by the Executive Board.

(b) He/she may examine dues books and demand immediate payment to the office of the Local Union from those members who shall be in arrears. Any member who shall, without just cause, refuse to exhibit his/her dues book upon demand shall be ordered to appear before the Executive Board.

(c) The Shop Chairperson shall at all reasonable times see that all rules and regulations of the Local Union are faithfully observed.

Section 10 – Bonding

All officers and employees handling any moneys of this Local Union shall be bonded in the amounts and the form required by applicable statutes, said bond or bonds to be procured immediately upon

assuming office or employment, the premiums to be paid for by this Local Union. The International Secretary-Treasurer of the International Union may direct the increase or decrease in the amount of the bond when he or she deems it advisable and may direct bonding of any Local Union not required by statute to obtain a

ARTICLE VI

Initiation Fees, Dues and Assessments

Section 1. The revenues of this Local Union shall be derived from initiation fees, monthly fees, monthly dues, fines and assessments, agency shop or service or fair share fees, associate member dues, and such other sources as may be approved by the Executive Board.

Section 2. - Initiation Fees

The initiation fee shall be Three Hundred Dollars plus three (3) months dues in advance, and may be adjusted from time to time by a majority vote by secret ballot of the members present at a regular or special meeting.

Section 3. The dues of this Local Union shall be \$20.00 a month. Each member must pay the dues or assessments of this Local Union on or before the last day of the month in which the same are due and the Local Union must remit the member's per capita tax to the International Union not later than the last day of the month following the payments by the member.

The minimum dues of all members of any Local Union shall be ten dollars (\$10.00) per month except that by action of a Local Union they may be reduced to not less than two dollars and fifty cents (\$2.50) per month for retired members and organizing committee members and two dollars (\$2.00) per month for associate members.

For Local Unions employing a percentage dues system, the minimum dues of all members of any Local Union shall be one percent (1%) of gross monthly salary per month or ten dollars (\$10.00) per month, whichever is greater, except that by action of a Local Union dues may be reduced for retired members, organizing committee members and associate members.

The International President, with the approval of the International Executive Board, may waive these requirements for such period as he or she deems advisable as long as such waiver does not, in his or her judgment, impair the ability of the Local Union to properly represent its members.

All dues, whether below, at or above the minimum of ten dollars (\$10.00) shall be increased by no less than one dollar (\$1.00) no later than September 1, 1992, unless otherwise determined by the International President.

All dues, whether below, at or above the minimum of (\$10.00) shall be increased by no less than one dollar (\$1.00) no later than September 1, 1993, unless otherwise determined by the International President.

All dues, whether below, at or above the minimum of ten dollars (\$10.00) shall be increased by no less than one dollar (\$1.00) no later than September 1, 1995, unless otherwise determined by the International President.

Section 4. Any member failing to pay dues and assessments of the Local Union on or before the last day of the month in which the same are due shall stand automatically suspended from membership in this Local Union, and from all rights and privileges of such membership. Any suspended member may be readmitted to membership within thirty (30) days after automatic suspension upon payment of back and current dues, but in no event shall such readmission restore any privileges, death gratuities or other benefits. Any member who has been in suspension for a period greater than thirty (30) days can be readmitted upon the payment of a readmission fee of \$25.00 in addition to the amount of dues, fines, and assessments owed, but in no event shall such readmission restore any privileges, death gratuities or other benefits.

Section 5. All members of the Local Union are under a positive duty to see that their dues are paid on or before the last day of the month in which the same are due at the office of the Local Union.

Section 6. The failure of a steward or any officer of the Local Union to appear or to collect the dues shall not in any manner excuse the member from his or her obligations to pay his or her dues on or before their due date at the office of the Local Union.

Section 7. A suspended member who pays his or her back dues and assessments shall from the date of such a payment, be considered the same as a new member.

Section 8. At his or her request, a member may be issued a withdrawal card provided all of his or her dues and assessments shall have been paid to the date of his or her application for such Withdrawal card.

Section 9. A member taking out a withdrawal card from this Local Union shall be entitled to no benefits of any kind. A withdrawal card shall become null and void two years after its issuance.

Section 10. Any increase in the rate of dues or initiation fees or the levying of any general or special assessment which has not been mandated by a Convention of the International Union shall, when required by applicable law, be made only in accordance with the following procedure:

- (a) Reasonable notice shall be given by the Financial Secretary-Treasurer to the membership at least fifteen (15) days prior to the meeting at which the membership will consider the question of whether or not such dues, initiation or reinstatement fees, general or special assessment, shall be changed or levied. The notice shall indicate that an increase or assessment is to be voted on. Such meeting may be regular or special.
- (b) At the regular or special meeting called as provided for in this section, voting shall be by secret ballot of the members in good standing.
- (c) A majority vote by secret ballot of the members in good standing voting at such meeting shall decide the issue.

Section 11. This Local Union shall pay per capita tax to the International Union for any person from whom the Local Union receives revenue, whether called dues or otherwise. This Local Union shall likewise pay any other obligations due to the International Union, and it shall have no right to pay any bill before it pays its full obligations to the International Union each month.

Section 12. All records of this Local Union pertaining to income, disbursements and financial transactions of any kind whatsoever must be kept for a period of at least six (6) years, or longer if required by applicable law.

Section 13. Neither this Local Union nor any subdivision thereof, nor members or groups of members, including councils, conferences, leagues, clubs or any other association composed of members of this Local Union, or subdivision thereof, shall in any manner, directly or indirectly, use, exploit or trade upon the name of the International Union, or affiliated body, or this Local Union, or any similar name or designation; nor in the name of the International Union, or affiliated body, nor in the name of this Local Union, levy or collect any taxes, dues, or other moneys; nor in the name of the International Union, or affiliated body, nor in the name of this Local Union, conduct any affair or any other activity, for the purpose of raising funds, including programs or soliciting advertising in any publication, either directly or indirectly, without first obtaining written permission from the International President of the International Union.

All of the aforesaid matters covered by this section, including without limitation, funds, solicitations, gifts and donations, collected in the name of the International Union, shall at all times be subject to audit by the International Union, and all books, records, and documents pertaining to matters covered by this section shall be available for inspection, copying and audit by the International Union.

ARTICLE VII

Section 1 – Charges

PREAMBLE: In order to ensure members protection from the filing of frivolous charges, the following procedures shall apply:

- (a) Any charge preferred against any member, officer, trustee or member of the Executive Board must be in writing duly witnessed and contained a plain and concise statement of the material facts. Any such charge must be submitted to the President, provided, however, that if the charge is directed against the President, it shall be submitted to the Recording Secretary. The charges must specify the events or acts which the charging party believes constitutes a basis for charges and must state which subsection(s) of Section 1 of this Article or Section 1 of Article XVII of the International Constitution the charging party believes has been violated. If the charges are not specific, the trial body may dismiss the charges either before or at a hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Section. No charges may be filed more than six months after the charging party learned, or could have reasonably learned, of the act or acts which are the bases of the charges.

- (b) It shall be the duty of the President or Recording Secretary as the case may be, to present the charge to the Executive Board at its next regular or special meeting. The Executive Board shall provide for and hold a trial of said charge.
- (c) The Recording Secretary shall give to all parties involved not less than ten (10) days written notice of the time and place of the trial. The notice shall contain a clear and concise statement of the charge together with a duplicate copy of the charge itself. If the party against whom the charge shall have been preferred shall fail to appear, a hearing may take place, or the charge may be dismissed. The trial or hearing on the charge shall be held not less than ten (10) days from the date the charges are served upon the accused.
- (d) Any member under charges may have another member of the Local Union act as counsel, to represent him/her in the presentation of his/her defense.
- (e) Charges and the basis for charges shall be governed by the provisions of the Constitution and Bylaws of the International Union.

Section 2 Penalties

The trial body, after requisite due process has been afforded, may impose such penalty as it deems appropriate and as the case requires.

Where the penalty of a fine is imposed, it shall provide for its payment to the Local Union. If the penalty consists only of a fine and an appeal is filed, the accused may deposit such fine (but such deposit need not exceed the sum of \$100.00) with the Local Union or the International Union pending the outcome of the appeal and thereupon the accused shall be restored to all rights of membership. If the decision is reversed the fine shall be refunded.

Section 3 - Appeals

An appeal taken from the decision of the Executive Board after ratification by a majority of the members present at a regular or special meeting shall be in accordance with Article VII, Section (4) as follows.

Every member or officer of this Local Union against whom charges have been preferred and disciplinary action taken agrees, as a condition of membership or affiliation and the continuation of membership or affiliation, to exhaust all remedies provided for in the Constitution and Bylaws of the International Union and the Local Union and further agrees not to file or prosecute any action in any court, tribunal or other agency until those remedies have been exhausted.

ARTICLE VIII

Section 1 — Strikes and Lockouts

- (a) In the event of a controversy between members and an employer which may result in a strike or lockout, the Shop Chairman shall notify the Business Agent who shall proceed in person to investigate the cause of the dispute and endeavor to make whatever adjustments may be necessary to avert a strike or lockout.
- (b) If the Business Agent is unable to settle the controversy, he/she shall request the President to present the matter at a regular or special meeting of the Executive Board. If the Employer refuses to abide by the decision of the Executive Board, the President shall call a special meeting to inform the members of the action taken.
- (c) A majority vote of the members present at such meeting shall finally determine the matter provided, however, that if a strike is necessary to enforce any decision of the Executive Board, permission and approval must first be obtained from the International Union in accordance with Article XI of the International Constitution and Bylaws, before such strike shall be declared.
- (d) Nothing contained in this section shall prohibit the business Agent, subject to the provisions of any applicable collective bargaining contract, as well as to the provisions of the Constitution and Bylaws of the International Union, from ordering a member to stop work provided, however, that the Business Agent shall at all times exercise due care to avoid a strike or lockout. The Business Agent shall be held responsible for issuing any such order and must submit a full report of the matter to the Executive Board.

Section 2 — Strike Committee

When a strike is ordered, as provided in Section 1 of this Article, the President and Business Agent together with the Executive Board shall constitute a Strike Committee shall keep an accurate and complete list of members on strike or lockout.

Section 3 — Financial Assistance

- (a) The Strike Committee may in its discretion extend financial assistance to any member who shall be on strike or lockout as the case may be. All payments for such assistance or for any other purpose in connection with strikes or lockouts shall be paid by the Secretary-Treasurer or vouchers signed by the President.
- (b) The decision of the Strike Committee shall be binding unless overruled by a majority vote of the members present at a regular or special meeting of the Local Union.

Section 4 — Assessments

Assessments shall be levied only by a two-thirds vote of the members present at a regular or special meeting, and are payable before dues, in the same manner as is provided for the rate of dues or initiation fees in Article VI, Section 10.

ARTICLE IX

Section 1 — Meetings

Regular business meetings shall be held bi-monthly at such time and place as shall be designated by the President. Each member shall be notified thereof not less than five (5) days prior to the date of each meeting, except for special meetings which may be called on three (3) days' notice.

Section 2 — Quorum

Seven (7) members in good standing shall constitute a quorum necessary to conduct business at a regular meeting.

ARTICLE X

Section 1 — Salaries

(a) The President, the Secretary-Treasurer, the Recording Secretary and the Business Agent shall be the only paid officers.

(b) The amount of their compensation shall be recommended by the Executive Board and approved by a majority of the members at a regular meeting.

ARTICLE XI

Section 1. Nominations and Elections

(a) Nominations for office shall be made at a special meeting called for that purpose on the last Saturday in April.

(b) No member shall be nominated for any office unless he/she shall be actually present at such special meeting. Every nomination made by a member shall be seconded by another member. A member nominated for any office shall have his/her name placed on a list together with the title of the office for which he was nominated. The Recording Secretary shall have the complete list printed, and the same shall constitute the official ballot.

(c) The regular elections shall be held the third Saturday in May. Voting will be conducted by Mail Ballot. The entire voting process will be facilitated by an external agency chosen by the Executive Board, in conjunction with the Election Committee. Once the Nominations Process is Complete, the Recording Secretary will submit the Ballot to the process facilitator together with the membership mailing list. The Facilitator will send each member a ballot, together with instructions on how to complete and a submission deadline. A Self Addressed Stamped Envelope, for purposes of returning the ballot, will be included in the package to each member. Voting results will be reported to the Executive Board and Election Committee no later than 10 days after the Voting Deadline. No person shall be eligible for office in this International Union who has not been a member in continuous good standing for at least two (2) years immediately preceding his or her election in Local Unions chartered by this International Union or any labor organization which becomes affiliated with this International Union. No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in

Canada) shall in accordance with the provisions of applicable law be eligible to hold office in this International Union.

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(d) Retired members and life members paying less than the full dues required for working members of the Local Union shall not be eligible for nomination as an officer, member of the Executive Board, delegate, or any other office in the Local Union.

(e) All elected members shall take office July 1st for a period of three years.

(f) No Candidate (including prospective candidates) for any office in this Local Union or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of the International Union.

Section 2 — Election Committee

The preparation of the ballots and the conduct of all elections shall be held under the supervision of a Committee of Elections composed of five (5) members who shall not be candidates for any office at elections. The Committee may make rulings on challenges and on all matters involving the conduct of the election and the polling of the vote. The decision on any question by a majority of the Committee shall be final and conclusive, unless overruled by a majority vote of the members present at a regular meeting of the Local Union.

Section 3 — Officers Elect

All newly elected officers before entering upon the discharge of their duties shall subscribe or assent to the installation obligation as prescribed by the Constitution and Bylaws of the Service Employees International Union. The newly elected officers shall take office on the first day of July following the election.

Section 4 — Death, Removal, or Resignation of Officers

Upon the death, resignation, or removal for cause of any officer, it shall be the duty of the President to appoint an officer in the interim and at the next regular meeting after such death, removal, or resignation, to order an election to fill such vacancy.

ARTICLE XII

Section 1 – Amendments

Section 1. The Constitution and Bylaws of this Local Union may be amended by a two-thirds (2/3) vote at any regular meeting of this Local Union, provided the amendment to be voted on has been presented in writing by not less than six (6) members in good standing to the recording secretary to be read at a regular or special meeting, and read at a second regular or special meeting at which time action is taken. No amendment shall be valid or become effective until approved by the International Union.

Section 2. The Constitution and Bylaws of this Local Union shall at all times be subordinate to the International Constitution and Bylaws, as it may be amended. If any conflict should arise between the Constitution and Bylaws of this Local Union, or any amendments thereto and the International

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Constitution and Bylaws, or any amendments thereto, the provisions of the International Constitution and Bylaws shall control.

ARTICLE XIII

Procedure and Debate

The meetings of this Local Union shall be governed by the manual of common procedure, rules of debate, and order of business set forth in the Constitution and Bylaws of the International Union. Every member shall follow and be subject to such rules governing debate at all meetings of this Local Union.

ARTICLE XIV

Collective Bargaining

Section 1. The authority to bargain collectively for the Local Union shall be vested in a Negotiating Committee which shall consist of one (1) officer and not less than three (3) elected members, subject to the mandate of the membership.

Section 2. The results of any collective bargaining negotiations shall be subject to ratification by the members affected.

Section 3. The international Union shall be notified in writing when any collective bargaining negotiations or memoranda of understanding have been concluded and be advised of the number of employees covered and the expiration of the contract.

Section 4. A true copy of all collective bargaining agreements and contracts entered into by this Local Union shall, immediately upon execution, be filed with the International Department of Research.

Section 5 – Interpretation

Whenever the male gender such as he or him is used it shall be deemed to include the female gender such as she or her.

ARTICLE XV

Affiliations

This Local Union shall affiliate with the Central Labor Body and the State Federation of Labor, where these exist, and with the appropriate Service Employees Joint Council, Conference, Division or Service Council, as determined by the International Union and in accordance with the procedures contained in ARTICLE XXV of the International Constitution and Bylaws.

ARTICLE XVI

Committees

Section 1. The Executive Board of this Local Union shall appoint a Civil and Human Rights Committee to assist it in carrying out the civil and human rights programs and policies of the International Union.

Section 2. The Executive Board of this Local Union shall appoint a Committee on political Education to assist it in carrying out a program for sound political education and political action and encouraging its members and their families to register and vote. No Local Union shall establish its own registered federal political action committee or any political candidates fund for contributions in connection with federal elections, provided, however, that the International President may in his or her discretion waive this provision or establish such conditions as the International President may deem necessary.

Section 3. The Executive Board of this Local Union shall appoint a Senior members Committee to assist it in developing a program for senior members and retired members.

Section 4. The Executive Board of this Local Union shall appoint an Organizing Committee to assist it in developing organizing programs for this Local Union.

Section 5. The International Secretary—Treasurer shall be notified promptly by each Local Union of the composition of the Civil and Human Rights Committee, the Committee on Political Education, the Senior Members Committee, and the Organizing Committee.

ARTICLE XVII

Section 1 - Approval of International

This Constitution and Bylaws shall become effective only upon approval by the International Union.

Section 2 — Interpretation

The ultimate source of interpretation of this Constitution and Bylaws shall be as provided for in the International Constitution and Bylaws. In the event any grievance or situation arises which is not provided for therein, the matter shall be determined by the International president of the Service Employees' International Union or the International Executive Board, or the International Convention.

ARTICLE XVIII

Section 1 — Duration

This Local Union cannot dissolve, secede or disaffiliate while there are seven (7) dissenting members. In the event of secession, dissolution or disaffiliation, all properties, funds and assets, both real and personal, of this Local Union shall become the property of the International Union. Under no circumstances shall this Local Union distribute its funds, assets or properties individually among its membership.

Section 2 - Property Rights

Membership in this organization shall not vest any member with any rights, title or interest in or to the funds property or other assets of this Local union, now owned and possessed or that may hereafter be acquired, and each member hereby expressly waives any right, title or interest in or to the property of this Local Union, including the funds of this Local Union.

The title to all property, funds and other assets of this Local Union shall at all times be vested in the local Executive Board for the joint use of the membership of this Local Union, but no member shall have any coverable. Proprietary right, title or interest therein.

ARTICLE XIX

Section 1 — International Constitution
and Bylaws

The Constitution and Bylaws of this Local Union shall at all times be subordinate to the International Constitution and Bylaws, as amended. If any conflict should arise between the Constitution and Bylaws of this Local Union, or any amendment thereto, and the International Constitution and Bylaws or any amendments thereto, the provisions of the International Constitution and Bylaws shall control.

SEIU MEMBER BILL OF RIGHTS AND RESPONSIBILITIES ON THE JOB

The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe working environment, and the maximum possible employment security.

The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term planning by one's employer as well as the training necessary to take part in such planning.

The right to fair and equitable treatment on the job.

The right to share fairly in the gains of the employer.

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The responsibility to participate fully in the union's efforts to expand the voice of workers on the job.

The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

The right to participate fully in the work of the union on the scope, content and structure of one's job.

The responsibility to participate in the union's efforts to establish and uphold collective principles and values for effective workplace participation.

The responsibility to recognize and respect the interests of all union members when making decisions about union goals.

The responsibility to be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry.

The responsibility to participate fully in the union's efforts to expand the voice of workers on the job.

The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

SEIU MEMBER BILL OF RIGHTS AND RESPONSIBILITIES IN THE UNION

The right to have opinions heard and respected, to be informed of union activity, to be educated in union values and union skills.

The right to choose the leaders of the union in a fair and democratic manner.

The right to a full accounting of union dues and the proper stewardship over union resources.

The right to participate in the union's bargaining efforts and to approve union contracts.

The right to have members' concerns resolved in a fair and expeditious manner.

The responsibility to help build a strong and more effective labor movement to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers.

The responsibility to be informed about the internal governance of the union and to participate in the conduct of the union's affairs.

The responsibility to contribute to the support of the union.

The responsibility to treat all workers and members fairly.

I also pledge that I will work to the best of my ability to provide effective and reasonable leadership to the members I am privileged to represent.

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DEBATE

The following rules shall be used to govern debate unless the Local Union has adopted its own rules or regulations:

Rule 1. The regular order of business may be suspended by a vote of the meeting at any time to dispose of urgent business.

Rule 2. All motions (if required by the chair) or resignations must be submitted in writing.

Rule 3. Any conversation, by whispering or otherwise, or any other activity which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business shall be deemed a violation of order.

Rule 4. Sectarian discussion shall not be permitted in the meetings.

Rule 5. A motion to be entertained by the presiding officer must be seconded, and the mover as well as the seconder must rise and be recognized by the chair.

Rule 6. Any member having made a motion can withdraw it with consent of the seconder, but a motion once debated cannot be withdrawn except by a majority vote.

Rule 7. A motion shall not be subject to debate until it has been stated by the chair.

Rule 8. A member wishing to speak shall rise and respectfully address the chair, and if recognized by the chair, he or she shall be entitled to proceed.

Rule 9. If two or more members rise to speak, the chair shall decide which is entitled to the floor.

Rule 10. Any member speaking shall be confined to the question under debate and avoid all personal, indecorous or sarcastic language

Rule 11. Attending meetings under the influence of liquor or any controlled substance not lawfully prescribe is basis for removal.

Rule 12. No member shall interrupt another while speaking, except to a point of order, and the member shall definitely state the point, and the chair shall decide the same without debate.

Rule 13. Any member who is called to order while speaking shall be seated until the point of order is decided, after which, if decided in order, such member may proceed.

Rule 14. Any member who feels personally aggrieved by a decision of the chair may appeal such decision to the body.

Rule 15. When an appeal is made from the decision of the chair, the Vice President shall act as chairperson; the appeal shall be stated by the chair to the meeting in these words: "Shall the decision of

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the chair be sustained as the decision of this Union?" The member will then have the right to state the grounds of appeal and the chair will give reasons for its decision; thereupon the members will proceed to vote on the appeal without further debate, and it shall require a majority vote to overrule the chair.

Rule 16. No member shall speak more than once on the same subject until all who wish to speak have spoken, nor more than twice without unanimous consent, nor more than five (5) minutes at any one time without consent of a two-thirds vote of all members present.

Rule 17. The presiding officer shall not speak on any subject unless such officer retires from the chair, except on a point of order or to make an official report or give such advice and counsel as the interests of the organization warrant. In case of a tie the presiding officer shall have the deciding vote.

Rule 18. When a question is before the meeting, no motion shall be in order except

1. To adjourn;
2. To lay the question on the table;
3. For the previous question;
4. To postpone to a given time;
5. To refer or commit;
6. To amend.

These motions shall have precedence in the above order. The first three of these motions are not debatable.

Rule 19. If question has been amended, the question on the amendment shall be put first; if more than one amendment, has been offered, the question shall be put as follows:

1. Amendment to the amendment.
2. Amendment.
3. Original proposition.

Rule 20. When a question is postponed indefinitely, it shall not come up again except by a two-thirds vote.

Rule 21. A motion to adjourn shall always be in order, except:

1. When a member has the floor;
2. When members are voting.

Rule 22. Before putting a question to vote, the presiding officer shall ask, "Are you ready for the question?" Then it shall be open for debate. If no member rises to speak or the debate is concluded, the presiding officer shall then put the question in this form: "All in favor of this motion say 'aye';" and after the affirmative vote is expressed, "Those of the contrary opinion, say 'no'." After the vote is taken, the presiding officer shall announce the result in this manner: "It is carried (or lost) and so ordered."

Rule 23. Before the presiding officer declares the vote on a question, any member may ask for a division of the house. The chair is required to comply with this request. A standing vote shall thereupon be taken.

Rule 24. When a question has been decided it can be reconsidered only by two-thirds vote of those present.

Rule 25. A motion to reconsider must be made and seconded by two members who voted with the majority.

Rule 26. A member ordered to be seated three (3) times by the chair without complying shall be debarred from participating in any further business at that session.

Rule 27. All questions, unless otherwise provided, shall be decided by a majority vote.

Rule 28. The presiding officer of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.

ORDER OF BUSINESS

1. Opening.
2. Roll call of officers.
3. Reading of minutes of the previous meeting.
4. Applications for membership.
5. Initiation of new members.
6. Communications and bills.
7. Reports of officers, executive board and committees.
8. Unfinished business.
9. New business.
10. Good and welfare.
11. Adjournment.

Approved by the SEIU International Executive Board, June 13, 2009

Approved by the SEIU International Executive Board as revised, January 21, 2016

SEIU CODE OF ETHICS AND CONFLICT OF INTEREST POLICY

PART A: PREAMBLE

The Service Employees International Union (SEIU) believes in the dignity and worth of all workers. We have dedicated ourselves to improving the lives of workers and their families and to creating a more just and humane society. We are committed to pursuing justice for all, and in particular to bringing economic and social justice to those most exploited in our community. To achieve our mission, we must develop highly trained and motivated leaders at every level of the Union who reflect the membership in all of its diversity.

Union members place tremendous trust in their leaders. SEIU elected officers and managers owe not just fiduciary obligations to union members; given the moral purpose of our mission, SEIU leaders owe members the highest level of ethical behavior in the exercise of all leadership decisions and financial dealings on members' behalf. Members have a right to proper stewardship over union funds and transparency in the expenditure of union dues. Misuse and inappropriate use of resources or leadership authority undermine the confidence members have in the Union and weaken it. Corruption in all forms will not be tolerated in SEIU. This *Code of Ethics and Conflict of Interest Policy* (the "Code" or "SEIU Code") strengthens the Union's ethics rules of conduct, organizational practices and enforcement standards and thus enhances the Union's ability to accomplish its important mission.

We recognize that no code of ethics can prevent some individuals from violating ethical standards of behavior. We also know that the SEIU Code is not sufficient in itself to sustain an ethical culture throughout the Union. To accomplish the goals for which this Code has been created, we must establish systems of accountability for all elected leaders and staff. These systems must include appropriate checks and balances and internal operating procedures that minimize the opportunity for misuse or abuse, as well as the perception of either, in spending union funds and exercising decision-making authority. The systems also must include adequate provision for training on understanding and implementing this Code. More broadly, we emphasize the importance of the range of standards, practices, and values described in "A Strong Ethical Culture," Section A of the *SEIU Policies on Ethics and Standards* that were enacted with the Code in 2009.

In particular, SEIU is committed to providing meaningful paths for member involvement and participation in our Union. The SEIU Member Bill of Rights and Responsibilities in the Union is a significant source of SEIU members' rights and obligations. Its exclusive enforcement through the procedures set forth in Article XVII of the SEIU Constitution and Bylaws reflects a commitment to the democratic principles that have always governed SEIU. Article XVII's numerous protections against arbitrary or unlawful discipline of members also form an essential ingredient of the democratic life of the Union. Similarly, the requirement that Affiliates provide for regular meetings of the membership, set forth in Article XV, Section 5 of the Constitution, is another important element in the democratic functioning of SEIU. Finally, the provisions against discrimination and harassment on the basis of race, creed, color, religion, sex, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age and disability contained in Article III, Section 4 of the SEIU Constitution and in the Constitutions and Bylaws of Affiliates, the SEIU Anti-discrimination and Anti-Harassment Policy and Procedure, and similar policies of Affiliates forbid conduct in violation of SEIU's historic belief that our strength comes from our unity and diversity and that we must not be divided by forces of discrimination.

Individuals subject to this Code are expected to comply with State and Federal laws, the Constitution and Bylaws of SEIU and Affiliates, and the anti-discrimination and anti-harassment policies of SEIU and Affiliates as part and parcel of our commitment to sustaining an ethical culture and the highest standards of conduct throughout the Union. Violations of these laws and policies are ethical breaches; however, these violations should be addressed through avenues provided by the applicable laws and policies and not through the Code unless they also allege violations of this Code. In particular, the sole enforcement mechanism for matters covered by the SEIU or Affiliate Constitutions and Bylaws is that which is set forth in those documents, unless violations of this Code are also alleged. Finally, grievances that arise under collective bargaining agreements are excluded from enforcement under this Code unless they also allege violations of this Code.

The scope and standards of this Code are set forth in the following Sections.

SECTION 1. *Applicability to International Union.* The SEIU Code is henceforth applicable in its entirety to all officers, executive board members and employees of SEIU. These individuals are referred to herein as "covered individuals." SEIU shall append or attach the Code in its entirety to its Constitution and Bylaws in its next and all future publications.

SECTION 2. *Applicability to SEIU Affiliates.* By enactment of the SEIU International Executive Board, the SEIU Code is applicable in its entirety to all officers, executive board members and employees of all affiliated bodies and local unions chartered by SEIU ("Affiliates" herein). These individuals are referred to herein as "covered individuals."

- (a) Each Affiliate shall ensure that the Code extends to all employees as soon as practicable but in no event later than the end of 2020.

- (b) Each Affiliate shall append or attach the Code in its entirety to its Constitution and Bylaws at its next and all future publications.
- (c) Wherever reference herein is made to SEIU or an SEIU program, department or position, the corresponding reference is to the particular Affiliate or its equivalent program, department or position.
- (d) Each Affiliate is responsible for enforcing the Code and educating its covered individuals on the Code in a manner consistent with the Code's terms, subject to assistance and oversight from SEIU.
- (e) The Code is not intended to restrain any Affiliate from adopting higher standards and best practices, subject to the approval of the SEIU Ethics Ombudsperson.

PART B: GENERAL OBLIGATIONS

SECTION 3. *Obligations of Covered Individuals.*

- (a) *Commitment to the Code.* SEIU and each Affiliate shall provide a copy of the Code to each covered individual. It is the duty and obligation of covered individuals to acknowledge annually that they have received a copy of this Code, that they have reviewed and understand it, and that they agree to comply with it.
- (b) *Duty of disclosure.* Covered individuals shall disclose to the SEIU Ethics Ombudsperson or the Affiliate Ethics Liaison, described in PART F of this Code, any conflict of interest or appearance of a conflict, which arises when their paramount duty to the interest of members is potentially compromised by a competing interest, including but not limited to an interest, relationship or transaction referenced in this Code. Actual, perceived and potential conflicts should be disclosed at the time that covered individuals become aware of them.
- (c) *Disqualification from service to SEIU or Affiliate.* No person shall serve as an officer or managerial employee of SEIU or any Affiliate who has been convicted of any felony involving the infliction of grievous bodily injury, or the abuse or misuse of such person's position or employment in a labor organization to seek or obtain illegal gain at the expense of the members, except for the limited exceptions set forth in applicable federal law.

PART C: BUSINESS AND FINANCIAL ACTIVITIES

SECTION 4. *General Duty to Protect Members' Funds; Members' Right to Examine Records.*

- (a) The assets and funds of a labor organization are held in trust for the benefit of the membership. Members are entitled to assurance that those assets and funds are expended for proper and appropriate purposes. The Union shall conduct its proprietary functions, including all contracts for purchase or sale or for the provision of significant services, in a manner consistent with this Code. All officers, executive board members and employees of SEIU and SEIU Affiliates, whether elected or appointed, have a trust and high fiduciary duty to honestly and faithfully serve the best interests of the membership.
- (b) Consistent with Section 201 of the Labor-Management Reporting and Disclosure Act, SEIU shall permit a member for just cause to examine any books, records and accounts necessary to verify SEIU's annual financial report under that section to the U.S. Department of Labor.
- (c) Affiliates comprised solely of members employed by government bodies shall permit a member to examine its financial report submitted to a state agency and, consistent with state law and for just cause, to examine any books, records and accounts necessary to verify the Affiliate's financial report.

SECTION 5. *Prohibited Financial Interests and Transactions.* Covered individuals shall not, to the best of their knowledge, have a substantial ownership or financial interest that conflicts with their fiduciary duty.

- (a) For purposes of these rules, a "substantial ownership or financial interest" is one which either contributes significantly to the individual's financial well-being or which enables the individual to significantly affect or influence the course of the business entity's decision-making.
- (b) A "substantial ownership or financial interest" does not include stock in a purchase plan, profit-sharing plan, employee stock ownership plan (ESOP) or blind trust. Nor does it prohibit covered individuals from owning, through a mutual fund or other similar investment vehicle, the publicly traded shares of any employer with which SEIU or an Affiliate engages in collective bargaining or does business or which SEIU or an Affiliate seeks to organize, provided that all transactions affecting such interests are consistent with rates and terms established by the open market.
- (c) It is not permissible for any covered individual to:

- (1) Knowingly have a substantial ownership or financial interest in any entity that engages in collective bargaining with SEIU or any of its Affiliates;
 - (2) Make or attempt to influence or participate in any way in a decision concerning the relations of SEIU or an Affiliate with a vendor, firm or other entity or individual in which the covered individual or his or her relative, spouse or business partner has a substantial ownership or financial interest; or
 - (3) Engage in any self-dealing transactions with SEIU or any of its Affiliates, such as buying property from or selling property to SEIU, without the informed approval of the International Secretary-Treasurer (or Affiliate Secretary-Treasurer, as applicable), obtained after full disclosure, including an independent appraisal of the fair market value of the property to be bought or sold.
- (d) To ensure compliance with this Section, covered individuals are required to disclose any interests, transactions or interests covered by this Section in accordance with Section 3(b) of this Code.

SECTION 6. *Payments and Gifts from Employers, Vendors and Members.*

- (a) Covered individuals shall not knowingly accept any payments, benefits or gifts of more than minimal financial value under the circumstances presented from any employer that engages or seeks to engage in collective bargaining with SEIU or an Affiliate, or from any business or professional firm that does business or seeks to do business with SEIU or an Affiliate.
- (1) This Section does not extend to payments and benefits that are provided to covered individuals by prohibited employers as compensation for their primary and regular employment.
 - (2) This Section does not extend to work and services that covered individuals perform for prohibited employers or businesses on a part-time basis, through an arm's length transaction and for normal and customary pay for such work or services.
 - (3) This Section does not extend to participation in events hosted by public officials involving discussion of public policy matters.
 - (4) With respect to perishable items that are more than minimal but that are impracticable to return, such as food, it shall be considered compliance with this Section to discard such an item or place it in a common area for members and office staff to enjoy. If the gift is discarded or enjoyed communally, it is recommended that the giver should be advised of this

disposition to dispel the appearance of any conflict of interest on the part of any covered individual and to discourage recurrence.

- (b) Covered individuals shall not knowingly accept personal payments or gifts from any member, absent a personal relationship independent of the relationship between the Union and the member, other than a gift of minimal financial value. This provision does not apply to contributions to campaigns for union office made in accordance with the SEIU Constitution and Bylaws.

SECTION 7. *Conversion of Union Funds and Property.* Covered individuals shall not use, convert or divert any funds or other property belonging to SEIU to such individual's personal benefit or advantage.

SECTION 8. *Applicability to Third Parties.* The principles of this Code apply to those investments and activities of third parties that amount to a subterfuge to conceal the financial interests of SEIU officers or employees or to circumvent the standards of this Code.

SECTION 9. *Certain Loans Prohibited.* SEIU shall not make loans to any officer or employee, or to any of their family members, that at any time exceed \$2,000 in total indebtedness on the part of such officer, employee or family member.

PART D: BENEFIT FUNDS AND RELATED ORGANIZATIONS

SECTION 10. *Obligations of Covered Individuals.*

(a) *Benefit Funds.*

(1) For purposes of this Section:

- a. A "benefit fund or plan" means a retirement, health or welfare benefit fund or plan sponsored by SEIU or an Affiliate, or in which SEIU or an Affiliate participates.
- b. The definition of "substantial ownership or financial interest" provided in Section 5 applies.

(2) Covered individuals who serve in a fiduciary position with respect to or exercise responsibilities or influence in the administration of a benefit fund or plan shall not:

- a. Have any substantial financial interest in, or any compromising personal ties to, any investment manager, insurance carrier, broker, consultant or other firm or individual doing business or seeking to do business with the fund or plan;

- b. Accept any personal payment from any business or professional firm that does business or seeks to do business with the fund or plan, other than contractual payment for work performed; or
 - c. Receive compensation of any kind for service as an employee representative or labor-designated trustee for a fund or plan, except for reimbursement of reasonable expenses properly and actually incurred and provided uniformly to such representatives or trustees, with the proviso that it is not a violation of this provision for an officer or managerial employee who is not a full-time employee of SEIU or an Affiliate to be a lawfully paid employee of a fund or plan if such employment is consistent with applicable legal restrictions and fully disclosed through appropriate reports.
- (3) To ensure compliance with this Section, all covered individuals shall disclose any interests, transactions or relationships covered by this Section in accordance with Section 3(b) of this Code.
- (4) No person shall serve in a fiduciary capacity or exercise responsibilities in the administration of a benefit fund or plan who has been convicted of any felony involving the infliction of grievous bodily injury or the abuse or misuse of such person's position or employment in an employee benefit plan to seek or obtain an illegal gain at the expense of the beneficiaries of the employee benefit fund or plan, except for the limited exceptions set forth in applicable federal law.

(b) Related Organizations.

- (1) For purposes of this Section, an organization "related to" SEIU or an Affiliate means an organization
- in which 25 percent or more of the members of the governing board are officers or employees of SEIU or an Affiliate, or
 - for which 50 percent or more of its funding is provided by SEIU or an Affiliate.
- (2) Covered individuals who serve in a fiduciary position with respect to or exercise responsibilities or influence in the administration of an organization related to SEIU shall comply with the provisions and shall hold themselves to the standards of the SEIU Code while they are acting for or on behalf of the related organization.

PART E: FAMILY AND PERSONAL RELATIONSHIPS

SECTION 11. *Purpose of Rules Governing Family and Personal Relationships.* SEIU does not prohibit the employment of qualified relatives of current officers or employees, or of individuals with whom an officer or employee has a romantic or intimate personal relationship. SEIU also does not prohibit the retention of qualified vendors that employ relatives of current SEIU officers or employees or individuals with whom an officer or employee has a personal relationship.

However, SEIU recognizes that the existence of such relationships can lead to problems, including favoritism or the appearance of favoritism toward relatives or those who are involved in a personal relationship. Giving these individuals special treatment – or creating the impression that they receive special treatment – is inconsistent with our principles of stewardship and accountability and with our duty to responsibly conduct the business of SEIU. The provisions of this PART are designed to ensure that family or personal relationships do not influence professional interactions between the employees involved and other officers, employees and third parties.

SECTION 12. *Definitions.* For purposes of this PART:

- (a) “Relative” means parent, spouse, spousal equivalent, daughter, son, grandparent, grandchild, brother, sister, aunt, uncle, niece, nephew, first or second cousin, corresponding in-law, “step” relation, foster parent, foster child, and any member of the employee’s household. Domestic partner relatives are covered to the same extent as spousal relatives.
- (b) “Personal relationship” means an ongoing romantic or intimate personal relationship that can include, but is not limited to, dating, living together or being a partner or significant other. This definition applies regardless of gender, gender identification, or sexual orientation of the individuals in the relationship. This restriction does not extend to friends, acquaintances or former colleagues who are not otherwise encompassed in the scope of “personal relationships.”

SECTION 13. *Prohibited Conduct.* The following general principles will apply:

- (a) Applications for employment by relatives and those who have a personal relationship with a covered individual will be evaluated on the same qualification standards used to assess other applicants. Transmission to the appropriate hiring authority of applications on behalf of individuals who have a family or personal relationship shall not in itself constitute an attempt to influence hiring decisions. Further input into the application process, however, may be deemed improper.
- (b) Covered individuals will not make hiring decisions about their relatives or persons with whom they have a personal relationship, or attempt to influence hiring decisions made by others.

- (c) Supervisory employees shall not directly supervise a relative or a person with whom they have a personal relationship. In the absence of a direct reporting or supervisor-to-subordinate relationship, relatives or employees who have a family or personal relationship generally are permitted to work in the same department, provided that there are no particular operational difficulties.
- (d) Covered individuals shall not make work-related decisions, or participate in or provide input into work-related decisions made by others, involving relatives or employees with whom they have a personal relationship, even if they do not directly supervise that individual. Prohibited decisions include, but are not limited to, decisions about hiring, wages, hours, benefits, assignments, evaluations, training, discipline, promotions, and transfers.
- (e) To ensure compliance with this Section, all covered individuals must disclose to the Ethics Ombudsperson or the Affiliate Ethics Liaison, as appropriate, any relationships covered by this Section in accordance with Section 3(b) of this Code.

PART F: ENFORCEMENT

SECTION 14. *Ethics Officer.* The office of the Ethics Officer is established to provide independent assistance to SEIU in the implementation and enforcement of the Code. The Ethics Officer shall be an individual of unimpeachable integrity and reputation, preferably with experience in ethics, law enforcement and the workings of the labor movement. The Ethics Officer shall provide his or her services under contract and shall not be an employee of the International Union or any of its Affiliates. The Ethics Officer shall be appointed by the International President and confirmed by the International Executive Board. The International President, the International Secretary-Treasurer, and the SEIU International Executive Board may refer matters concerning the Code to the Ethics Officer for review and/or advice, consistent with Sections 22 and 23.

SECTION 15. *Ethics Ombudsperson.* The office of SEIU Ethics Ombudsperson is established to oversee implementation and enforcement of the Code and ongoing efforts to strengthen the ethical culture throughout the Union. The Ethics Ombudsperson is responsible for providing assistance to the International Union and Affiliates on questions and concerns relating to the Code and ethical culture; directing the training of SEIU and Affiliate officers and staff concerning the Code and ethical culture; responding to ethics concerns and complaints consistent with Sections 17-23; receiving and resolving disclosures of conflicts of interest; assisting the Ethics Officer; and providing other support as necessary to the overall SEIU ethics program. The Ethics Ombudsperson, in consultation with the Ethics Officer, shall issue a report to the SEIU International Executive Board annually, summarizing compliance, training, enforcement, culture building and related activities, and making recommendations for modifications to the ethics program that he or she believes would enhance the program's effectiveness. The

Ethics Ombudsperson may also conduct periodic reviews for the purposes of monitoring compliance with this Code and determining whether partnerships, joint ventures, and arrangements with management organizations conform to this Code, are properly recorded, reflect reasonable investment or payment for goods and services, further SEIU's tax-exempt purposes, and do not result in inurement, impermissible private benefit, or excess benefit transactions. The Ethics Ombudsperson shall be employed in the SEIU Legal Department.

SECTION 16. *Affiliate Ethics Liaison.* Each Affiliate shall appoint an Ethics Liaison who will be available for ethics advice or guidance, will serve as an Affiliate's key contact with the International's Ethics Ombudsperson, will assist in enforcement of the Code, will oversee the delivery of ethics-related training, will assist the Affiliate in strengthening its ethical culture, and will serve as an ethical leader in the Affiliate.

- (a) Presidents, chief executive officers, secretary-treasurers, chief financial officers, chiefs of staff, and the equivalent of any of the foregoing are not eligible to serve as Ethics Liaisons.
- (b) Affiliates are encouraged to consider rotating the Ethics Liaison position periodically, barring operational difficulties, to develop ethical leadership broadly in the Affiliate. Affiliates shall advise the SEIU Ethics Ombudsperson as soon as practicable of the appointment of Ethics Liaisons and of any vacancy that occurs in the position.
- (c) Ethics Liaisons will regularly receive training from the International Union specific to the role. Affiliates should make every effort to ensure the participation of their Ethics Liaisons.

SECTION 17. *Complaints.*

- (a) Any covered individual or member may file a written complaint concerning alleged violations of the Code. Oral concerns and complaints shall be reduced to writing for further processing as a complaint. Complaints should be signed or contain the name of the complainant(s), and shall be kept confidential pursuant to Section 24. Complaints alleging violation of the Code shall not be enforced under SEIU or Affiliate constitutions and bylaws unless they also allege violations of the constitutions and bylaws.
- (b) The International Union shall post contact information for submission of ethics complaints on the SEIU website and shall provide that information on request.
- (c) Each Affiliate shall provide its staff and membership with contact information for its Ethics Liaison.

SECTION 18. *Complaints Handled by the International Union.* Complaints alleging violation of the Code that are submitted to the International Union or the Ethics Officer

shall be referred initially to the SEIU Ethics Ombudsperson. The Ethics Ombudsperson shall review ethics complaints submitted to the International Union and shall respond to them in his or her discretion, including but not limited to providing advice or guidance, resolving them informally, directing them to resources outside the ethics office, and referring them to the Ethics Officer or Affiliate for further processing. The individual submitting the complaint shall be notified of the status of the complaint as appropriate in the discretion of the Ethics Ombudsperson but in all events upon its conclusion.

SECTION 19. *Complaints Handled by Affiliate; Notice to Ethics Ombudsperson.*

Ethics complaints that are raised with or referred to an Affiliate shall be investigated by the affected Affiliate and, where appropriate, may form the basis of employee discipline or formal internal union charges to be processed before a trial body in accordance with the requirements set forth in the Affiliate's constitution and bylaws and/or the SEIU Constitution and Bylaws. The Ethics Ombudsperson may advise an Affiliate concerning matters related to the investigation and processing of complaints and charges alleging violation of the Code. Where a complaint involves an Affiliate's president, chief executive officer, chief of staff, secretary-treasurer, chief financial officer, or the equivalent, the Affiliate shall notify the Ethics Ombudsperson as soon as practicable. The Ethics Ombudsperson may consult with the Ethics Officer concerning any question referred by an Affiliate.

SECTION 20. *Failure to Cooperate; Bad Faith Complaints.* Unreasonable failure by a covered individual to fully cooperate with a proceeding or investigation involving an ethics complaint or alleged violation of this Code shall constitute an independent violation of this Code. SEIU reserves the right, subject to notice, investigation and due process, to discipline persons who make bad faith, knowingly false, harassing or malicious complaints, reports or inquiries.

SECTION 21. *Original Jurisdiction.*

- (a) *Requests for Original Jurisdiction.* If an Affiliate or an Affiliate executive board member, officer, or member believes that formal internal union charges against a covered individual that also allege violations of this Code involve a situation which may seriously jeopardize the interests of the Affiliate or the International Union, or that the hearing procedure of the Affiliate will not completely protect the interests of the Affiliate, an officer or member, that individual may request that the International President assume original jurisdiction under Article XVII, Section 2(f) of the SEIU Constitution and Bylaws.
- (b) *Assumption of Original Jurisdiction by International President.* In accordance with Article XVII, Section 2(f) of the SEIU Constitution and Bylaws, the International President may in his or her discretion assume original jurisdiction of formal internal union charges also alleging violation of this Code if as a result of an investigation he or she believes that the charges filed against a covered individual involve a situation which may seriously jeopardize the interests of the

Affiliate or the International Union. In his or her discretion, the International President may refer the matter to the Ethics Officer for a recommendation concerning the possible assumption of original jurisdiction.

SECTION 22. *Referral of Formal Charges to Ethics Officer.* If formal internal union charges filed with the International Union under Article XVII, Section 3 of the SEIU Constitution and Bylaws also allege violation of the Code by an officer or executive board member of the International Union or an Affiliate, such charges may be referred to the Ethics Officer for review and recommendations.

SECTION 23. *Review of Claims by Ethics Officer.*

- (a) If after review of the allegations of violations of the Code in a complaint or formal charge, the Ethics Officer finds that the allegations have merit and/or warrant further investigation, he shall recommend a response or course of action for the International Union to respond to the complaint or charges, including but not limited to the following:
 - (1) Further investigation by SEIU personnel and/or outside investigator(s);
 - (2) Filing of formal charges under Article XVII of the SEIU Constitution and Bylaws;
 - (3) Assumption of original jurisdiction by International President pursuant to Article XVII, Section 2(f) of the SEIU Constitution and Bylaws;
 - (4) Appointment of an outside hearing officer to conduct a trial under Article XVII, Section 3 of the SEIU Constitution and Bylaws;
 - (5) Discipline of covered employees;
 - (6) Sanction of covered officers or members accused in formal proceedings, and
 - (7) Other action deemed appropriate in the discretion of the Ethics Officer.
- (b) If the Ethics Officer concludes, after review of allegations of violations of the Code, that the allegations are without merit or that further investigation is not necessary, he or she shall advise the International Union of his or her findings.

PART G: PROTECTION OF WHISTLEBLOWERS

SECTION 24. *Confidentiality.* SEIU will make all reasonable efforts to keep confidential the identity of any person(s) raising an ethics concern, inquiry, report or complaint under the Code unless disclosure is authorized by the complainant or is required for SEIU to carry out its fiduciary or legal duties. SEIU will also treat

communications concerning ethics complaints or concerns with as much confidentiality and discretion as possible, provided that it remains able to conduct a complete and fair investigation, carry out its fiduciary and legal duties, and review its operations as necessary.

SECTION 25. *No Retaliation.* SEIU encourages all officers and employees to bring ethics concerns and complaints that the Code has been violated to the attention of the Union, as set forth more fully in PART F above.

- (a) SEIU expressly prohibits retaliation against covered individuals and members for:
 - (1) Making good faith complaints, reports or inquiries pursuant to this Code;
 - (2) Opposing any practice prohibited by the Code;
 - (3) Providing evidence, testimony or information relative to, or otherwise cooperating with, any investigation or enforcement process of the Code; and
 - (4) Otherwise participating in the enforcement process set forth in PART F above.
- (b) In particular, SEIU will not tolerate any form of retaliation against Affiliate Ethics Liaisons for performing their responsibilities.
- (c) Any act of alleged retaliation should be reported to the SEIU Ethics Ombudsperson or the Affiliate Ethics Liaison immediately and will be responded to promptly.