

# Professional Employees Council

## Sparrow Hospital Bylaws

### **Article 1 - Name**

- A. The name of this LBU (Local Bargaining Unit) will be the Professional Employee Council of Sparrow Hospital (PECSH)

### **Article 2 - Objectives**

- A. To provide for its members a voice in determining the wages, hours, and general working conditions under which they practice.
- B. To work continuously toward improved practice, providing high quality health care for patients.
- C. To promote professional growth through membership in the Michigan Nurses Association (MNA) and to encourage active participation in association activities at all levels – local, state, and national.
- D. To provide its members with the opportunity to be effectively represented in negotiations and/or discussions with their employer.
- E. To help educate members in collective bargaining and the implementation of agreements.
- F. To promote professional and social unity among members.

### **Article 3 – Members:**

- A. All Health Professional Employees of Sparrow Hospital as defined in Sparrow-MNA-PECSH Collective Bargaining Agreement/Contract and
- B. All employees who have paid membership dues to MNA, and PECSH and
- C. Those in good standing whose membership has not been revoked for violation of professional standards of Association Bylaws. Members will adhere to policies, Bylaws, and philosophy of MNA/PECSH.

## **Article 4 - Officers and their Duties**

- A. The officers of the PECSH Executive Committee will be President, Vice President, Secretary, Treasurer, Health Professional Representative at Large, Grievance Chairperson, and Negotiating Chairperson.
1. Roberts Rules of Order will be used as a reference for all Executive Committee meetings
  2. Member(s) of the Executive Committee will represent the LBU at all meetings with the employer.
  3. Member(s) of the Executive Committee must re-evaluate the eleven (11) groups prior to nominations and elections of the Negotiating Team and Grievance Committee. The Executive Committee may alter the groups as changes occur.
- B. The President will:
1. Be Chief spokesperson for the LBU.
  2. Call and preside at all meetings of the LBU.
  3. Be an ex-officio (voice; no vote) member of all committees (except the Nominations Committee), and may appoint a designee.
  4. Appoint any special committees as needed, subject to the approval of the officers.
- C. The Vice President will:
1. Assist the President in performance of duties.
  2. In the absence of the President, perform the duties of the President and will become the President in case of a vacancy for the remainder of the term.
  3. Be responsible for depositing all monies belonging to PECSH in the name of PECSH in a bank or credit union approved by the officers.
- D. The Secretary will:
1. Notify individual officers and members of their appointment to committees.
  2. Post or send out notices of regular, additional membership and executive meetings.
  3. Keep the minutes of the general membership, Executive Committee and other meetings as necessary and place on file upon approval of the executive committee.
  4. Maintain and notify LBU election results.
  5. Notify MNA and employer of election results.
  6. Certify delegates with MNA.
  7. Conduct general correspondence on behalf of the LBU under the direction of the Executive Committee.
  8. Maintain PECSH bulletin boards and other modes of communication as directed by the Executive Committee.

E. The Treasurer will:

1. Become bonded to protect funds of the LBU. The fee for bonding will be paid by PECSH.
2. Collect PECSH dues.
3. Keep an itemized account of all receipts and disbursements and report on such at regular PECSH executive meetings.
4. Pay bills as directed by the officers.
5. Keep a record of all financial transactions. (Per records retention policy)
6. Reimburse the members of the Executive Committee for their duties on a semiannual basis.
7. Schedule and preside at regular meetings of the Compensation/Finance Committee. These meetings will be held annually and prior to leaving office.
8. Prepare an annual budget, present to Finance Committee and Executive Committee for approval.
9. File all necessary tax forms.
10. Facilitate and oversee any financial review/audit necessitated by expenditures or a change in officer.
11. Send a year-end statement report to MNA per their written request.

F. The Health Professional Representative at Large (not to be held by a nurse) will:

1. Ensure broad representation on the Executive Committee.
2. Communicate concerns between Executive Committee and the Health Professionals.
3. Facilitate meetings of Health Professionals annually and as needed.

G. The Grievance Chairperson will:

1. Administer grievance procedures up through all levels.
2. Report to the Executive Committee on status of grievances.
3. Serve as Co-Chair (voice, no vote) of the Negotiating Committee.
4. Advise and direct grievance representatives in carrying out their responsibilities.
5. Consult with PECSH President and Negotiating Chairperson regarding class action grievances.
6. Administer, Implement and interpret the contract.

H. The Negotiating Co-Chair will:

1. Will be a voting member of the Negotiating team
2. Assist in Coordination of the Negotiating Committee.
3. Oversee communication with membership during contract negotiations.
4. Continue coordination and communication with Negotiating Committee on contract related issues throughout term of existing contract (i.e., MOU's).

## **Article 5 - Elections**

- A. The President, Treasurer, Health Professional Representative at large and all committees (except MNA delegate) shall be elected to serve for three (3) years or until their successor is elected starting in 2013.
- B. The Vice President, Secretary, and Grievance Chair shall be elected for a one (1) year term in 2013, with another election in 2014 and thereafter will be elected every three (3) years or until their successor is elected.
- C. MNA delegate will be elected at every election cycle. (Terms will alternate 1-2 years).
- D. All members will be notified at least fifteen (15) days in advance at his or her last known place of residence that an election is to be held with the names of candidates nominated.
- E. Ballots will provide opportunity for write-in candidates. All officers will be elected by secret ballot by members in good standing. Nominating Committee has the discretion of determining the format for elections.
- F. A plurality vote of the members of PECSH, who are entitled to vote and voting, will constitute an election and the results will be published.
- G. Ballots and credentials of the voting body and other elections records will be kept on file in the PECSH office for one (1) year after the election and destroyed per policy.
- H. All officers will be current members of PECSH and MNA.
- I. Recall of any officer deemed not representative of PECSH may be initiated by any PECSH-MNA member by petition. The petition must be signed by no less than thirty percent (30%) of members eligible to vote in an election and must be completed/obtained in 30 consecutive calendar days. The petitioner will remove the signature of any member who requests in writing that their signature be removed from the petition prior to its submission. Completed petitions will be submitted to the Nominations committee. The Nominations Committee will determine if the petition has achieved the required number of signatures and will then order an election within sixty (60) calendar days from the date of approval of the petition. Then a majority (50% plus 1) vote of eligible members present and voting will be required to constitute a recall of any officer. Recalled members may not run for office for 2 years from the date of their recall.
- J. Any vacancy may be filled by appointment of the Executive Committee until completion of said term or by special election.

- K. In the event of a tie: all ties will be determined by lot: i.e. draw the names of those that are tied out of a hat, this will be witnessed by a member who is not running for office.

## **Article 6 – Committees**

- A. Committees will be composed of members of PECSH and will assume such duties as are assigned by the officers and specified by the Bylaws of PECSH. They will report to the membership when requested.
- B. PECSH will have the following committees: Executive Committee, Negotiating Committee, Nominations Committee, Mutual Gains Committee, Grievance Committee, Bylaws Committee and Compensation/Finance Committee.
  - 1. Executive Committee will be composed of the officers of PECSH.
    - a. Will have the authority to expend monies for PECSH activities and compensate committee members for wages lost while performing official duties.
    - b. All officers in the exercise of the discretionary powers, may act solely in their own best judgment and with complete immunity of liability for losses, damages or liabilities sustained by the LBU, the Union, or the Hospital, as long as the LBU officers have acted in good faith. If the officers are sued as a result of their participation in a LBU, the LBU will indemnify the officers for their attorney fees and costs of defending such a suit as long as the officers have acted in good faith.
  - 2. Negotiating Committee will consist of eleven (11) members elected by the membership. They will represent the membership in negotiating a contract agreement with their employer.
    - a. Each PECSH negotiating group will elect one member to the Negotiating Committee: The master list of PECSH negotiating groups can be located at the PECSH office or on the website. The Secretary will post revisions prior to elections.
    - b. The members of the Negotiating Committee will be elected pursuant to Article 5 (Elections) but not less than 30 days prior to expiration of current agreement.
    - c. The Negotiating Committee will elect a Co-Chair by secret ballot. Should the negotiating co-chair also be a member of the Executive Committee then the Negotiating Committee will elect a member to sit on the Executive Committee.
  - 3. Nominations Committee will consist of no less than three (3) members elected at large. They will solicit nominees for committee office.
    - a. Members will be elected in preparation of general elections to serve for a three (3) year term.

- b. They will conduct all elections. They will tabulate and notify Secretary of the election results within five (5) working days.
  - c. Members of the Nominating Committee will not hold or run for an executive office. If a member of the Nominating Committee runs for a non-executive position they must provide an alternate to tabulate the votes for that position(s) in which they are seeking.
- 4. Mutual Gain Committee will be composed of members of the Executive Committee. Other members may be appointed by the President with the approval of the Executive Committee. This committee is charged with the responsibility as stated in the Collective Bargaining Agreement current contract.
- 5. Grievance Committee may have up to (4) representatives for each negotiating group.
  - a. Representatives At Large will be appointed by the Executive committee.
  - b. All representatives will be elected every three (3) years for a three (3) year term.
  - c. Committee members will assume the responsibility of receiving and processing grievances of employees concerning the bargaining agreement or existing policy.
- 6. Compensation/Finance Committee will consist of three (3) members elected every three (3) years.
  - a. Will review and give input to the annual PECSH budget prepared by the Treasurer prior to Executive Committee review. Final budget approval and accountability will remain with the Executive Committee. Fiscal year January 1 to December 31.
  - b. Will have exclusive authority to set PECSH officer's reimbursement. Officers will not be present during voting by the committee regarding reimbursement.
- 7. Bylaws Committee will consist of three (3) to five (5) members elected every three (3) years.
  - a. They will review the Bylaws at least every two (2) years, make recommendations for changes as needed.
  - b. Changes will be made if needed after contract negotiations to maintain compliance.

C. Non-Elected Committees

- 1. Bargaining Action Team (BAT)
  - a. Will be made up of members in good standing appointed by the Negotiating Committee Chairperson, with input from the Negotiating Committee members.
  - b. They shall not be members of the Negotiating Committee.

- c. They shall serve as counsel to the Negotiating Committee on how to address the concerns of the membership.
  - d. They shall meet with the Negotiating Committee as needed throughout the negotiating process.
  - e. Will schedule meetings as needed.
2. Ad-hoc Committees – appoint as necessitated by the Executive Committee.

## **Article 7 - Membership Meetings**

### A. Meeting times and Agenda

- 1. An annual open meeting of PECSH will be held at a time and place decided by Executive Officers.
- 2. The agenda for the meeting will be set by the Executive Committee and will include an opportunity for new business, where any member may present a motion.
- 3. Additional meetings may be called by the Executive Committee. Members will be notified not less than five (5) days in advance of the time and purpose of the meeting.
- 4. During a general membership meeting a quorum will be required for voting. A quorum will be four (4) officers and nine (9) members which equals thirteen (13) total members.

### B. Contract Meetings

- 1. Informational Meetings:
  - a. Members must be notified five (5) days in advance of the time and place of informational meetings concerning contract negotiations.
- 2. Ratification Meetings:
  - a. A ratification vote meeting must be conducted in order to accept or reject any proposed agreement negotiated on behalf of the LBU.
  - b. A majority vote by secret ballot is required for ratification of the proposed agreement.
  - c. Members must be notified five (5) days in advance of the time and place of ratification meetings.
  - d. Negotiating Committee will approve voting timelines and sites.
- 3. Strike Authorization Meetings: No strike action shall be taken without:
  - a. At least five (5) day's notice to all members that a special meeting to discuss such action will be held with date, time and location for the meeting.
  - b. A majority vote approving such action by secret ballot.
  - c. Notice to MNA that PECSH has complied with the provisions of this Article.
  - d. Negotiating Committee will approve voting timeline and sites.

## **Article 8 – Disciplinary Action**

- A. Any member of PECSH may be subject to censure, expulsion and denied voting rights from PECSH by
  - 1. a two-thirds (2/3) secret ballot vote of the membership present at a duly called PECSH membership meeting for the following:
    - a. Violation of the PECSH Bylaws.
    - b. Conduct or acts of a nature deemed injurious to PECSH, its officers, or members including conduct or acts during a strike duly authorized by PECSH.
  - 2. A quorum is required for voting. A quorum will be four officers and nine members which equals thirteen total members.
- B. No such action shall be taken against a member until such member shall have been served with written specific charges, given a reasonable time to prepare any defense, and offered an opportunity for a full and fair hearing.
- C. Members suspended or expelled under provisions of this article shall be eligible for reinstatement upon application approved by a two-thirds (2/3) secret ballot vote of the membership present at a duly called PECSH membership meeting. Quorum must be present.

## **Article 9 – Amendments**

- A. Notice of proposed Bylaws amendments will be sent by mail to all members at their last known mailing address at least fifteen (15) calendar days prior to meeting.
- B. A two-thirds (2/3) vote of PECSH membership present, eligible and voting on the proposed amendments will be required to pass said amendments.
- C. Bylaws will be filed with MNA upon their written request or when changes have been made within one (1) month of adoption (see MNA Bylaws).

Any and all policies referenced are kept in the PECSH office and viewable upon request.

11/14/2005 Adopted and ratified by PECSH at a special meeting ballot vote.

1/10/13 Bylaws amendments adopted and ratified by PECSH members at a special meeting ballot vote.

2/10/21 Bylaws amendments adopted and ratified by PECSH members at the annual membership meeting.