

**CODE OF REGULATIONS
(CONSTITUTION) OF THE CIVIL
SERVICE PERSONNEL ASSOC., INC.**

As amended August 26, 2020

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ARTICLE I – NAME

This non-profit corporation shall be called the Civil Service Personnel Association, Inc., Hereinafter referred to as CSPA or the Union.

ARTICLE II – PURPOSE

The purpose of CSPA is to promote and protect the interests and the well-being of all members through employment representation, in matters that shall include, but not limited to wages, benefits, working conditions, grievances and collective bargaining.

ARTICLE III – MEMBERSHIP AND DUES

SECTION 1. The membership of CSPA shall be restricted to public sector employees who are within the classifications contained in the Collective Bargaining Units as set forth in the Collective Bargaining Agreements.

SECTION 2. Application for membership shall be made pursuant to the standard application form. Membership Application or submission of standard authorization forms for payroll deduction shall be acted upon by the Secretary or as directed by the Executive Board. Applications for membership when payroll deductions are not applicable shall be accompanied by the current months dues.

SECTION 3. The Annual Membership dues shall be payable weekly. Any member, who is paying their dues, shall for so long as they continue to be current, be considered a member in good standing.

SECTION 4. Any member, who is granted a leave of absence from their position or for whatsoever reason is temporarily separated from employment, may remain a member in good standing by submitting their dues to CSPA by check on a monthly basis.

SECTION 5. Membership dues paid to the Union shall be determined by a majority of the general membership, after a recommendation from the Executive Board.

SECTION 6. The dues of said Union shall be managed by the Executive Board to further the interests of the Union. The dues shall be deposited or kept with a bank, trust or brokerage company doing business in the State of Ohio. Said account shall be in the name of CSPA and only duly authorized officers of CSPA shall be permitted to draw on said account.

ARTICLE IV – RIGHTS OF MEMBERS

All members of CSPA in good standing, shall have equal rights to:

- Vote in all elections for CSPA Officers or Executive Board Members.
- Vote on all issues presented to the membership.
- Nominate for any CSPA elective office.
- Seek any CSPA office or position, provided requirements stated herein are fulfilled.
- Serve on CSPA committees.
- Participate in all Union affairs and activities.
- Union representation on grievance items.
- Fair and equitable procedure in all Union disciplinary actions.
- Receive Time Bank benefits.

ARTICLE V – MEETINGS

SECTION 1. General meetings of CSPA shall be held quarterly as designated by the Executive Board. Meetings shall be dispensed with by a vote of the General Membership.

SECTION 2. Special meetings of CSPA may be called by the President (or his designee) upon his own motion at any time, or upon written request of ten (10) members of the Executive Board signed by said members.

SECTION 3. Quorum: At all general and special meetings, the President (or his designee) and four (4) members of the Executive Board and at least ten (10) members shall constitute a quorum for the transaction of Union business.

SECTION 4. Rules of Procedure: The Order of Business at CSPA meetings, unless dispensed with or modified by majority vote, shall be as follows:

1. Reading minutes of previous meeting and acting thereon
2. Reports and statements of Officers, and designated committees
3. Unfinished business
4. New or miscellaneous business
5. Adjournment

SECTION 5. Except as specified in this Code of Regulations, all meetings of CSPA shall be conducted in accordance with this Constitution, the By-Laws and Robert Rules of Order.

ARTICLE VI – OFFICERS

SECTION 1. The Officers of CSPA shall be the President, the Vice President, the Secretary, and the Treasurer. All officers shall be elected by the general membership.

A. In order to serve as President or Vice President, a nominee must have served as a member of the Executive Board for a minimum of one full term.

SECTION 2. Term of Office: Each Officer shall be elected to a three (3) year term.

SECTION 3. Resignation: Any Officer may resign at any time by giving written notice of such resignation to the Secretary of CSPA.

SECTION 4. President: The President shall call and preside over all meetings of the CSPA Executive Board and of the membership, shall appoint the members of all committees except as specified in this Code of Regulations, and is an ex-officio member of all committees except of the Election Committee.

The President (or his designee) shall countersign all checks drawn against the funds of the Union and shall be the principal spokesperson and executive head of CSPA. The president shall direct and carry on the general affairs of CSPA to promote and protect the welfare and purposes of the Union and its members. The president shall report periodically to the membership regarding the progress and standing of CSPA and regarding the President's official acts. The President shall be compensated at a rate approved by the Executive Board.

SECTION 5. Vice President: The Vice President shall perform the duties of the President in the absence or disability of the President. Primary responsibilities of the Vice President shall be the drafting of policies, procedure, and position papers. The Vice President shall be compensated at a rate approved by the Executive Board.

Further duties of the Vice President include:

1. Assisting the President in the work of the President's office.
2. In the absence of the President, presiding at all meetings and performing all duties otherwise performed by the president.
3. Upon approval of the Executive Board, shall be authorized to act as cosigner of checks drawn on the Union's funds in place of the president.
4. Assisting the President and the Grievance Chairperson in the processing of contract dispute resolutions, grievances and State Employment Relations Board Unfair Labor Practice charges.
5. Act as Parliamentarian for CSPA.

SECTION 6. Treasurer: The Treasurer shall maintain the financial roster of members, collect all dues and income and shall deposit all monies so received in the name of the Union in a solvent banking institution approved by the Executive Board; prepare and co-sign, along with the

President or other designated officer, all checks and disbursements of funds; keep financial records of the Union and make a financial report at each quarterly meeting and additionally as required by the President; and give a surety bond for an amount fixed by the Executive Board at the expense of the Union. The Treasurer shall act as the custodian of all CSPA properties and shall file all required tax and fiscal forms and statements for CSPA. The Treasurer shall be compensated at a rate approved by the Executive Board.

SECTION 7. Secretary: The Secretary shall keep the general records of the Union, issue membership cards, send notices of the meetings, keep a roster of members, take and prepare minutes of all general, special and Executive Board Meetings, conduct correspondences, edit the CSPA newsletter, and perform such other duties as the Executive Board may require. The Secretary shall be the archivist for CSPA. The Secretary shall be compensated at a rate approved by the Executive Board.

SECTION 8. In the event of the resignation of the President, the Vice President will become President for the remainder of the three (3) year term.

SECTION 9. In the event of a resignation of a CSPA Officer, the unexpired term of such officer shall be filled by appointment by the President with the approval of the majority of the Executive Board.

ARTICLE VII – GRIEVANCE CHAIRPERSON AND STEWARDS

SECTION 1. Grievance Chairperson(s): The President shall appoint the Grievance Chairperson(s) who shall serve at his discretion. The Primary responsibility of the Grievance Chairperson(s) is to represent the members in disputes and grievances with management. The Grievance Chairperson(s) shall be compensated at a rate approved by the Executive Board.

Further duties of the Grievance Chairperson(s) include:

1. Assisting the President in the work of the President's office
2. Attending the necessary arbitration and Civil Service Commission hearings relevant to members' grievances.
3. Consulting regularly with the President and CSPA counsel on grievance matters.
4. Training CSPA Stewards and coordinating their activities.

SECTION 2. Stewards: Where practicable, CSPA Stewards shall be nominated by majority vote of members in the work unit. Steward appointment shall be confirmed by the President in the consultation with the Grievance Chairperson(s). The primary duties of the Stewards include:

1. Representing members in grievance procedures.
2. Acting as liaison between CSPA leadership and the membership.

SECTION 3. Absence from three (3) consecutive Grievance meetings shall constitute resignation from the office of Steward.

ARTICLE VIII – BENEFITS OFFICER

The President shall appoint the Benefits Officer who shall serve at his discretion. The Benefits Officer shall assist CSPA members in matters relating to employee benefits, act as a liaison between CSPA and the City to resolve member healthcare issues, and oversee the management of the Time Bank. The Benefits Officer shall be compensated at a rate approved by the Executive Board.

Further duties of the Benefits Officer include:

1. Attending healthcare meetings.
2. Providing CSPA members with updated information in regards to changes or potential changes to benefits.
3. Consulting regularly with the President and CSPA counsel on healthcare and employee benefit matters.
4. Preparing and developing communication materials for the membership via CSPA newsletter, email, or handouts.

ARTICLE IX – EXECUTIVE BOARD

SECTION 1. The Executive Board shall be the governing body of the Union except when meetings of the membership are in session. All matters affecting the policies, aims, and means of accomplishing the purposes of the Union not specifically provided for in this Code of Regulations or by action of the membership at a meeting shall be decided by the Executive Board. The report of all actions taken by the Executive Board shall be made to the membership at the following general membership meeting.

SECTION 2. Each Executive Board member shall be a member of the Union employed within a classification contained in the Collective Bargaining Units.

SECTION 3. The Executive Board shall consist of the Officers (President, Vice President, Treasurer, & Secretary), Benefits Officer, Grievance Chairperson and nine (9) additional members. The nine (9) additional members shall be elected to three (3) year terms in this matter: staggered elections will be held for three (3) members each year.

SECTION 4. Resignation: Any Executive Board Member may resign at any time by giving written notice of such resignation to the Secretary of CSPA.

SECTION 5. Unexpired terms of the Executive Board may be filled by appointment of the President with the approval of the majority of the Executive Board.

SECTION 6. Unexcused absence from two (2) consecutive Executive Board Meetings constitutes resignation from the Executive Board.

SECTION 7. Quorum: At all meetings of the Executive Board, the President (or his designee) and at least (6) Board members shall constitute a quorum for the transaction of Union business.

ARTICLE X – COMMITTEES

SECTION 1. There shall be the following standing committees whose chair and members shall be appointed by the President unless otherwise designated by this Code of Regulations.

The Election Committee shall be responsible for obtaining and presenting qualified individuals to serve as Union Officers or Executive Board Members. No Candidate for any office, including the President, shall serve on the Elections Committee. The Committee shall be comprised of three (3) members.

The Legal Committee shall manage the filing, documenting, processing and monitoring of all complaints, grievances, and violations of both CSPA contract and State Employment Relations Board Rules. This committee shall consist of the Officers, Benefits Officer and Grievance Chairperson.

The Negotiation Committee shall be responsible for all collective bargaining negotiations on behalf of the Union. The Committee shall consist of the President, Vice President and any other member(s) so designated by the President. Beginning no later than one (1) year before the expiration of the current contract, this committee shall meet at least twice per month.

The Grievance Committee shall consist of the Grievance Chairperson and the Stewards. The committee shall be responsible for processing grievances and steward recruitment and training. Committee meetings will be held at the discretion of the grievance chairperson. Actions of the Committee will be reported on a monthly basis to the President.

SECTION 2. The President shall appoint ad hoc committees deemed necessary to conduct the business of CSPA.

SECTION 3. Any member in good standing may be appointed by the President to serve on a committee.

ARTICLE XI – REMOVAL OF OFFICER, EXECUTIVE BOARD MEMBER

Any Officer or Executive Board member, may be removed from office by a two-thirds vote of the members voting at a regular quarterly or special meeting of the Union, provided that:

1. The individual has been given timely notice in writing of the charges against him or her.
2. Evidence of the charges has been presented to the membership.
3. The individual has the opportunity to appear before the membership on his or her own behalf.
4. The notice of the meeting at which such action is contemplated shall specify the identity of the person or persons proposing such action.

ARTICLE XII – NON-DISCRIMINATION

CSPA shall comply with all State and Federal Laws. CSPA will accept members without regard to age, race, color, creed, religion, ancestry, national origin, handicap, or physical disability as provided by law.

ARTICLE XIII – BY-LAWS

By-laws not in conflict with the Constitution may be adopted to carry out the objectives and promote the affairs of CSPA. The by-laws shall be designated as chapters and sections. Such By-laws shall be adopted by a majority vote of the Executive Board.

ARTICLE XIV – COMPLIANCE WITH OHIO COLLECTIVE BARGAINING LAW

SECTION 1. CSPA shall keep accurate accounts of all income and expenses, prepare an annual financial report, keep open for inspection by any member of the organization its accounts, and make no loans to Officers, Executive Board members, Steward or members of this Union.

SECTION 2. CSPA prohibits business or financial interests of its Officers and Executive Board Members, their spouses, minor children, parents, or otherwise which are in conflict with the fiduciary obligation of such persons to this organization.

SECTION 3. When specifically requested by the State Employment Relations Board, the Civil Service Personnel Association, Inc. shall require every official who is designated as a fiscal officer of this employee organization and who is responsible for the funds or other property of the organization or trusts in which this organization is interested, or a subsidiary organization, be bonded with the amount, scope and form of a suitable bond determined by the State Employment Relations Board.

SECTION 4. CSPA shall require periodic elections of officers by secret ballot as specified in this Code of Regulations, and subject to recognized safeguards concerning the equal right of all members to nominate, seek office and vote in the elections, the right of individual members to participate in the affairs of the organization, and the right to fair and equitable procedures in disciplinary actions.

ARTICLE XV – ELECTIONS

SECTION 1. Elections: Elections of the Executive Board members and Officers shall be held during the month of August each election year. Elections shall be by secret ballot. The ballots shall be destroyed after the election results are certified.

SECTION 2. The Election Committee is responsible for obtaining and presenting qualified individuals to serve as Union Officers and Executive Board Members, for conducting the secret ballot at Union elections and for tallying and certifying the election results.

SECTION 3. To be eligible for office, a member must be in good standing and meet all requirements.

SECTION 4. They may seek election to one office during each annual Election.

SECTION 5. No member shall be eligible for office, which during the immediate preceding term was removed from office for cause or resigned due to absenteeism.

SECTION 6. Voting for election of officers and executive board members shall be conducted in the following manner:

1. The CSPA office shall be opened from 7:00 a.m. to 4:30 p.m. on the Election Day to afford members the opportunity to vote. Members not voting during this time may vote during the meeting.
2. Officers and Executive Board Members:
 - a) The election of Officer positions and Executive Board Members shall be based upon a plurality vote by tabulating the pre-meeting ballots along with those being cast at the General Membership Meeting.
 - b) In the event of a tie vote, the following rules shall be applicable:
 1. Candidates receiving a plurality vote shall be deemed elected and excluded from the run-off election.
 2. A run-off shall be conducted with the remaining candidates on the slate.
 3. Candidates shall retain their respective vote totals from the pre-meeting ballots.

4. Adding the ballots from the pre-meeting ballots with those from the run-off shall tabulate the vote.
5. The above process shall be repeated until such time as all remaining positions are filled by a plurality vote.

SECTION 7. Those elected shall be installed in office immediately upon the acceptance of the Election Committee's general report on the elections, subject to any protests being filed. Said report shall be made by the Committee Chairperson to the Executive Board at their first meeting following the election meeting.

ARTICLE XVI – TIME BANK STATEMENT OF POLICY

Pursuant to the Collective Bargaining Agreement between the City of Akron and the CSPA, the CSPA makes Time Bank membership available to new CSPA members employed by the City of Akron. At the end of each year the Time Bank Committee reviews the membership roll and the eligible CSPA members not enrolled in the Time Bank are notified. Any eligible CSPA members who are not Time Bank members, whether notified or not, may enroll in the Time Bank during the month of January each year. Current members have no requirement to maintain their membership.

Each eligible CSPA member who wishes to become a Time Bank Member shall complete the membership application and agree to donate ten (10) hours from either accumulated Sick Leave or Compensatory Time. There shall be a one (1) year waiting period before being eligible to use the Time Bank.

If the available hours in the Time Bank are reduced to five hundred (500) hours, the Time Bank Committee will issue a request to all current members and prospective members for a donation of ten (10) hours. At such time all current members will be required to make a donation of hours in order to remain in the Time Bank. Members who refuse to make a donation when requested will be removed from the Time Bank.

Any Time Bank member who ceases to be a CSPA member for any reason, will be removed from the Time Bank. Hours donated are not refundable.

The Time Bank Committee will consider all requests for Time Bank Hours. The Committee will consist of the following:

1. CSPA Benefits Officer (or designee)
2. Deputy Mayor of Labor Relations or his designee
3. Two (2) CSPA Executive Board Members
4. A Steward for the affected member

Before fifteen (15) days of using all of their accumulated leave time, (sick leave, compensatory time, annual leave and personal days), the member shall submit a written request to the CSPA

Benefits Officer for Time Bank Hours. The member applying for the Time Bank hours will receive a form authorizing release of their past leave records from the City of Akron's payroll clerk. The completed form must be returned before the committee will consider the request.

The following information is reviewed and evaluated by the Time Bank Committee in considering a request for Time Bank hours:

1. Previous sick leave usage. The Committee carefully reviews the documentation provided by the City of Akron payroll clerk. A Time Bank request may be denied if the committee determines the applicant has demonstrated a history of sick leave abuse. For Time Bank Committee purposes, sick leave abuse is characterized by any one or a combination of the following:
 - a) A continuous pattern of sporadic one and two day absences
 - b) A pattern of absence where time is regularly taken off in relationship to:
 - Regular days off
 - Holidays; Weekends
 - Vacation time
 - Compensatory time
 - c) The employee earns a day, then uses a day
 - d) The absence falls on the same day of the week
 - e) The absence falls either at the beginning or the end of the month
2. Supporting documentation supplied by a physician or if applicable physicians.
3. Other documentation or relative information.

The decision of the Time Bank Committee, issued in writing is final. The length of time available to any member through the Time Bank is three (3) calendar months, however under exceptional circumstances a member may apply for one (1) extension, if his/her physician will assure the Committee the at the end of the extension the member will be sufficiently recovered to return to active duty.

For further information consult rules in this document, not references.

If any other bargaining unit enters into a Collective Bargaining Agreement allowing membership in a Time Bank, the Executive Board shall adopt rules at that time to govern the CSPA members' participation in that Time Bank.

ARTICLE XVII – AMENDMENTS

This Constitution may be amended at any regular or special meeting by a majority vote of all

active, voting members present. Proposed amendments must be in writing signed by at least five (5) active members and be submitted to the Secretary at least forty-five (45) days before the next regular or special meeting. It shall be the duty of the Secretary to have mailed or delivered any such proposed amendment(s) in writing to the membership at least twenty (20) days before the date of the next regular or special meeting at which the amendment(s) are to be voted on. The membership shall be provided adequate and proper prior notice of such meeting. A written copy of the proposed amendments shall be furnished to every eligible voter at the meeting at which the vote is taken.