



CONSTITUTION OF UNITED THERAPISTS OF NORTHERN CALIFORNIA

ARTICLE I - NAME

Section 101 This organization shall be known as The United Therapists of Northern California (UTNC), United Nurses Association of California/Union of Health Care Professionals (UNAC/UHCP), National Union of Hospital and Health Care Employees (NUHHCE), American Federation of State, County and Municipal Employees (AFSCME), and American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).

ARTICLE II - PURPOSE AND OBJECTIVES

Section 201 The purpose and objectives of this organization shall be to:

1. Achieve and maintain the highest standards of practice in order to provide the best possible health care for all patients.
2. Close any gap which may exist between desired standards of health care practices and actual practices.
3. Provide a mechanism by which concerns and ideas can be expressed, studied effectively, and resolutions proposed and implemented.
4. Recommend to management ways and means to improve patient care.
5. Represent the Health Care Professionals in professional negotiations for the determination of wages, hours, and conditions of employment.

ARTICLE III - MEMBERSHIP AND DUES

Section 301 A member shall be a person in the bargaining unit who is a licensed or license applicant Health Care Professional in the State of California and employed by Kaiser Foundation Hospitals or The Permanente Medical Group in the following classifications:

TPMG Classifications: Physical Therapist, Senior Physical Therapist, Physical Therapist SH, Senior Physical Therapist SH, Physical Therapist Clinical Specialist, Physical Therapist Clinical Specialist SH, Occupational Therapist, Senior Occupational Therapist, Occupational Therapist SH, Senior Occupational Therapist SH, Occupational Therapy Clinical Specialist, Occupational Therapy Clinical Specialist SH, Speech Therapist I, Speech Therapist II, Speech Therapist I SH, Speech Therapist II SH, Speech Therapist Specialist, Speech Therapist Specialist SH, Speech Therapist I Specialist NE.

KFH Classifications: KPPACC Physical Therapist, KPACC Physical Therapist SH, KPPACC Senior Physical Therapist, KPPACC Physical Therapist Clinical Specialist, KPPACC Occupational Therapist, KPPACC Occupational Therapist SH, KPPACC Senior Occupational Therapist, KPPACC Occupational Therapist Clinical Specialist, KPPACC Speech Therapist I, KPPACC Speech Therapist II, KPPACC Speech Therapist Clinical Specialist.

This will include any additional classifications that may be created for inclusion in UTNC. This will also include employees in the above referenced classifications at the Regional Offices and its outlying facilities. Furthermore, Health Care Professionals at any additional facilities which may qualify as accretions to any of the existing Medical Centers will be included. Supervisor classifications and all other Health Care Professional employees including personnel defined in the National Labor Relations Act, as amended, are excluded unless expressly abridged by the current agreement between Kaiser Foundation Hospitals and The Permanente Medical Group and the United Therapists of Northern California which is affiliated with United Nurses Association of California/Union of Health Care Professionals.

- Section 302 Only members in good standing shall have a vote and membership rights.
- Section 303 To maintain good standing in the State Association, a member must pay dues monthly, initiation fees, if any are owed, and such other financial obligations as and when they may become due to the State Association. No person shall be entitled to the rights and privileges of membership until his/her/their dues and initiation fees are current.
- Section 304 Notification by the UNAC/UHCP Treasurer shall be instituted when failure to meet this obligation has exceeded thirty (30) days.
- Section 305 Reinstatement shall be effected after fulfillment of all financial assessments.
- Section 306 The dues of this Affiliate shall be established in accordance with the UNAC/UHCP Constitution.
- Section 307 No discrimination shall ever be shown in this organization, or any affiliated association, toward individual members or applicants for membership because of age, ancestry, body size, color, disability, gender (including gender identity and expression), genetic information, marital status, medical condition, national origin, political affiliation, race, religion/religious creed, sex, sexual orientation, or veteran status.

ARTICLE IV - OFFICERS

- Section 401 The Executive Committee shall consist of nine (9) elected officers: a President, a Speech Language Pathology Vice President, a Physical Therapy Vice President, an Occupational Therapy Vice President, a Treasurer, a Secretary, and three (3) Steward Coordinators (A, B, C).
- Section 402 The duties of the elected officers are as follows:
1. The President shall: preside at all meetings of the Affiliate and of the Executive Committee; act as or appoint a parliamentarian, with the approval of the Executive Committee, to ensure all meetings of the Affiliate and Executive Board follow parliamentary procedures; make a report of the administration and affairs of the Affiliate to the members at general membership meetings; direct the administration of the business of the Affiliate; make a report of the administration and affairs of the Affiliate to the Executive Committee at regular scheduled meetings; and perform all other duties as pertain to the office and organization as a whole.
 2. The Vice Presidents shall assist the President and perform duties as assigned by the President. In the absence of the President, the Executive Committee will elect one of the Vice Presidents to act as Chief Executive Officer, performing the duties of the President. Additionally, each Vice President will serve as a representative in the Professional Practice Steering Committee.
 3. The Treasurer shall: monitor all dues collection and assessments; make all disbursements subject to countersignature by the President or any of the Vice Presidents; keep financial records; submit financial records for audit when required by the Executive Committee or UNAC/UHCP; and deliver financial records to his/her/their successor upon retirement from office. The Treasurer shall prepare a yearly budget and, with the Executive Committee, shall establish financial policies, with approval from the membership.

4. The Secretary shall: be responsible for keeping all records of the Affiliate and of the Executive Committee; keep minutes for all meetings; send copies of all minutes to UNAC/UHCP Secretary and affiliate officers; keep attendance records of all meetings; be responsible for all official correspondence; provide notices of all meetings; and deliver all records to his/her/their successor upon retirement from office.
5. The Steward Coordinators shall: manage the affiliate stewards in the facilities they cover; maintain a current list of stewards; coordinate their local representation activities; supply Human Resources with a current list of stewards; coordinate steward participation at UNAC/UHCP steward trainings; coordinate steward involvement in union member/steward training classes and assist in these classes; facilitate local steward meetings; and provide monthly reports of steward activities to the UNAC/UHCP staff representative assigned in their areas, as well as at the Executive Committee meetings. Each Steward Coordinator will be assigned approximately one-third (1/3) of the membership by the President, with approval of the Executive Committee.

Section 403 The President or an elected officer appointed by the Executive Committee shall act as Delegate to the Executive Council.

1. The attending officer shall inform the Executive Committee of all updates of the State's goals, visions, and any information presented at the State meetings.
2. The President shall be responsible for an officer's presence at Executive Council meetings.

Section 404 Past officers' duties shall be to advise the Executive Committee for a minimum period of one month from the date new officers take office.

Section 405 Every Affiliate Officer shall, upon assuming office, subscribe to the Obligation Of An Officer contained in Appendix B of the AFSCME International Union Constitution.

Section 406 An officer of the Affiliate desiring to resign shall do so by written letter of resignation to the Affiliate Secretary with notice given at least thirty (30) days in advance to allow the Affiliate to find coverage for his/her/their responsibilities.

Section 407 The Executive Committee shall appoint a qualified member to fill a vacated office until the next election cycle, at which time a candidate will be elected to serve the remainder of the term.

ARTICLE V – NOMINATIONS AND ELECTION OF OFFICERS

Section 501 President, Vice Presidents, Treasurer, Secretary, and Steward Coordinators will be chosen via open nominations by the entire affiliate membership. Beginning 2024, a member shall only be eligible for nomination or election of office when he/she/they has been a member and in good standing of this Affiliate for a period of one (1) year, provided no retired member shall be a candidate for office. All candidates nominated shall be notified and afforded an opportunity to decline the nomination. The nominee who declines shall not appear on the ballot. Each nominee may only be placed on the ballot for one office. An expressed consent and agreement to serve, if elected, shall be required.

1. Elected officers of the Affiliate shall hold office for a term of two (2) years or until their successors are elected but in no event for a period longer than one year after the end of their term, with the exception of Affiliate startup, in which the offices of President, Speech Language Pathology Vice President, Secretary, Steward Coordinator A, and Steward Coordinator B shall hold office for a term of three (3) years.

Section 502 All regular elections shall take place in the month of November with term of office beginning immediately.

Section 503 Nominations shall be made to provide alternating terms for officers as follows:

1. Elections taking place in ~~oddeven~~-numbered years: Occupational Therapy Vice President, Physical Therapy Vice President, Treasurer, and Steward Coordinator C.
2. Elections taking place in ~~evenodd~~-numbered years: President, Speech Language Pathology Vice President, Secretary, Steward Coordinator A, and Steward Coordinator B.

- Section 504 A notice of open nominations shall be distributed to each member's most recent contact information.
- Section 505 Ballots will be distributed to each member's most recent contact information according to current payroll rosters at least twenty (20) days before election deadline.
- Section 506 A majority vote of valid votes will be used to declare elected officers. Election results will be posted on the Affiliate webpage and emailed to the membership that subscribe to our system and provide their email. All nomination and election records shall be kept on file for a period of one (1) year.
- Section 507 Recall of Executive Board Officers shall be effected by:
1. Notification to the UNAC/UHCP Secretary of the desire to recall, with a signed petition of twenty-five percent (25%) of the membership.
 2. A general membership meeting in accordance with Article VIII. Meetings shall be called within thirty (30) days of receipt of a valid recall petition.
 3. Recall shall be effective thirty (30) days after approval by a majority of those voting.
 4. A successful recall measure shall automatically institute the election procedures within forty-five (45) days of the majority approval.

ARTICLE VI - STEWARDS

- Section 601 The Executive Committee shall create and maintain a list by unit, department and shift. There shall be at least one steward for each unit or department. The stewards shall be selected after having attended steward training(s) and by recommendation of the Executive Committee. The stewards shall report to their Steward Coordinator.
- Section 602 The duties of a Steward are as follows:
- Protect the rights of members and the Union by enforcing the collective bargaining agreement, other established work rules, or laws; assist members in workplace investigations or disputes: consult with management on matters of interest to the union; when necessary and appropriate, represent members in the formal grievance process while protecting the confidentiality of the member's information; motivate and mobilize members to become actively involved in addressing workplace issues; attend regular and special Steward meetings, Steward trainings, and general membership meetings; welcome new therapists to the Affiliate, obtain a completed and signed Membership Application/Voluntary Deduction Authorization and mobilize members for collective action.

ARTICLE VII - COMMITTEES

- Section 701 The standing committees of UTNC shall be:
1. Executive Committee
 2. Election Committee
 3. Financial Control Committee
- Section 702 The Executive Committee shall consist of the nine (9) elected officers: President, Speech Language Pathology Vice President, Physical Therapy Vice President, Occupational Therapy Vice President, Treasurer, Secretary, Steward Coordinator A, Steward Coordinator B, and Steward Coordinator C.

- Section 703 The Executive Committee shall have the authority to assign duties and areas of responsibilities for each officer.
- Section 704 The Executive Committee shall have the power to interpret and enforce this Constitution, and to make rules not in conflict with this Constitution. An interpretation of this Constitution by the Executive Committee may be appealed at any meeting of the general membership.
- Section 705 The Election Committee shall be appointed by the Executive Committee and shall consist of three (3) or more members. Members of the Election Committee may not run for office during the election cycle in which they are serving. They shall have the responsibility of communicating and organizing with the State Office regarding the nomination and elections of the Affiliate.
- Section 706 The Financial Control Committee shall be appointed by the Executive Committee; the Treasurer shall act as chairperson. The Financial Control Committee shall consist of three (3) members. The Financial Control Committee shall review all financial records and all expenses paid-out to ensure there is compliance with the financial policies of the organization. Financial Control Committee meetings shall be held quarterly and as necessary.
- Section 707 The Executive Committee shall establish additional committees as it deems necessary, not inconsistent with the Constitution. The President, with the consent of the Executive Committee, shall appoint committee chairpersons. The chairperson of each committee, with the consent of the Executive Committee, shall appoint members of each committee.
- Section 708 Committee members shall be required to attend all meetings. If a member does not attend three (3) consecutive meetings, the Executive Committee may appoint a new member as replacement. Any committee member of this Affiliate desiring to resign shall do so by writing a letter of resignation to the Secretary with notice given at least thirty (30) days in advance to allow time to find a replacement.
- Section 709 The Executive Committee shall be responsible for preparation of an annual audit of all financial transactions for publication and distribution to the membership.
- Section 710 The Executive Committee shall have authority to decide all of the business affairs of this Affiliate between meetings of the general membership.
- Section 711 The Executive Committee shall be responsible to serve as the bargaining committee. Members may be appointed as additions or substitutes on the bargaining committee with the approval of the Executive Committee.

ARTICLE VIII – MEETINGS

- Section 801 Regular general membership meetings of the Affiliate shall be held at least twice per year, or more frequently as necessary.
1. The place of meetings shall be determined by the Executive Committee.
 2. All members shall be notified of meetings by hardcopy or electronic notices.
 3. A quorum will be deemed present for the purpose of the conduct of business at the general meeting of the Association whenever three percent (3%) of the duly notified membership is present.
- Section 802 The Officers of the Affiliate shall attend general membership meetings.
- Section 803 Executive Committee meetings shall be held at least quarterly, or more frequently as necessary.
- Section 804 Special meetings of the general membership may be called at the request of the President, the Executive

Committee, or by a written petition signed by seven percent (7%) of the membership in good standing. Membership shall receive at least forty-eight (48) hours advance notice of any special meeting.

ARTICLE IX – PARLIAMENTARY PROCEDURE

Section 901 The rules contained in *The Standard Code of Parliamentary Procedure* shall govern this organization in all cases to which they are applicable, and in which they are not inconsistent with rules regularly adopted by the organization.

ARTICLE X - PROVISION OF BYLAWS

Section 1001 The bylaws shall provide for the management and government of the Affiliate, except as provided in the Constitution.

ARTICLE XI - STATE ASSOCIATION CONVENTION DELEGATES

Section 1101 The number of delegates to the State Association (UNAC/UHCP) Convention shall be determined in accordance with the United Nurses Associations of California/Union of Health Care Professionals Constitution and bylaws.

Section 1102 Elected Officers of the Affiliate shall be delegates to the State Association (UNAC/UHCP) Convention during their term of office.

ARTICLE XII - MISCELLANEOUS PROVISIONS

Section 1201 This local union shall at all times be subject to the provisions of the Constitution of the American Federation of State, County and Municipal Employees (AFL-CIO).

Section 1202 Except to the extent specified in this Constitution, no officer of UTNC shall have the power to act as agent for or otherwise bind UTNC in any way whatsoever. No member, group of members, other person, or persons shall have the power to act on behalf of or otherwise bind the Affiliate except to the extent specifically authorized in writing by the President of the Affiliate or by the Executive Board of the Affiliate.

ARTICLE XIII – AMENDMENTS

Section 1301 The UTNC Constitution may be amended whenever ten percent (10%) of the general membership casts a vote, subject to the following procedure:

1. Proposed amendments to the Constitution must be submitted in writing to the State and Affiliate Secretary at least three (3) weeks before a regular or special general membership meeting.
2. Proposals must be read at the next regular or special general membership meeting.
3. Proposed amendments and ballots shall be distributed to the general membership at least twenty (20) days prior to the ballot deadline.
4. A two-thirds (2/3) vote of the votes received shall be used to determine results.
5. Notice of adopted changes in the Constitution shall be published within ninety (90) days with notice given to all members.