

ARTICLE I – NAME

WHEREAS the following shall constitute the bylaws of **LOS ANGELES COUNTY PUBLIC DEFENDERS UNION – LOCAL 148** of the American Federation of State, County and Municipal Employees (“AFSCME”), American Federation of Labor and Congress of Industrial Organizations.

ARTICLE II – OBJECTIVES

Section 1. The objectives of Local 148 shall be to serve the interests of its Membership. These include, but are not limited to:

- A. To meet and confer in good faith with Los Angeles County Office of the Public Defender management and Los Angeles County concerning wages, hours, all other terms and conditions of employment, issues arising under the terms and conditions of employment, and matters arising under the Memorandum of Understanding (“MOU”) and applicable state law;
- B. To promote the welfare of the Membership and to provide a voice in the determination of the terms and conditions of employment particularly through the collective bargaining process;
- C. To promote political causes beneficial to Local 148, the members that it represents and the clients they serve;
- D. To promote and maintain diversity in the Los Angeles County Office of the Public Defender while identifying employment, legal and political issues associated with these groups and bring them to the attention to the Board of Directors, the Membership, Los Angeles County and Los Angeles County Office of the Public Defender management.
- E. To provide research and educational services and activities designed to assist members and other organizations consistent with the goals of Local 148;
- F. To foster cooperation among members and organizations consistent with the goals of Local 148;
- G. To the extent required by law and as provided in the MOU, provide representation in grievance and disciplinary proceedings to members of the bargaining unit upon request of the member, unless the member has a different representative that they have elected to represent them.

ARTICLE III – MEMBERSHIP AND DUES

Section 1. All persons regularly employed by the Los Angeles County Office of the Public Defender as a Deputy Public Defender Grade 1, 2, 3, or 4; attorneys who retired from the office as a Deputy Public Defender Grade 1, 2, 3, or 4; and any newly organized units are eligible for membership in Local 148. Membership is subject to the requirements of the AFSCME Constitution.

Section 2. Application for membership shall be made on a standard application form.

Section 3. The monthly membership dues of Local 148 shall be 0.6% of gross base salary per Local 148 member.

Section 4. Membership dues shall be collected by direct payroll deduction. In the event payroll deduction is precluded by law then the Board of Directors shall establish an alternate method of collection.

Section 5. A member is in good standing if their dues are current.

ARTICLE IV – MEETINGS

Section 1. General meetings of Local 148 shall be held quarterly, at a time and place to be fixed by the Board of Directors.

Section 2. Special meetings may be called by the president, by vote of the majority of the Board of Directors or by petition filed with the president and signed by not less than twenty (20) percent of the members of Local 148.

Section 3. The quorum for General and Special meetings of this local shall be seven (7) people. Proxies shall not be accepted.

Section 4. Before any meeting of members, the president may appoint any persons other than nominees for office to act as Sergeant(s) at Arms at the meeting or its adjournment. The Sergeant(s) at Arms will ensure that those present at the meeting are members in good standing and that meetings are conducted in an orderly fashion and in accordance with these bylaws.

ARTICLE V – VOTING

Section 1. All members in good standing of Local 148 are eligible to vote. The members' vote may be by voice vote, roll call, or by secret ballot; provided, however, that any election for the Board of Directors, change in dues or amendments to these bylaws must be by secret, written ballot. Any action must receive a simple majority to pass, unless a greater number is required in accordance with these bylaws or the AFSCME Constitution.

ARTICLE VI – OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. The Board of Directors shall have eleven (11) members: five (5) officers, four (4) directors and two (2) trustees. The officers of Local 148 shall be a president, a vice president, a secretary, a treasurer, and an at-large member, who shall be any union member from Grade 1 through 4. The five (5) officers shall constitute the Executive Board. The four (4) directors shall be comprised of one (1) member from each of the four (4) grades of Deputy Public Defender. A Grade 2 Deputy Public

Defender with less than three (3) years of experience in the Los Angeles Office of the Public Defender shall be eligible for the Grade 1 director position. In addition, there shall be elected two (2) members who shall serve as non-voting trustees. These eleven (11) members shall constitute the Board of Directors. Trustees are not eligible to vote on any matters before the Board of Directors. The trustees shall be elected to three-year (3) terms of office, except that in the initial election, they shall be elected for a one-year (1) term. All other officers shall be elected for a term of two (2) years.

Section 2. Nominations shall be made at a General or Special meeting of Local 148. At least fifteen (15) days' advance notice shall be given to the Membership prior to the nomination meeting and shall be done through United States Mail. Nominations shall be permitted from the floor at the nomination meeting. Nominees must choose to accept their nomination to participate in the election. All regular elections with the exception of the initial election shall be held in the month of January.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election for Local 148; provided, however, that no retired member nor a member who is promoted to a Grade 5 or accepts any management position shall be a candidate for office. If a current member of the Board of Directors accepts any management position or is promoted to a Grade 5, they shall be deemed to have relinquished the office held upon accepting the assignment. The Deputy-in-Charge ("DIC") position is not a "management position."

Section 4. Officers shall be elected by secret ballot vote. The balloting shall be conducted so as to afford to all members a reasonable opportunity to vote. At least fifteen (15) days' advance notice shall be given the Membership prior to the holding of the election. Upon completion of the voting the ballots shall be tabulated and the candidate for each office receiving a majority of the votes cast for that office shall be declared elected. In the event no candidate receives a majority of the vote, the two (2) candidates who receive the highest number of votes in the first balloting shall compete in a run-off election. The candidate who receives the highest number of votes in the run-off election shall then be declared elected. All election records, including ballots, shall be retained by the Secretary for at least one (1) year after the election. No funds of Local 148 shall be used to support the candidacy of any member for any elective office within Local 148.

Section 5. In the event of a vacancy in the office of the president, the vice president shall become Local 148 president for the remaining unexpired term. In the event of such a succession, the treasurer will succeed the vice president. All other vacancies in office shall be filled for the remainder of the unexpired term by vote of the Board of Directors.

Section 6. Every member of the Board of Directions shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the AFSCME Constitution.

Section 7. Removal of a member of the Board of Directors shall be governed by the AFSCME Constitution.

ARTICLE VII – DUTIES OF OFFICERS AND BOARD OF DIRECTORS

Section 1. The President shall:

- A. Preside at all meetings of Local 148, the Board of Directors and the Executive Board.
- B. Be an ex-officio member of all committees except election committees.
- C. Create and appoint all standing committees and ad-hoc committees of Local 148, subject to the approval by a majority vote of the Board of Directors.
- D. Countersign all checks drawn against the funds of Local 148.
- E. Report periodically to the Membership regarding the progress and state of Local 148 and regarding the president's official acts.
- F. Act as a delegate at all International and District Council conventions and meetings.

Section 2. The Vice President shall:

- A. Assist the president in the work of the president's office.
- B. In the absence of the president or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- C. Upon approval by a majority vote of the Board of Directors, be authorized to act as co-signer of checks drawn on Local funds in place of either the president or the treasurer.
- D. Act as a delegate at all International and District Council conventions and meetings.

Section 3. The Secretary shall:

- A. Keep a record of the proceedings of all Membership, Board of Director and Executive Board meetings; these records shall be made available to the Membership.
- B. Shall make available and maintain accurate, written minutes of all meetings. Shall ensure all minutes are ratified by a majority vote of the Board of Directors.
- C. Carry out the official correspondence of Local 148, unless otherwise directed by the Board of Directors.
- D. Perform such other duties as the Board of Directors may require.
- E. Act as a delegate at all International and District Council conventions and meetings.

Section 4. The Treasurer shall:

- A. Receive and receipt for all monies of Local 148 and maintain the General

- Fund.
- B. Deposit all money so received in the name of Local 148 in a bank or banks selected by the Board of Directors; money so deposited shall be withdrawn only by check signed by the appropriate signatories.
 - C. Prepare and sign checks for such purposes as are required by the constitution or are authorized by the Membership, Executive Board or the Board of Directors.
 - D. Keep an accurate record of receipts and disbursements and shall, once each month, submit to the Membership a monthly operating statement of the financial transactions of Local 148 for the previous month.
 - E. Act as custodian of all properties of Local 148.
 - F. Arrange for a surety bond for an amount to be fixed by the Board of Directors, at the expense of Local 148 and through the International Union.
 - G. See that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution.
 - H. Act as a delegate at all International and District Council conventions and meetings.

Section 5. The Member At-Large shall:

- A. Act as a delegate at all International and District Council conventions and meetings.
- B. Perform such other duties as the Board of Directors may require.

Section 6. The Directors from each grade shall:

- A. Act as delegates at all International and Council conventions and meetings.
- B. Perform such other duties as the Board of Directors may require.

Section 7. The Trustees shall:

- A. Act as delegates at all International and Council conventions and meetings.
- B. Complete their duties pursuant to Article VII Section 9.
- C. Perform such other duties as the Board of Directors may require.

Section 8. In the event that an International or Council convention allows fewer delegates from Local 148 than the Local has on its Board of Directors, the order of preference shall be the following: President, Vice President, Treasurer, Secretary, Member At-Large, Grade IV Representative, Grade III Representative, Grade II Representative, Grade I Representative, Trustee with the most seniority in the office, remaining Trustee. First preference will be to fill delegate seats, then alternate seats.

Section 9. The trustees shall make or cause to be made at least annually an audit of

the finances of Local 148, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of Local 148, and shall report to the Membership on the results of such audit.

Section 10. The Executive Board shall have full power and authority during the intervals between meetings of the Board of Directors to do all acts and perform all functions of an urgent nature that the Board of Directors might do or perform. The Board of Directors shall meet at least once per month and has full power when the Membership Meeting is not in session. Additional meetings may be scheduled at the call of the president or by a majority vote of the Board of Directors. A majority of the members of the Board of Directors shall be required for a quorum. Any member in good standing of Local 148 may attend a meeting of the Executive Board or the Board of Directors.

ARTICLE VIII – COMMITTEES

Section 1. Standing Committees

- A. **Diversity Committee.** The purpose of this committee is to promote and maintain diversity in the Los Angeles County Office of the Public Defender while identifying employment, legal and political issues associated with these groups and bring them to the attention of Local 148. The Diversity Committee shall consist of members who reflect the cultural and racial diversity of the Los Angeles County Officer of the Public Defender and its clients. This committee shall be comprised of one member from each of the Public Defender Affinity Groups including but not limited to the Black Public Defenders Association, Latino Public Defenders Association, Asian Pacific Public Defenders Association, LGBTQA Public Defenders Association, Women Defenders Association or any other similarly situated and/or recognized group. Each affinity group will select its own representative on the committee. A representative must be a member in good standing of Local 148 and is subject to removal by vote of the Board of Directors.

- B. **Political Legislative Action Committee.** Local 148 shall establish, maintain and fund a Political Legislative Action Committee (“PLAC”) as defined by California Fair Political Practices Commission. The PLAC shall pursue political causes relevant to Local 148. The PLAC shall also be responsible for evaluating judicial candidates, political candidates and legislation for possible endorsement. Disbursement of any PLAC funds shall be made only as directed by the Board of Directors. Members of this committee shall be Local 148 members in good standing who are appointed by the president with approval of the Board of Directors. PLAC fund contributions shall be 6.0% of the Union general fund. The mandatory contribution amount for the PLAC can be adjusted by majority vote of the

full Board of Directors if necessary in accordance with the operational needs of the Union.

- C. **Steward Committee.** The Steward Committee shall consist of all of Local 148's designated stewards. The committee shall regularly review representation cases in order to instruct stewards on the intent and meaning of the MOU, applicable standards and best practices. The Steward Committee will also review changes in representational law and rights, coordinate approaches to similar situations and perform other steward training matters. Matters pertaining to individual bargaining unit members shall be held confidential and in closed session. Members of this committee shall be Local 148 members in good standing who are appointed by the President with approval of the Board of Directors. No Deputy-in-Charge ("DIC") shall be eligible to serve as a steward. Any steward may be removed at the discretion of the President. All stewards are charged with the representation of any bargaining unit member in first-level grievances. They must also liaise between bargaining unit members, the Board of Directors, and AFSCME business representatives. They shall also serve as communication officers for all work sites.

- D. **Negotiation Committee.** A negotiation committee shall be established to plan for and conduct negotiations with the Los Angeles County Office of the Public Defender management and Los Angeles County concerning wages, hours, all terms and conditions of employment, issues arising under the terms and conditions of employment, and matters arising under the MOU and applicable state law. The negotiation committee shall include the Board of Directors (11) and five (5) additional members in good standing. The five (5) additional members shall be appointed by the President, but removable only by a majority vote of the Executive Board.

Section 2. "Ad Hoc" Committees. The Board of Directors at the direction of the president shall create Ad Hoc Committees as needed to facilitate Local 148 business. Members of this committee shall be Local 148 members in good standing who are appointed by the president with approval of the Board of Directors.

Section 3. Election Committee. The goal of the committee is to oversee a fair election process for Local 148. Election committee members may not run for the election in which they participate. Members of this committee shall be Local 148 members in good standing who are appointed by the president with approval of the Board of Directors.

ARTICLE IX – MISCELLANEOUS PROVISIONS

Section 1. Local 148 shall always be subject to the provisions of the AFSCME Constitution.

Section 2. Except to the extent specified in these bylaws, no member of the Board of Directors shall have the power to act as agent for or otherwise bind Local 148 in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind Local 148 except to the extent specifically authorized in writing by the president or by the Board of Directors.

Section 3. The rules contained in the current edition of The Standard Code of Parliamentary Procedure by Alice Sturgis shall govern Local 148 in all cases to which they are applicable and in which they are not inconsistent with these bylaws or the AFSCME Constitution.

ARTICLE X – AMENDMENTS

These bylaws may be amended, revised, or otherwise changed by a simple majority vote of the members voting on such proposed change. Proposed amendments to these bylaws must be made at a General or Special meeting of Local 148 and read and voted on at a subsequent General or Special meeting; adequate and proper notice must have been given to the Membership prior to the date on which the vote is taken. A written copy of the proposed amendments shall be furnished to every eligible voter at the meeting at which the vote is taken.

ARTICLE XI – INDEMNIFICATION

Local 148 shall, to the maximum extent permitted by law, indemnify each of its officers, members of the Board of Directors, employees and those agents designated by the Board of Directors who were acting within the scope of their duties, against any and all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any proceeding arising by reason of the fact that any such person is or was an agent of Local 148.