Original (1967) Amended (1983, 1986, 1987, 1989, 1991, 1992, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2010, 2013, 2014, 2016, 2017, 2018, 2021, 2022, 2023)

­­­­CONSTITUTION/BYLAWS

OF

NEVADA CLASSIFIED SCHOOL EMPLOYEES AND PUBLIC WORKERS

ASSOCIATION

**PREAMBLE**

With and because of a firm and fixed faith in the Public School System and Public workers of the State of Nevada, together with a desire to do our part to aid, assist and improve the same, we, the Classified School Employees and Public Workers of the State of Nevada, desiring to form an association designed to elevate and improve our services rendered, to develop a better understanding between our members, Public School Employees and Public Workers do adopt these Bylaws. (2018)

**DEFINITION OF PURPOSE**

The purpose of the Nevada Classified School Employees and Public Workers Association is to promote the general welfare to classified employees and public workers in the State of Nevada by strengthening the independent labor movement, organizing all classified employees and public workers into a united association working for classified employees and public workers concerns, influencing state policies which impact classified employees and public workers and serving as an advocate for classified employees and public workers and their causes.

**ARTICLE I**

**Name and Objective**

Section I. Name

The name of this Association shall be Nevada Classified School Employees and Public Workers Association, hereinafter referred to as the Association.

Section II. Objectives

1. To promote the efficiency and raise standards of service of classified school employees and public workers within the State of Nevada.
2. To cooperate with associations of school, private and public employees.
3. To promote cooperation and understanding between classified and public workers employees, their employers, supervisors and establish fellowship among the members of the Association.
4. To initiate and promote such legislation as may be for the best interest of the members of the Association.
5. To establish a spirit of friendly cooperation with the State and Local Boards of Education and public workers and to seek strong financial support for the Nevada Public Schools and Public workers.
6. To secure economic advantages including better wages, hours and working conditions through organization and collective bargaining and the utilization of other lawful means.
7. To deal with employers concerning grievances, complaints, labor disputes, wages, rates of pay, hours of employment or conditions of work and in other related rights within NRS 288.
8. To do any and everything necessary and proper to carry out these purposes.
9. The Association shall not discriminate with regards to race; creed; sex; age; sexual orientation; disability; social, political, or economic status; or national origin.

**ARTICLE II**

**Membership**

Section 1. Member in good standing – A member in good standing is any Association Member who is covered in a collective bargaining agreement to which the association is part, who can demonstrate membership in a local Chapter or the Association as a current dues paying member at large.

Section 2. All classified school employees and public workers or other associations approved by the State Board and in alignment with the State Bylaws shall be eligible for membership in the Association, together with Honorary Members and Retired Members admitted by this Association. As long as they meet Article II Section1.

Section 3. Active members – Active members shall have voting rights and shall constitute a basis for selection of representatives to the Annual Delegate Conference. They shall be entitled to all services admitted by this Association. As long as they meet Article II Section 1.

Section 4. Members at Large – any person meeting the requirements for active members in a local chapter not having an Affiliated Chapter may become a Member at Large. When a Chapter is subsequently formed in that persons District of employment, he/she shall become a member of the Chapter. Needs to meet Article II Section 1.

Section 5. Honorary Members – Person deemed deserving may be granted Honorary Membership without voting rights in the Association by a vote of fifty percent (50%) plus one (1) of the Delegates at any Annual Delegate Conference of the Association and no dues shall be required of the Honorary Member (10/16/10)

Section 6. Retired Members – shall be those persons who have been active members and wish to continue their membership. Such Retired Members shall pay dues at the Tier 4 level per year with voting rights. Retired Members shall be able to hold any State Executive Board position of the Nevada Classified School Employees and Public Workers Association, provided they have held a State or local board position in the preceding 5 years.

**ARTICLE III**

**Dues and Assessments**

Section 1. Individual Chapters shall be formed, as provided and shall determine the amount of dues which shall be paid by the individual members that meet the requirements of Article II Section 1 therefore; said Chapter dues to include monthly association tier dues for each member. Each individual Chapter will be responsible for collecting NCSEAPWA dues in accordance with the current tiered amounts.

Section 2. Individual Chapter dues shall be collected on a monthly basis, twelve (12) months per year. The Treasurer of each Chapter shall forward these dues to the State Office of the Association on or before the 10th day of the month for the previous month and the tiered dues for each working member together with such forms as may be required.

Section 3. Voluntary withdraw – Voluntary withdraw of a Chapter from the State Association and shall be by written notice to the State Board, provided the following conditions are met:

1. A Chapter wanting to withdraw from the State Association shall notify each of its members in good standing 60 days prior by personal email of a special Chapter membership meeting to discuss and vote upon the proposed withdrawal. At the same time, written notice of this special meeting shall emailed to the State Office affording members of the State Board and /or the State Office the opportunity to attend this meeting. The written notice must include address and personal emails of the Chapters membership. The written notice must include a list of grievances showing cause for withdraw. The State Board reserves the right to speak at the meeting and the Chapter has the right to invite other organizations to speak.
2. A vote to withdraw from the State Association shall require 50% +1 vote of the entire Chapter membership. A copy of the minutes of this special Chapter meeting shall be forwarded to the State Office.

Upon withdraw, dues must immediately be paid for all outstanding debts owed to the State, including dues, legal fees and contract services. In the case of involuntary withdraws, any dues that have been paid to the State Treasury shall remain with the association.

Section 4 . The tiered dues amount for members of the Association shall be reviewed for recommendation by the Finance Committee for the approval of the Delegates at the Annual Delegate Conference. A resolution must be presented by the Finance Committee for a tiered dues increase and approved by a fifty-percent (50%) plus one (1) vote of the credentialed and attending Delegates at the Annual Delegate Conference.

1. Members working 11-12 months 210-260 days per year will pay Tier 1 dues.
2. Members working less than 210 days (42 weeks) per year will pay Tier 2 dues.
3. Members working less than 4 hours per day will pay Tier 3 dues.
4. Retired members will pay their dues at Tier 4 annually.

**ARTICLE IV**

**Chapters**

Organized Classified School Employees in the County School District or Public

Workers shall be eligible for affiliation with the Association upon compliance with

the provisions of the Bylaws herein expressed.

Section 1. The group seeking affiliation shall request and submit a completed application to the Association for affiliation.

Section 2. Upon affiliation, each individual Chapter shall be granted a duly authorized Charter officially signed by the Association President and Secretary. Each affiliated Chapter shall be assigned a Chapter affiliation number.

Section 3. Within thirty (30) days after the Nevada Classified School Employees and Public Worker Association Standard Chapter Bylaws have been adopted, signed by the Officers and subsequently submitted to and approved by the State Board of Directors of the Association, the Chapter shall begin submitting dues to the Association State Office.

Section 4. Chapter in Good Standing – A Chapter in good standing is one which can demonstrate affiliation with the Association, has submitted its Bylaws to the State Board of Directors at the Annual State Conference, provides an accurate monthly listing of its membership and is not more than thirty (30) days in arrears with the tiered dues payments of its membership of the Association.

Section 5. All affiliated individual Chapters shall abide by the Bylaws of the State Association.

**ARTICLE V**

**Board of Directors**

Section 1. The Executive State Board of Directors of this Association hereinafter referred to as the State Executive Board shall consist of the President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, or an Executive Member at Large.

Section 2. Between Annual Delegate Conferences of the Association, the necessary day to day business of the Association shall be conducted by the Executive Board, one item of which may be the Annual Delegate Conference. All Executive State Board members, when elected, shall assume the responsibilities of their designated office and attend all State Board meetings.

Section 3. The State Board of Directors will be made up of (1) President or designee from each chapter and the members of the State executive Board. The State Board of Directors shall meet on a regularly scheduled basis. A quorum must be present in order to conduct business. A quorum will consist of five (5) State Board members, of which three (3) must be elected executive board officers.

Section 4. Each Chapter President shall inform his/her Chapter Board of all actions taken at the State Board meetings, communication concerns from his/her Chapter to the State board and attend all Board of Directors meetings of their local Chapter.

**ARTICLE VI**

**Election of Officers Removal of Officers**

**Discipline**

**Elected Officers (Board)**

Section 1. The Officers of the Association shall be President, 1st Vice President, 2nd Vice President, Secretary and Treasurer or an Executive Member at Large.

Beginning with Officers Elections at the 2003 Annual Delegates Conference, they shall be elected for a two (2) year term. The officers elected shall assume their duties at the close of the Annual Delegates Conference. Beginning at the 2021 Annual Delegate Conference, the 1st Vice President, and Treasurer will be elected in odd years and the President, Secretary, and 2nd Vice President will be elected in even years.

Section 2. All elective Officers shall be elected by secret ballot by a majority vote of the Delegates who shall be present and voting at the Annual Delegate Conference. They shall continue in office until successors accept the election and assume their duties.

**Removal of Officers**

Members of the State Board shall fall under the same disciplinary and removal guidelines as any other chapter member in good standing, as set forth in the Discipline section of Article VI of these Bylaws.

**Discipline**

Section 1. Any member of a local chapter, or a chapter in good standing, including officers or members of the State Board may be subject to reprimand, or suspension from membership for a certain period of time or expulsion from membership entirely upon confirmation by the State Executive Board of any written allegations to the Disciplinary Committee. The written allegations must showthat the member has violated the State or Local Bylawsdisturbing its well-being, hampering its work, is guilty of malfeasance, nonfeasance or conflict of interest.

Section 2. When written charges are filed against any member or chapter in good standing or any member of the State Board, they shall be reviewed by the Disciplinary Committee. If actions are to be taken, a hearing shall be scheduled. All members involved shall be given an opportunity to appear before the Disciplinary Committee to present their views. All parties involved shall be given ten (ten) days written notice of the date, time, and location of any hearings to be held, together with a written copy of the allegations.

Section 3. At such hearings, the charged member or chapter in good standing may only be represented by a member of the Association. Such member cannot be connected to or the subject of the same charge. TheDisciplinary Committee will hear and review all evidence brought before it by all parties involved. The committee will then deliberate in closed session to determine its recommendation (s) for action to the Executive State Board.

Section 4. If a member or chapter in good standing is found guilty of one or more violations, the  Disciplinary Committee may recommend to the Executive State Board that the member or chapter in good standing be reprimanded, suspended from membership for a certain period of time, removed from office or expelled from membership permanently. No reprimand, suspension, removal from office or expulsion from membership shall be effective until the Executive State Board takes action, however, this action does not prevent either party from seeking remedy under the law.

Section 5. The Executive State Board shall review the recommendations of the Disciplinary Committee and by two-thirds (2/3) vote of Executive State Board will determine the disciplinary action(s) necessary. The decision of the Executive State Board shall be final. This decision of the Executive State Board, however, does not prevent either party from seeking remedy under the law.

**ARTICLE VII**

**Duties of Officers**

Section 1. **President:** The President shall preside at any meetings of the Board of Directors and perform the following duties; Enforce the usual parliamentary rules and appoint committees as deemed necessary by the Bylaws for the accomplishment of the purpose of the Association; serve as ex-officio member of all committees; supervise and be responsible for the Offices and Committees of the Association in performing their duties and enforce a strict observance of the Bylaws of the Association; prepare an agenda for each regular meeting; maintain a continuous study of the problems prepare an agenda for each regular meeting; maintain a continuous study of the problems concerning the Association and keep the Association informed of the results of these studies; prepare informational reports so that all members will have full information of the Association; arrange for and schedule all meetings of the State Board. The President shall be bonded.

Section 2. **1st Vice President:** The 1st Vice President shall perform the duties of the President in the event of absence.

Section 3. **2nd Vice President:** The 2nd Vice president shall perform the duties of the 1st Vice President in the event of absence.

Section 4. **Secretary:** The Secretary shall handle all correspondence and is the Recording Officer. The Secretary shall issue notes of meetings and inform those elected or appointed Officers of Committees. The Secretary also receives and files all committee reports and keeps minutes of the meeting. The Secretary, or designee, shall be responsible for maintaining the membership records. At each meeting, the Secretary should have the Minute Book, copy of the Bylaws, a book on Parliamentary Procedures and a list of the unfinished business from the previous meeting. The Secretary shall be allocated funds for all expenditures necessary for the performance of secretarial duties.

Section 5. **Treasurer:** The Treasurer shall maintain a full account of the funds of this Association. Make disbursements as authorized by the President of the State Board in accordance with the budget adopted by the Association at its Annual Delegate Conference, have checks signed by two (2) approved signatures, if payment is by check, cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to the Association, provide a written financial statement to the State Board at each meeting, present and annual report of the financial condition of the Association, prepare and file such forms as required by the IRS or other tax agencies and perform such other duties as may be provided for by these bylaws and prescribed by the parliamentary authority or directed by the President of the State Board. The Treasurer shall be the Chair of the Finance Committee. In the event of a vacancy in the office of Treasurer such position shall be filled by appointment by a Member at Large for the unexpired term by a majority of the Executive State Board. The treasurer business duties may be completed through contract for services during a vacancy in the position or by assignment to another Executive Board member or a qualified member in good standing by the President. The Treasurer shall be bonded.

Section 6. **Member at Large**: The Member at Large shall be a voting member of the Executive Board and the duties will be assigned as needed by the Executive Board.

Section 7. Upon the death, retirement or resignation of any Executive Board Member, such position shall be filled by appointment for the unexpired term by a majority vote of the Executive State Board.

**ARTICLE VIII**

**Staff**

**Paid Staff**

Section 1. The Executive State Board shall have the authority to employ as many persons as it deems necessary at its discretion.

**Board/Staff Responsibilities**

Section1. The Executive State Board has appropriate policy making responsibilities for the Association. The President is responsible for the operational functions of the Association. State Board members shall not interfere in the day-to-day operations of the State Office nor issue orders, directives or assignments to Staff on normal operational matters. Requests for Staff assistance shall be directed to the President. Staff working for the President shall carry out the policy direction of the Executive State Board.

**Board/Staff Relationships**

Section 1. A positive, constructive, cooperative relationship between the State Board and Staff is essential to achieving the mission and vision of the Association. Therefore, the State Board and Staff will conduct themselves in a way that promotes mutual trust, demonstrates respect for individual dignity and displays professionalism. State Board and Staff shall utilize positive conflict resolution methods and maintain open, honest lines of communication that respect an appropriate chain of command within the Association.

**Personnel Performance**

Section 1. The President is responsible for and has authority over State Office Staff matters. The Board and members shall direct personnel commendations or complaints to the President. Such statements shall be submitted in writing and signed. The Personnel Committee shall establish guidelines to ensure that a system of preventive, positive and corrective discipline exists. Employee evaluations will be conducted on an annual basis by the Personnel Committee.

**ARTICLE IX**

**Budgetary Control**

Section 1. All funds of the Association shall be received and entered by the Treasurer or designee. These records shall be kept under the direction of the President. All books and accounts showing all Association receipts and disbursements shall be maintained and shall be open at all times to the inspection of the President and/or the State Board and/or their agent(s).

All reports as to the financial condition of the Association with a detailed statement of receipts and disbursements for the preceding fiscal year shall be submitted annually by the Treasurer in a form approved by the Executive State Board and shall be provided at the State Board meeting in September of each year.

Section 2. All funds of the Association shall be kept in the name of the Nevada Classified School Employees and Public Workers Association in such depository as may be approved by the Executive State Board and shall be disbursed by the Treasurer, by check signed by two (2) approved signatures or other methods approved by the Executive State Board, or by bank transfer with approved authorization.

Section 3. The Finance Committee shall prepare an annual budget which shall be subject to review by the Executive State Board for approval at the Annual Delegate Conference.

The budget approved by the Delegates at the Annual Conference for the following year must be balanced. A budget cannot be approved by the Delegates which reflect or will result in a deficit. Savings can be used to balance the budget.

The budget shall contain itemized estimated receipts and expenditures and shall indicate the amount to be set aside for the General Fund and the Reserve Cash Flow Fund.

The **General Fund** (checking) shall be received from the income generated by membership dues and may be expended as prescribed by the Budget.

The **Reserve Cash Flow** (savings) shall be generated from unexpended funds by savings from the General Fund. During periods of income shortages and for one-time expenditures, transfer of funds from this account in any amount to the General Fund must be approved by the Executive State Board.

The **Legal Defense Fund** shall be generated from a percentage (%) from the payment of each member’s monthly dues to the State Association to represent its members and its Chapters before mediators, arbitrators, labor boards, courts of law and other legal entities in representing and/or defending its membership in all matters that negatively impact the Purpose of the Association. (10/16/10)

Section 4. Monies in the Reserve Fund may be invested in the name of the Association by direction of the Executive State Board in insured banks, building and loan companies, government bonds or such investment that the Executive State Board considers to be productive and secure.

Section 5. The approved budget shall prescribe all expenditures of the Association. Any expenditure in excess of those approved at the Annual Delegate conference shall be approved by the Executive State Board.

**ARTICLE X**

**Committees**

The Association shall have the following Committees appointed by the Executive State Board as needed.

Section 1. **Annual Delegate Conference Committee:** This committee shall prepare a program for the Annual Delegate Conference, arrange for the entertainment at Annual Delegate Conference and secure housing for Delegates and guests to the Annual Delegate Conference. This committee shall validate the credentials of all delegates of the Annual Delegate Conference.

1. **The Nominating Committee:** This committee shall seek nominations for candidates for each elective office and nothing herein contained shall limit nominations for elective officers from the floor by Delegates to the Annual Delegate Conference. The Committee shall be responsible for creating, distributing, collecting, securing and tallying ballots and reporting the results to the Delegate body at the Annual Delegate Conference. Ballots will them be sealed and filed in the State Office for one (1) year, after which time they shall be destroyed.

Section 2. **The Legislative Committee:**  In accordance with the Association this Committee shall support legislation favorable and oppose legislation unfavorable to the Association by participating in all aspects of the legislative process, including but not limited to working with legislators to prepare bill drafts favorable to the Association, attending and testifying at various legislative committee meetings, reviewing and making recommendations to the State Board concerning bills that may impact the Association and its membership, etc. The President or his/her designee shall act as Chair of this Committee.

Section 3. **The Disciplinary Committee:** This Committee will be appointed by the Executive State Board to hold hearings on Discipline as outlined in Article VI as needed.

Section 4. **The Organization Committee:** This Committee shall assist in all aspects of increasing the membership of the Association.

Section 5. **The Finance Committee:** This Committee shall establishan Annual Budget for the Association for approval by the Delegates at the Annual Delegate Conference, recommend the amount of the per capita dues and so a quarterly review of the budget for potential modifications.

Section 6. **The Personnel Committee:**  This Committee shall receive and review all applications for paid staff positions, narrow the field of applicants to a reasonable number for interview by the State Board, periodically review the job performance of staff and bring its recommendations to the Executive State Board, review and recommend modifications of job descriptions of the paid staff members of the Association, review and make recommendations for salary structure and benefit modifications for paid staff members, oversee disciplinary measures regarding the staff, hear appeals from paid staff members regarding disciplinary measures and bring its finding and recommendations to the Executive State Board for its decision. This Committee will consist of a minimum of three (3) State Board members appointed by the President.

Section 7. **The Bylaws Committee:** This Committee shall be responsible for periodically reviewing and recommending amendments to the Bylaws of the Association, reviewing and recommending amendments to the Policies and Procedures of the State Board, periodically reviewing local Chapter Constitution/Bylaws and recommending modifications for keeping local Chapter Constitution/Bylaws in alignment with the State Constitution/Bylaws, as well as encouraging local Chapters to submit resolutions to the Annual Delegate Conference.

Section 8. **The Public Relations Committee:** This Committee shall be responsible for enhancing the public as well as the internal image of the Association through written and verbal communication with local Chapters and other entities which have interests similar to the Association and are not in direct conflict with its Purpose.

**ARTICLE XI**

**Amendments to the Bylaws Resolutions**

Amendments to the Bylaws and Resolutions to be considered by the Delegate body must be submitted by official publication to each Delegate twenty (20) days prior to the Annual Delegate Conference. A fifty-percent (50%) plus one (1) vote of attending Delegates at any Annual Delegate Conference will be required for the adoption of any Amendment to the Bylaws and /or Resolution.

**ARTICLE XII**

**Annual Delegate Conference**

Section 1. There shall be an Annual Delegate Conference of the Association. The location of such Annual shall be determined by the State Conference Committee subject to approval by the State Board. The Annual Delegate Conference shall be held during the month of March.

Section2. At the Annual Delegate Conference each Chapter shall be entitled to one (1) Delegate for every fifty (50) members or part thereof. In addition, the President of each Chapter or his/her designee shall be a Delegate to the Annual Delegate Conference. Delegates shall be determined through the number of members sixty (60) days prior to the Annual Delegate Conference, except in the event of a Chapter being organized during the ninety (90) day period prior to the Annual Delegate Conference. A member of one Chapter will not be permitted to represent another Chapter as a delegate or alternate delegate. The Delegate roster shall be returned to the Association at the time of the Delegates are determined. Such Delegates may be selected on the above ratio and seated by the decision of the State Board. State Board members shall be voting members at the Annual Delegate Conference and shall not be included in their local Chapters Delegate allocation.

Section 3. Members At Large attending the Annual Delegate Conference may form an Annual Delegate Conference Chapter for the purpose of electing a Delegate.

The names of the members of this Annual Delegate Conference Chapter must be certified to Conference Committee prior to the time of any voting on any measure by the Delegates elected from the Annual Delegate Conference Chapter. This Annual Delegate Conference Chapter shall have one (1) vote and no proxy will be permitted.

Section 4. Each Delegate must be certified as a delegate by his or her Local President. Delegates at Large must be certified by the State Office to the Conference Committee. Each Chapter shall be responsible to submit a Delegate Registration Form thirty (30) days prior to the Annual Delegate Conference. One half (1/2) of the certified and approved Delegates must be present to constitute a quorum for voting purposes. Emergency certification may be allowed at the registration desk at the Annual Delegate Conference.

**ARTICLE XIII**

**Special Delegate Conference**

Section 1. From time to time there may arise the need for an additional meeting of the Delegate body outside the Annual Delegate Conference. This Special Delegate Conference may be called by fifty (50%) plus one (1) vote of the State Board or a simple majority of the local Chapters. A place and time to be decided upon by the Executive State Board.

Section2. The number of voting Delegates that may attend, including Members at Large, as well as certification of Credentials for this Special Delegate Conference will be the same criteria as previously specified in Article XIII, Section 2, 3 and 4 of these Bylaws.

**ARTICLE XIV**

**Non-Member Representation**

Section 1. Any person who is covered by a collective bargaining agreement to which the Association is a party, who has not been an active dues paying member for 30 days, and who desires to utilize the services of an Association representative of an attorney typically used by the Association in a matter involving a grievance and/or a potential grievance specific to that person, the subject of which occurred within the 30 day period before the person became an active duespaying member shall be required to pay a service fee according to the following schedule;

1. For the service of a non- attorney representative who is a member of the person’s local chapter a $60.00 per hour, including consultation with the person and appearance at any meeting between the person and his or her employer’s representative where the person specifically requests, either orally or in writing, representation by the non-attorney representative.
2. For services of a non-attorney representative who is not a member of another local chapter, $75.00 per hour, including consultation with the person and appearance at any meeting between the person and his or her employer’s representative where the person specifically requests, either orally or in writing, representation by the non-attorney representative
3. For the services of an attorney which is provided by the Association at the non-member’s request, the actual fees, and costs, including travel time if applicable, charged by the attorney.

Section2. This article shall be reviewed annually by the State Board of Directors of the Association.

**ARTICLE XV**

**Fiscal Year**

The Association’s fiscal year shall be July 1st through June 30th of each year.