CONSTITUTION & BY-LAWS



OF THE MENIFEE COUNCIL OF CLASSIFIED EMPLOYEES

(MCCE) LOCAL 6109, CFT/AFT, AFL-CIO

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Constitution

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CONSTITUTION

ARTICLE I

NAME

This organization shall be known as the Menifee Council of Classified Employees (MCCE) Local 6109, CFT/AFT, AFL-CIO, here in after referred to as the union of Federation.

ARTICLE II

OBJECTIVES

The purpose of this Union shall be:

- Section 1 To secure full trade union rights, including the rights to exclusive recognition and collective bargaining, for all employees who are eligible for membership.
- Section 2 To advance the economic, social, and political well-being of the membership.
- Section 3 To represent the membership of this bargaining unit in their bargaining relationships and responsibilities with the district and to exercise exclusive collective bargaining rights including the right to strike, for all classified employees.
- Section 4 To improve standards for classified employees by promoting better preparations for our jobs, encouraging relevant in-service training and securing the working conditions essential to the best performance of professional service
- Section 5 To provide all benefits of membership to which members of the Union are entitled. To obtain for all classified employees of the district, through a collectively bargained contract , all the rights and benefits to which they are entitled.
- Section 6 To fight all forms of bias based on race, creed, sex, age, ability, sexual orientation, social, political or economic status or national origin.
- Section 7 To promote democracy, equality, and trade unionism in the society at large.

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ARTICLE III

MEMBERSHIP

- Section 1 All persons are eligible for memberships in MENIFEE COUNCIL OF CLASSIFIED EMPLOYEES LOCAL 6109, who are employed as classified employees in the Menifee Union School District. Classified employees that are classed as Crossing Guards, manager, Supervisors or confidential employees are not eligible for this membership.
- Section 2 No eligible person shall be denied membership, nor shall this organization ever discriminate against individual members, or applicants for memberships on the basis of race, creed, sex, sexual orientation, disability, social, political, or economic status, or national origin.
- Section 3 Any eligible classified employee of the Menifee Union School District who joins the Union is a member in good standing as soon as the Membership Agreement which includes the authorization for dues withholding from earnings is submitted to the Membership officer of the Union and dues have been deducted from payroll through payroll deduction. An employee will remain a member of the Union until the Membership Officer is notified, in writing by the employee, of his/her intent to resign in accordance to the signed Membership Agreement.
- Section 4 Eligible members, who wish to maintain membership in the Union during a leave of shall contact the Membership Officer and make arrangements to submit monthly membership dues payment directly to the Treasurer. In this situation, a personal check , cashier's check or money order shall be payment of membership dues.
- Section 5 To be eligible to vote, an employee must be a member in good standing at least thirty (30) days prior to an election or ratification vote to ensure an accurate membership list at the polls.
- Section 6 To be eligible to serve as a committee member on any standing or "as needed" committee, a classified member must be a member in good standing for at least thirty (30) days.

ARTICLE IV

ELECTION OF OFFICERS

Section 1 Beginning in 2021 the members shall elect the following officers for an interim of 2 years. Officers will be voted on in alternate years at an annual election held each year in May. In the year of 2021 and every subsequent odd year the following officers will be voted on: a. Vice President

- b. Vice President of Grievance
- c. Treasurer
- d. Membership Director

In the year 2022, and every subsequent even year, the following officers will be voted on: a. President

- b. Secretary
- c. Site Representatives
- Section 2 Elections shall be conducted in accordance with these by-laws and constitution only. Guidance (if necessary) should be sought thru current AFT rep and AFT Constitution.

The Elections Committee shall conduct all general and special elections and referenda of the organization.

The Elections Committee shall consist of a minimum of three members in good standing. The Elections Committee must consist of an odd number and may have one alternate. The Chair to be appointed by the President with the approval of the Executive board no later than the March MCCE Board Meeting. The President shall not serve ex officio or be elected to the Elections Committee. Any member of the Elections committee nominated for or seeking office must vacate their position and be replaced by the alternate. The alternate shall not attend meetings unless an appointed member is unable to attend or must resign. At which point, the alternate replaces the member until the committee is discharged from all duties.

- Section 3 Elections will be conducted annually. Each April Nominations will be due the same date as the MCCE General Membership Meeting or s determined by the Elections Committee . Each March, as a courtesy, the election committee will email out a reminder notice /nominations form to all members and send information to Site Representatives to post to The MCCE Board at each site.
- Section 4 Members will receive a ballot via union provided email on a date to be determined by the Elections Committee dependent on the chosen method of voting for the election. Voting will be on the date of the May MCCE General Membership Meeting.
- Section 5 Ballots for the Election of officers and any other matters members are voting on shall be counted during May's general membership meeting. All ballots must be received by 4pm on Election Day. The Nomination/Elections Committee shall act as tellers to all and shall certify electronic results or publicly count the ballots dependent on the method of voting for the election. The candidate receiving fifty (50%) percent plus one (+1) of the votes shall be elected.

- Section 6 To be eligible to run for office a person must be a member in good standing for a period of six (6) months prior to the date of the election. A member in good standing is described as someone who has paid their member union dues for the six months just before running for office.
- Section 7 The nominations of candidates for office shall be conducted as follows:
 - To be nominated, you must either be nominated by someone or you can nominate yourself in writing, may be via email to the nominations/elections committee.
 - Nominations may not be made from the floor at the elections meeting.
 - Elections will be held each year beginning the 2020-2021 school year with the following positions: Vice President, Vice President of Grievance, Membership, and Treasurer. 2021-2022 school year will be President, Secretary, and Site Representatives.
 - To be eligible for any position you must be a member in good standing for six months.
 - Only those nominated by the April deadline will be on the ballot. No write-in candidates will be allowed on ballots.
- Section 8 In the event of a resignation or vacancy of any position on the Executive Council (with the exception of the President), the office shall be filled by appointment of the President and approved through a vote of the Executive Board. Nominations may be brought by any member to the next council meeting. After confirming any /all nominations The Board will vote in one of the nominees until such time an election is held. The appointment will last for the remaining term of the office appointed.
- Section 9 In the event of a vacancy or a resignation in the office of the President, the Nominations/Elections Committee shall conduct a special election of the general membership, conducted at a specific site or sites, as designated by the Election Committee Executive Board.
- Section 10 All past Presidents shall sit on the Executive Council as advising members at the sole discretion and request of the majority of the current Executive Council.
- Section 11 A petition signed by thirty-percent (30%) of the membership, and alleging constitutional violation, fiduciary breaches, or acts clearly detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of a recall election, if a majority of the Executive Board approves a recall election, the Elections/ Negotiations Committee shall supervise the recall election.

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- Section 12 Challenges and objections to the election must be submitted in writing, or at the discretion of the Elections Committee may be via email, with a statement of supporting reason that include, specific facts as well as any documentation, to the Elections/ Nomination within five (5) days of the count. The Elections/Nominations Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.
- Section 13 In the absence of a majority, The Elections/Nominations Committee shall conduct a run-off election between the two candidates who have received the most votes for the office in question.

ARTICLE V

DUTIES OF OFFICERS

Section 1 The President Shall:

- Be the presiding officer at all meeting of the membership, The Executive Board
- Be an ex-officio member of all standing committees except the Nominations/Elections Committee
- Appoint, with the approval of the Executive Council, the chairs of all standing and special committees.
- Be responsible for ongoing administration of the Union.
- Receive, report and respond to correspondence of the Union or direct such correspondence to the Secretary for response.
- Be one of the responsible financial officers of the Union and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds.
- Represent the Union before bodies of the employer executive and legislative officials.
- Represent the Union before the public, community organizations and the news media.
- Be a delegate to the San Bernardino/Riverside Labor Council, California Labor Federation, American Federation of Labor/Congress of Industrial Organizations (AFL-CIO)
- Be a delegate to the convention of American Federation of Teachers and California Federation of Teachers meetings and/or conventions and conferences of its affiliated subordinate bodies.
- Provide a monthly report of Union business conducted for that month to the Membership of the Union.
- Be authorized to delegate the responsibilities of the office except where otherwise specified by the constitution.
- Supervise all employees of the organization.
- Provide a monthly Report of Union business conducted for that month at the monthly Executive Board Meeting for monthly stipend.
- Share all Grievance Duties with the Vice President if the Vice President of Grievance is vacant.
- Make appointments for unfilled positions and/or non-voting officers with the approval of the Executive Board.

- Create the Agenda for monthly Executive Board Meetings and General Membership meetings and present to Secretary no later than 10 days before meeting date to publish.
- Coordinate training for officers.

Section 2 The Vice President Shall:

- Assist the President and assume the responsibilities of The President in the event of The President's absence, resignation, death or disability until a successor is elected.
- Oversee the work of and receive regular reports from the Organizing and Leadership committees.
- Perform other duties as delegated by The President or assigned by the Executive Council.
- Co-sign financial instruments in the absence of The President or Treasurer.
- Provide a monthly report of Union business conducted for that month to the Membership of the Union.
- Provide a monthly Report of Union business conducted for that month at the monthly Executive Board Meeting for monthly stipend.

Section 3 The Vice President of Grievance Shall:

- Be trained by state and national Union representatives in the proper handling of grievances.
- Assist the Executive Council and Site Representatives and employee filing grievances in working towards the resolution of contractual and non-contractual disputes in the workplace, with the concurrence of the President.
- Maintain records of grievances and their disposition.
- Be responsible for the processing of grievances and disputes beyond the immediate work locations with the concurrence of the President.
- Turn over all completed grievance information and files to The President for future reference and storage.
- Hold all grievances in strict confidence.
- Provide a monthly report of Union business conducted for that month to the Membership of the Union.
- Provide a monthly Report of Union business conducted for that month at the monthly Executive Board Meeting for monthly stipend.

Section 4 The Treasurer shall:

- Receive, record and deposit all dues monies and other income in the name of the organization.
- Maintain accurate records.
- Issue notices of delinquency.
- Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds.

- Maintain all financial records of the organization.
- Arrange for an independent audit for the finances of the organization annually by July 1st and make sam available to the Executive Board and membership, or audit by auditor to be completed no later than July 30th
- Transmit per-capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated.
- Act as Chairperson of the Finance Committee.
- Perform other duties as delegated by The President or assigned by the Executive Board.
- Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT.
- Present accurate monthly accounting to the Executive Board.
- Present accurate accounting to Membership at each Meeting.
- Provide a monthly Report of Union Business conducted for that month to the Treasurer for monthly stipend.

Section 5 The Secretary Shall:

- Maintain the non financial files and records of the organization.
- Be the custodian of the seal and charter of the organization.
- Record and keep accurate minutes of meetings of the membership and Executive Board, and all reports and other documents presented.
- Assist the President in handling the correspondence of the organization.
- Receive and certify the reports of the Election Committee, Board, including sending out Agenda and meeting reminders to members.
- Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act.
- Update Site and Site Representative books.
- Provide a monthly Report of Union business conducted for that month to the Treasurer for monthly stipend.

Section 6 The Membership Director Shall:

- Maintain accurate membership records in a timely manner and forward as required
- Issue membership cards.
- Maintain New Member Packets and distribute them accordingly, may be electronic.
- Recruit eligible persons for Union Membership.
- Coordinate with the Treasurer and Secretary to verify monthly membership as required.
- Act as Chairperson of the Membership Committee.
- Work with Site Representatives in all membership capacities.
- Update email addresses and forward as required.
- Provide monthly reports of Union Business conducted for that month to the treasure for monthly stipend.
- Report of membership at Membership Meeting as dire

Section 7 All Officers elected by the general membership of the organization shall serve as members of the Executive Board.

DUTIES OF SITE REPRESENTATIVES

- Section 1 Welcome new employees to the Department and District.
- Section 2 Attend all regular and special membership meetings.
- Section 3 Hold meetings when possible at the worksite, or communicate with fellow workers either in person or electronically, for the purpose of making reports, discussing workplace and organization concerns, receiving instructions from the membership, and other activities as may be required.
- Section 4 Assist Membership Director to recruit eligible persons for Union Membership.
- Section 5 Attempt to resolve issues on an informal level, all first level of grievances.
- Section 7 Notify the Vice President of Grievances of potential grievances, and upon request, assist The Vice President of Grievances.

ARTICLE VI

EXECUTIVE COUNCIL

Section 1	Sall consist of the President, Vice-President, Vice-President of Grievance, Treasurer, Secretary and Membership Director.
Section 2	The President shall determine the agenda for all Membership Meetings.

- Section 3 The Executive Board shall employ all professional, technical, clerical, and support staff for the organization.
- Section 4 The chairperson for the Executive Council shall be the President of the Menifee Council of Classified Employees.
- Section 5 The Executive Board shall be empowered to make contracts and incur liabilities including the purchase of services, equipment, and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable laws or statute. The Executive Board shall have the power to sue, complain and defend on behalf of the membership.
- Section 6 The Executive Board shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the organization.

- Section 7 The Executive Board shall issue regular reports, including and annual report, to the membership. These reports to include treasurer, budget (annual) and audit (annual) presented at membership meetings.
- Section 8 Three unexcused absences from an Executive Board meeting within a year, counted from the date of assumption of office, shall be grounds for an Executive Board members suspension and/or replacement to be determined by a majority vote of the Executive Board.
- Section 9 The Executive Council shall establish salary, benefits, and expense guidelines for any general officer that is employed by the local; except that no such person shall suffer loss of economic status as a result of such action nor shall any be established at the detriment of the Union's financial well-being.

Section 10 Discipline of members:

- A member may be disciplined by the organization for actions contrary to this constitution or to its membership. Such action may only be initiated by the bringing of written and signed charges to the Executive Board by two or more members of the local; these charges must include a specific and detailed account, including any documentation, of the allegations against the member.
- Upon the receipt of such charges, the Executive Board shall cause a preliminary investigation to be conducted in order to determine whether the charges against the member have merit. In addition, at this time, the Executive Board shall give a copy of the charges to the accused member.
- Following the preliminary investigation, the Executive Board shall vote on the question whether a disciplinary hearing shall be held. If a majority of the Executive Board votes to hold a hearing, the member shall be given at least (10) days written notice of the hearing.
- At a discipline hearing the accused member shall have the right to be represented by a person of his or her choice, and shall have the right to question the charges and present evidence and witnesses to support their defense. At the conclusion of the hearing, a two-thirds (²/₃) vote of the Executive Board shall be required for discipline. If a member of the Executive board has brought the charges against the member, that Board member shall recuse him/herself from the vote.
- A disciplined member may appeal the decision of the Executive Board to the membership by requesting a vote at the next regular meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Board to discipline.

ARTICLE VII

REMOVAL OF OFFICER BY EXECUTIVE COUNCIL

Section 1 An officer may be removed by a majority vote of the Executive Council for the following Reasons:

- Three (3) unexcused absences in a year.
 - 1. An excused absence is defined as notification to the President, or designee, prior to the Executive Council meeting to be noted in the meeting Minutes.
 - 2. The Executive Council shall notify an officer in writing (may be electronic) when they have accumulated two (2) unexcused absences.
- Failure to fulfill those duties and responsibilities for which they were elected.

ARTICLE VIII

COMMITTEES

- Section 1 The President with the approval of the Executive Council shall appoint the chairperson of Each committee unless the Executive Board member is the designated chairperson.
- Section 2 The chairperson shall select a committee of two or more member volunteers unless By-laws specifically designate otherwise.
- Section 3 The following standing committees shall be active in this Union:
 - Bargaining/Negotiations
 - Membership
 - Leadership
 - Nomination/Election
 - Communication Committee
 - Committee on Political Education (COPE)
- Section 4 The President, with the approval of the Executive Council, when deemed necessary, may appoint special committees.
- Section 5 Within one month of formation, each committee shall present its annual program of action To the Executive Council.
- Section 6 The Bargaining/Negotiation Committee shall conduct research, surveys, hearings, and other activities, which shall assist the Union in collective bargaining or similar programs.
- Section 7 Leadership meets with the District once a month to communicate and work on issues that could not be resolved at the site level. All information at the leadership meeting is to be held in a confidential manner.
- Section 8 The Membership Committee shall coordinate membership recruitment and shall assist the Site Representatives in developing programs and activities which shall cause all eligible persons to join and participate in the Union.
- Section 9 The Nomination/Election Committee assists in the design, and distribution of printed and elections of the Union.

- Section 10 The communication committee assists in design, and distribution of printed and electronic material for the organization as needed.
- Section 11 The COPE (Committee on Political Education) shall make reports the Executive Council and the general membership concerning legislative bills and the positions of the AFT and CFT. Committee members may attend both state and local political functions as the representative of the Union and recruit, interview and make recommendations to the Executive Council and General Membership regarding candidates running for national, state, or local elections.

ARTICLE IX

AFFILIATIONS

Section 1 The Union shall maintain affiliation with the following organizations:

- The American Federation of Teachers, AFL-CIO,
- The California Federation of Teachers, AFL-CIO,
- The California Labor Federation, American Federation of Labor/Congress of Industrial Organizations (AFL-CIO)
- The Riverside/San Bernardino Labor Council of the AFL-CIO
- Section 2 Whenever possible, send delegates to the affiliates conferences and conventions. The Delegates will be elected by procedure consistent with Article IV of this Constitution.

ARTICLE X

AMENDMENTS

- Section 1 This constitution may be amended by one of the means as follows:
 - Thirty percent (30%) of the membership may present, by petition, a proposed amendment to the Constitution to the Secretary, who shall notify the membership of the proposed amendment no later than fifteen (15) days prior to the next Membership Meeting. Alternatively, a majority of the Executive Board may vote to present a proposed amendment to the members at the next Membership Meeting. A copy of the proposed amendment, along with an explanation of said amendment, shall be made available (may be electronic) to all members by request no less than fifteen (15) days prior to the Membership Meeting at which time the amendment will be introduced and discussed.
 - By-Law/ConstitutionCommittee with the Chairperson to be appointed by the Executive Board President and approved by majority vote of the Executive Board. A majority of the Executive Board may vote to present a proposed amendment to the members at the next Member Meeting. A copy of the proposed amendment(s) shall be made available (may be electronic) to all

- Section 2 A quorum for any meeting at which constitutional amendments are to be considered and adopted shall consist of two-thirds (²/₃%) percent of members present.
- Section 3 The membership shall vote on all amendments to the Constitution.
 - At the membership meeting at which the proposed amendment is to be introduced and discussed, the Election Committee will hold a vote on the amendment and may be done electronically.
 - In the alternative, following the membership meeting at which the proposed amendment was introduced, a special membership meeting for the purpose of voting on the proposed amendment may be called by the Executive Board. The special meeting shall be conducted in accordance with the terms of VIII, Section 4.
 - The Election Committee will tall the results. Two-thirds (²/₃) of the membership present at the meeting shall be required for passage of the amendment(s)

ARTICLE XI

AVAILABILITY OF THE CONSTITUTION

- Section 1 Three (3) copies of this Constitution and all subsequent amendments shall be submitted to the national office of the Secretary/Treasurer of the American Federation of Teachers. One (1) copy shall be submitted to the state office of the Secretary/Treasurer of the California Federation of Teachers.
- Section 2 Copies shall be made available to other affiliated organizations upon request.
- Section 3 The Secretary shall make available upon request a copy to any member of the Menifee Council of Classified Employees, may be electronic.

BY-LAWS ARTICLE I MEMBERSHIP MEETINGS

Section 1 The legislative power of the organization shall be vested in the Membership Meeting. Unless otherwise stipulated in the Constitution, action items and elections shall require a simple majority of votes cast in the Membership Meeting. The Membership Meeting shall approve the annual budget, shall receive and approve committee reports, including the required annual financial report or audit: and shall develop and vote on resolutions to guide the policy of the organization.

- Section 2 The Membership Meeting shall meet quarterly at during the months of September, January, March and May at a predetermined time and place, or more or less often as approved by the majority vote of the assembled members in the regularly constituted Membership Meeting. Membership meetings may be either in-person or virtual to be determined by the Executive Board. Notice and Agenda of Membership Meetings shall be given (may be electronic notice such as email), by the Secretary seven (7) days prior to meeting date. If virtual, will contain access information. Any email communication will be sent to email addresses currently on file with the Union.
- Section 3 Quorum of the Membership Meeting shall be three (3) elected officers of the organization. Special meeting may be called by the President (or designee), by a majority of the Executive Board or by petition to the Executive Board of fifteen percent (15%) of the members in good standing. The notice of the special meeting and the agenda shall be circulated to all members at least seven (7) days in advance of the meeting, may be electronic notice. Any email communication will be sent to email addresses currently on file with the Union. Items not included on the agenda for the special meeting will not be addressed. All special meetings shall be adequately advertised and conducted according to the provisions of this constitution.

ARTICLE II

- Section 1 Monthly dues of this organization shall be determined by the Executive Board by majority Vote. Monthly dues to which include the current prevailing per capita amounts for the AFT CFT, the AFL-CIO Local states affiliates, and insurance premiums. Whenever the dues of A required affiliate increases, the dues of the local shall automatically and simultaneously Increase by the same amount.
- Section 2 The local union will be responsible for collection agency fee and shall adopt procedures Consistent with local, state and federal laws.
- Section 3 When a member attends a conference or training the member may not be reimbursed More than \$50.00 per day for food, alcohol excluded, and must provide original receipts. Failure to supply original receipts will result in no reimbursement.

ARTICLE III

AMENDMENTS TO THE BY-LAWS

Section 1

The by-laws may be amended as follows:

• Proposed amendments to the by-laws shall be submitted in writing to the

Shall be submitted in writing to the Secretary at the request of the Executive Board, or by a petition signed by 30% of the membership. Alternatively, proposed amendments may be presented by the By-Law/Constitution Committee as appointed by the President and by vote of the majority of the Executive Board.

- The Executive Council Shall notify the membership of the proposed amendment no later than fifteen (15) days prior to the next membership meeting. Notification may be via electronic email to the current email address on file with the Union.
- A two-thirds vote of those members present and voting at the general membership meeting shall be required for passage of the amendment.

ARTICLE IV

RULES OF ORDER

Section 1 Roberts Rule of Order, Revised, shall governor this Union in all cases to which they are applicable and in which they are not inconsistent with rules regularly adopted by the Constitution or By-Laws of this Union.

ARTICLE V

ORDER OF BUSINESS

Section 1

- Call meeting to order
- Roll Call of Executive Council Members
- REading of Minutes from previous meeting
- Leadership Committee
- Approval of Financial Report
- Reports of Standing Committees
- Officer Reports
- Old Business
- New Business
- Good and Welfare
- Adjournment
- Section 2 Alternatively, agenda may be altered by the President of theExecutive Board. President To provide Secretary agenda in order that it be sent out to all current members in good Standing in accordance to Article V Section 5.

ARTICLE VI AVAILABILITY OF THE BY-LAWS

MCCE Constitution & By-Laws Revised 1/22/21 Three (3) copies of these By-Laws and all subsequent amendments shall be submitted to

Section 1

The national office of the Secretary/Treasurer of the American Federation of Teachers. One (1) copy shall be submitted to the state office of the Secretary/Treasurer of the California Federation of Teachers.

- Section 2 Copies shall be made available to other affiliated organizations upon request.
- Section 3 The Secretary shall make available upon request a copy to any member of the Menifee Council of Classified Employees may be electronic.

This constitution was adopted by the member	ership on	
		Date
Menifee Council of Classified Employees	Signed:	
		President
(Seal)	Attest:	
()		Secretary

MCCE Consitituon & By-Laws Revised 1/22/21