

PECSH BY-LAWS

Article 1 – Name

- A. The name of this organization will be the Professional Employee Council of Sparrow Hospital (PECSH)

Article 2 – Objectives

- A. To provide for its members a voice in determining the wages, hours, and general working conditions under which they practice.
- B. To work continuously toward improved practice, providing high quality health care for patients.
- C. To promote professional growth through membership in the Economic and General Welfare Program (E&GW) of the Michigan Nurses Association (MNA) and to encourage active participation in Association activities at all levels – council, chapter, state, and national.
- D. To provide its members with the opportunity to be effectively represented in negotiations and/or discussions with their employer.
- E. To help educate council members in collective bargaining and the implementation of agreements.
- F. To promote professional and social unity among members of the council.

Article 3 – Members Are

- A. All health care professional employees of Sparrow Hospital within the bargaining unit as defined in Article 6, of the Agreement/Contract.
- B. All employees who have paid membership dues to MNA, the E&GW Program, and PECSH.

- C. Those in good standing whose membership has not been revoked for violation of professional standards of Association By-Laws. Members will adhere to policies, by-laws, and philosophy of the MNA and the E&GW Program.

Article 4 – Officers and Their Duties

- A. The officers of the PECSH Executive Committee will be a President, Vice President, Secretary, Treasurer, Representative at Large, Grievance Chairperson, and Negotiating Chairperson.

1. Roberts Rules of Order will govern all executive committee meetings
2. Member(s) of the Executive Committee will represent the council at all meetings with the employer.
3. Members must re-evaluate the eleven (11) groups six (6) months prior to electing the negotiating team and grievance committee. The executive committee may alter the groups as changes occur.

- B. The President will:

1. Be Chief spokesperson for the Staff Council.
2. Call and preside at all meetings of the council.
3. Be an ex-officio (voice; no vote) member of all committees (except the Nominations Committee), and may appoint a designee.
4. Appoint any special committees as needed, subject to the approval of the officers.

- C. The Vice President will:

1. Assist the President in performance of duties.
2. In the absence of the President, perform the duties of the President and will become the President in case of a vacancy in that office for the remainder of the term.
3. Be responsible for depositing all monies belonging to PECSH in the name of PECSH in a bank or credit union approved by the officers.

- D. The Secretary will:

1. Notify officers and members of their appointment to committees.
2. Post or send out notices of regular, additional membership and Executive Meetings.
3. Keep the minutes of the meetings and make available to members within fourteen (14) days.
4. Maintain lists and notify MNA/E&GW Program and employer of current officers and Grievance and Negotiating committee members.

5. Conduct general correspondence on behalf of the staff council under the direction of the Executive Committee.
6. Maintain election records.
7. Maintain PECSH bulletin boards.

E. The Treasurer will:

1. Become bonded to protect funds of the Council. The fee for bonding will be paid by PECSH.
2. Collect PECSH dues.
3. Keep an itemized account of all receipts and disbursements and report on such at regular PECSH meetings.
4. Pay bills as directed by the officers.
5. Keep a permanent record of all financial transactions.
6. Reimburse the members of the Executive Committee for their duties on a semiannual basis.
7. Report to trustees at meetings of the Finance Committee.
8. Schedule and preside at regular meetings of the Compensation/Finance Committee. These meetings will be held at least twice (2x) annually and prior to leaving office.
9. Assist the Executive Committee in preparing an annual budget.
10. File all necessary tax forms relating to the operation of PECSH.
11. Arrange and review periodic audits to meet the requirements of outside parties (i.e. bond insurers, IRS, etc.) and when a new treasurer takes office.
12. Send a year-end budget report to Chief Labor Officer of MNA.

F. The Health Professional Representative at Large (not to be held by a nurse) will :

1. Ensure broad representation on the Executive Committee.
2. Communicate concerns between Executive Committee and the Health Professionals.

G. The Grievance Chairperson will:

1. Administer grievance procedures up through all levels.
2. Report to the Executive Committee on status of grievances.
3. Serve as ex officio member of the Negotiating Committee.
4. Advise and direct grievance representatives in carrying out their responsibilities.
5. Consult with PECSH Chairperson and Negotiating Chairperson regarding class action grievances.
6. Implement and interpret the contract.
7. Administer the contract.

H. The Negotiating Chairperson will:

1. Coordinate the Negotiating Committee.
2. Oversee communication with membership during contract negotiations.
3. Continue coordination of (and communication with) Negotiating Committee on contract related issues throughout term of existing contract (i.e., Memos of Understanding).

Article 5 – Elections of Executive Committee

- A. Executive Officers with the exception of the Negotiating Chair will be elected every two (2) years to serve for a two (2) year term or until their successors have been elected.
- B. All members will be notified at least fifteen (15) days in advance at his or her last known place of residence that an election is to be held with the names of candidates nominated. Ballots will provide opportunity for write-in of candidates. All officers will be elected by secret ballot by members in good standing.
- C. A majority vote of the members of PECSH, entitled to vote and voting, will constitute an election and the results will be published.
- D. Ballots and credentials of the voting body and other election records will be kept on file in the PECSH office for one (1) year after the election.
- E. All officers will be current members of PECSH and the MNA/E&GW program.
- F. Recall of any officer deemed not representative of PECSH may be initiated by any council member by petition. The petition will be signed by no less than thirty percent (30%) of members eligible to vote in an election. Then a majority vote of eligible members will be required to constitute a recall of any officer.
- G. Any vacancy may be filled by appointment of the Executive Committee until completion of said term or by special election.
- H. Voting – Ballot(s) for the election of officers/committees, will be sent out to all members by mail using the double envelope system. The ballots can be returned by mail or in person at designated locations.

Article 6 – Committees

- A. Committees will be composed of members of PECSH and will assume such duties as are assigned by the officers and specified by the By-Laws of PECSH. They will report to the membership when requested.
- B. PECSH will have the following committees: Executive Committee, Negotiating Committee, Nominations Committee, Mutual Gains Committee, Grievance Committee, By-Laws Committee and Compensation/Finance Committee.
1. **Executive Committee** will be composed of the officers of PECSH.
 - a. Will have the authority to expend monies for PECSH activities and compensate committee members for wages lost while performing official duties.
 - b. All officers in the exercise of their discretionary powers, may act solely in their own best judgment and with complete immunity of liability for losses, damages of liabilities sustained by the Council, the Union, or the Hospital, as long as the Staff Council officers have acted in good faith. If the officers are sued as a result of their participation in a Staff Council, the Staff Council will indemnify the officers for their attorney fees and costs of defending such a suit as long as the officers have acted in good faith.
 2. **Negotiating Committee** will consist of eleven (11) members elected by the membership. They will represent the membership in negotiating a contract agreement with their employer.
 - a. Each PECSH negotiating group will elect one member to the Negotiating Committee: The master list of PECSH negotiating groups can be located at the PECSH office or on the Website. The Secretary will post revisions prior to elections.
 - b. The members of the Negotiating Committee will be elected 6-9 months prior to expiration of current agreement.
 - c. The Negotiating Committee will elect a Chairperson and Vice-Chairperson by secret ballot within thirty (30) days of the committees first meeting. Should the negotiating chair also be a member of the executive committee then the negotiating committee will elect a member to sit on the executive committee.
 3. **Nominations Committee** will consist of no less than three members elected at large. They will solicit nominees for committee office.
 - a. Members will be elected with the Executive Committee in preparation of general elections to serve for a two (2) year term.
 - b. They will conduct all elections. They will tabulate and post the election results within five (5) working days.
 - c. Members of the nominating committee will not hold or run for an executive office. If a member of the nominating committee runs for a non-executive position they must provide an alternate to tabulate the votes.

4. **Mutual Gains Committee** will be composed of members of the Executive Committee. Other members may be appointed by the President with the approval of the Executive Committee. This committee is charged with the responsibility as stated in the collective bargaining agreement current contract.
5. **Grievance Committee** may have up to two (2) representatives for each negotiating group.
 - a. Up to four (4) Representatives At Large will be appointed by the Executive Committee from the current Grievance Representative slate and past Grievance Representatives.
 - b. All representatives will be elected every two (2) years for two (2) year terms.
 - c. Committee members will assume the responsibility of receiving and processing grievances of employees concerning the bargaining agreement or existing policy.
6. **Compensation/Finance Committee** will consist of three (3) members elected every two (2) years at large.
 - a. Will review and give input to the annual PECSH budget prepared by the treasurer prior to Executive Committee review. Final budget approval and accountability will remain with the Executive Committee. Fiscal year January 1 to December 31.
 - b. Will have exclusive authority to set PECSH officer's reimbursement. Officers will not be present during voting by the committee regarding reimbursement.
7. **Negotiating Advisory Committee** will be made up of members in good standing appointed by the Negotiating Committee Chairperson, with input from the Negotiating Committee members.
 - a. They shall not be members of the Negotiating Committee.
 - b. They shall serve as counsel to the Negotiating Committee on how to address the concerns of the membership.
 - c. They shall meet with the Negotiating Committee as needed throughout the negotiating process.
8. **By-Laws Committee** will consist of five (5) members elected every two (2) years
 - a. They will review the by-laws annually; make recommendations for changes as needed.
 - b. Changes will be made if needed after contract negotiations to maintain compliance.

Article 7 – Membership Meetings

- A. Bylaws must be approved by the MNA Economic & General Welfare cabinet.
- B. Meeting times and agenda.

1. An annual open meeting of PECSH will be held at a time and place decided by executive officers.
2. The agenda for the meeting will be set by the Executive Committee and will include an opportunity for new business, where any member may present a motion.
3. Additional meetings may be called by the Executive Committee. Members will be notified not less than five (5) days in advance of the time and purpose of the meeting.
4. During a general membership meeting a quorum will be required for voting. A quorum will be four (4) officers and nine (9) members which equals thirteen (13) total members.

C. Contract Meetings

1. **Informational Meetings:**
 - a. Members must be notified five (5) days in advance of the time and place of informational meetings concerning contract negotiations.
2. **Ratification Meetings:**
 - a. A ratification vote meeting must be conducted in order to accept or reject any proposed agreement negotiated on behalf of the bargaining unit.
 - b. A majority vote by secret ballot is required for ratification of the proposed agreement.
 - c. Members must be notified five (5) days in advance of the time and place of ratification meetings.
 - d. Negotiating Committee will approve election time lines and sites.
3. **Strike Authorization Meetings:** No strike action shall be taken without:
 - a. At least five (5) days notice to all members that a special meeting to discuss such action will be held with date, time, and location for the meeting.
 - b. A majority vote approving such action by secret ballot.
 - c. Notice to E&GW Cabinet of the MNA that PECSH has complied with the provisions of this Article.
 - d. Negotiating Committee will approve election time line and sites.

Article 8 – Disciplinary Action

- A. Any member of PECSH may be subject to censure, expulsion and denied voting rights from PECSH by a two-thirds (2/3) secret ballot vote of the membership present at a duly called PECSH Membership meeting for the following:
 1. Violation of the PECSH By-Laws.

2. Conduct or acts of a nature deemed injurious to PECSH, its officers, or members including conduct or acts during a strike duly authorized by PECSH.
- B. No such action shall be taken against a member until such member shall have been served with written specific charges, given a reasonable time to prepare any defense, and offered an opportunity for a full and fair hearing.
 - C. Members suspended or expelled under provisions of this article shall be eligible for reinstatement upon application approved by a two-thirds secret ballot vote of the membership present at a duly called PECSH membership meeting.

Article 9 – Amendments

- A. By-Laws must be approved by the E&GW cabinet of the MNA.
- B. Notice of proposed By-Laws amendments will be provided by mail to all members at last known mailing address fourteen (14) calendar days prior to meeting.
- C. A two-thirds (2/3) vote of PECSH membership present and voting on the proposed amendments will be provided fourteen (14) calendar days prior to the meeting vote.

Adopted and ratified by the Professional Employee Council of Sparrow Hospital at a special meeting ballot vote.
(Vote 11/14/2005-passed)