



Colorado WINS Local 1876

Constitution and Bylaws

Our Foundation. Our Opportunity. Our Future.

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COLORADO WINS CONSTITUTION AND BYLAWS

ARTICLE I — NAME

The name of this organization shall be Colorado Workers for Innovative and New Solutions (Colorado WINS), American Federation of Teachers (AFT) and Service Employees International Union (SEIU).

ARTICLE II — COLORADO WINS PILLARS

GROWTH

We will work to break down barriers, inspire participation and build a strong vibrant union.

EMPOWERMENT

We will promote positive grassroots changes throughout our state by educating and engaging our members and community.

OPPORTUNITY

We are dedicated to creating a healthy environment for a prosperous Colorado through innovative collaboration with government, private enterprise, and local communities.

JUSTICE

We seek mutual respect, equality, and liberty to build caring communities that are models of fairness to all.

STEWARDSHIP

We will work to ensure the proper, effective use of government resources through honest communication, negotiation, and political action.

*Colorado WINS
vision and values
that are the
foundation for
our union*

Our jurisdiction covers State of Colorado employees with some exceptions

ARTICLE III — JURISDICTION

Colorado WINS shall have exclusive jurisdiction over workers employed by the State of Colorado employed in positions in executive branch agencies and institutions of higher education whose positions historically have been grouped together in the following eight broad occupational groups by the State Personnel Board:

- A. Enforcement & Protective Services
(Excluding the Trooper subgroup represented by the Association of Colorado State Patrol Professionals)
- B. Financial Services
- C. Health Care Services
- D. Labor, Trades & Crafts
- E. Administrative Support & Related
- F. Professional Services
- G. Physical Sciences & Engineering
- H. Teachers

Colorado WINS jurisdiction does not extend to employees of the Judicial or Legislative branches, nor does it cover childcare or homecare workers classified as “independent providers,” nor any confidential or other employees who are excluded from the state partnership systems.

Any change in jurisdiction requires the approval of our parent unions.

The jurisdiction of Colorado WINS shall be defined by AFT and SEIU. Any change or expansion of that jurisdiction shall be approved by AFT and SEIU.

ARTICLE IV — AFFILIATIONS

Colorado WINS belongs to labor federations to strengthen organized labor.

Colorado WINS shall be affiliated with the American Federation of Teachers International Union (AFT) as Local 1876 and the Service Employees International Union (SEIU) as Local 1876, as well as the Colorado State American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) and the proper central labor body of the AFL-CIO and any affiliations required by the Change to Win (CTW).

The Executive Board may, subject to the approval of membership or the Convention, affiliate with other organizations deemed beneficial to the missions and goals of Colorado WINS.

ARTICLE V — MEMBERSHIP CATEGORIES

Defines membership categories and rights of such members.

A) Colorado WINS shall have the following membership categories:

Section (1) - Regular Member

A regular member pays full dues and enjoys all rights to participate, vote and hold office.

Members employed within the jurisdiction of Colorado WINS and who are paying the prescribed regular dues. Such members can vote and hold office pursuant to Article IX Elections.

Section (2) - Associate Members

Individuals may participate in Colorado WINS as associate members.

Persons not employed within the jurisdiction of, or employed by, Colorado WINS but electing to pay the associate membership fee shall be eligible for Associate Membership status. Associate Members shall not have the right to vote or hold office in Colorado WINS or to serve on its committees.

Section (3) - Retired Member

Any person retired from any employment within Colorado WINS jurisdiction, as determined by the Executive Board, may join as a Retired Member and pay the prescribed Retired Member dues as established in Article VII, section (3)(G). Such members shall have the right to vote for or hold office in Colorado WINS; however, a retiree member may be elected as a retiree representative to the Executive Board pursuant to Article VII, Section 3, Retiree Chapter, and may serve as a non-voting member on Colorado WINS committees. Retiree members shall have a vote on committees when permitted by the International constitutions of AFT, and SEIU.

Retirees may participate in Colorado WINS as retired members.

Section (4) - Staff Associate Member

Any person employed by Colorado WINS may join as a Staff Associate Member and pay dues in an amount equal to the rate paid by a Regular Member. Staff Associate Members shall have the right to run for the elected Executive Director position; however, shall not be eligible to hold any other elected position.

Staff employed by Colorado WINS may participate as staff associate members.

Section (5) - Members in Good Standing

Good standing: Dues must be paid on or before the last day of each month in which they fall due. Any member failing to pay said dues and assessments or other financial obligations of this Local Union on or before the last day of the month in which the same are due, shall be delinquent and upon failure to pay dues for two successive months shall automatically be classified not in good standing and shall lose all rights and privileges of membership.

A member in good standing pays full dues on time.

Members not in good standing may be readmitted to membership upon payment of back and current dues not to exceed six months and a \$25.00 readmittance fee. For members paying dues through employer check-off, no member shall lose his/her good standing status for any month in which his/her dues have not been paid to Colorado WINS through the fault of the employer.

Readmittance procedures for delinquent membership.

Section (6) - Exclusive Representation

Every regular member of Colorado WINS, by virtue of membership in this employee organization, authorizes Colorado WINS, as directed by the membership, to act as the exclusive representative with full and exclusive power to execute agreements with their employers governing terms and conditions of employment. Where there are disputes under such agreements, members authorize Colorado WINS to act for them and have final authority in presenting, processing and adjusting any such dispute or grievance in such a manner as Colorado WINS determine.

Member representation rights.

ARTICLE VI — MEMBER RIGHTS AND RESPONSIBILITIES

Section (1) - Members' Rights

- The right not to be discriminated against based on political opinion, race, gender identity, color, creed, citizenship status, national origin, disability, marital status, age, religion, ancestry, affiliation, sex or sexual orientation, or gender expression.
- The right to have opinions heard and respected, to be informed of union activity, to be educated in union skills and values.
- The right to choose the leaders of Colorado WINS in a fair and democratic process.
- The right to have members' concerns resolved in a fair and expeditious process.
- The right to a full accounting of Colorado WINS funds and the proper stewardship over Colorado WINS resources.
- The right to participate in Colorado WINS decision-making processes through discussion and vote, and to pertinent information needed for the exercise of this right.
- The right to representation in Colorado WINS Interest Based Bargaining process and to approve Colorado WINS agreements.
- The right to participate in Colorado WINS free from outside pressure or influence.

Members have many important rights to ensure non-discrimination, fairness, democratic participation and accountability.

Section (2) - Members' Responsibilities

Members have responsibility to organize new members, build a political voice and to participate and contribute to achieve the pillars.

- The responsibility to help build a strong and more effective labor movement, to support the organizing of potential members, to help build a political voice for working people, and to stand up for all workers.
- The responsibility to be informed about the internal governance of Colorado WINS and to participate in the conduct of Colorado WINS.
- The responsibility to contribute to the support of Colorado WINS.
- The responsibility to treat all workers and members fairly
- The responsibility to offer and receive appropriate constructive criticism of Colorado WINS and its members.
- The responsibility to conduct Colorado WINS affairs free from outside pressure or influence.

ARTICLE VII — COLORADO WINS GOVERNANCE STRUCTURE

Section (1) - Convention

Convention is the highest governing body.

(A) All sovereign powers of Colorado WINS shall be vested in the Convention, when in session. It shall have the authority to adopt and amend the Constitution and Bylaws, elect the Officers (President, Treasurer and Secretary), and the Executive Director, set dues and conduct other Colorado WINS business.

The convention is held every 3 years in September.

(B) The Convention shall meet every three (3) years at such time, date and place as shall be determined by the Executive Board; provided, however, that such convention shall begin at some time between September 1st and September 30th.

Provisions to call special convention.

A special convention may be called at any time by:

- 1) A majority vote of the currently seated Colorado WINS Executive Board;
- 2) Mutual agreement of the International Presidents of AFT and SEIU; or
- 3) A written petition, signed by at least ten percent (10%) of the members in good standing representing at least four (4) Colorado WINS District Chapters, delivered to the Colorado WINS President, naming the purpose(s) of the meeting and a date which shall be no sooner than seventy days (70) subsequent to the date of filing of such petition.

(C) No less than 60 days notice shall be given prior to the opening of any convention. The Secretary shall issue a convention call, in the name of the Executive Board. Such call shall state the time, date, and place of the convention and, in the case of a special convention, the purpose or purposes. A copy of the call shall be sent to all regular members and to District Chapters, together with the appropriate number of blank credential forms, for all conventions.

(D) The basis of representation for District Chapters at the Convention shall be the average number of regular members who paid dues during the twelve month period preceding the month in which the Convention Call is mailed.

District Chapters elect member delegates to the convention based on chapter membership.

(E) All District Chapters shall be entitled to delegates on the basis of membership as follows:

Up to 100	1 delegate
101-200	2 delegates
201-300	3 delegates
300-400	4 delegates

(F) After 401 or more, 4 delegates plus 1 delegate for each 500 additional members.

(G) Regardless of the number of delegates, District Chapters shall be entitled to vote on the basis of one vote for each member or fraction thereof. District Chapters entitled to more than one delegate may send fewer than their quota of delegates and the delegates present may cast the entire vote of the District Chapter on all recorded votes and elections coming before the Convention. The number of votes shall be divided equally among the delegates, with the remaining votes to be cast by the chairman of the delegation, as designated by the District Chapter. No fractional votes shall be permitted.

(H) Each delegate must be a member in good standing of Colorado WINS. No delegate may represent more than one District Chapter. District Chapters may, if they wish, also elect one alternate for each delegate.

Section (2) - District Chapters

(A) Colorado wins shall have the following district chapters based on the following counties:

- 1) District 1, consisting of the counties of Moffat, Routt, Jackson, Grand, Gilpin, Summit, Clear Creek, Eagle, Garfield, Rio Blanco, Mesa, Delta, Montrose, Gunnison, Pitkin, Lake, Chaffee, Park, Teller, Fremont, Custer, Saguache, Hinsdale, Ouray, San Miguel, Dolores, San Juan, Mineral, Rio Grande, Alamosa, Costilla, Conejos, Archuleta, La Plata, Montezuma;
- 2) District 2, consisting of the counties of Weld, Logan, Larimer, Morgan, Sedgwick, Phillips, Washington, Yuma, Elbert, Lincoln, Kit Carson, Cheyenne, Kiowa, Crowley, Otero, Bent, Prowers, Huerfano, Las Animas, Baca;
- 3) District 3, consisting of the counties of Adams, Boulder, Broomfield, Jefferson;
- 4) District 4, consisting of the county of Denver;
- 5) District 5, consisting of the counties of Arapahoe, Douglas, El Paso;
- 6) District 6, consisting of the county of Pueblo.

Each member shall belong to a District Chapter based on the county in which the member lives.

(B) Each District Chapter shall elect, every three (3) years, a chapter chairperson who will preside over chapter meetings and serve as a Vice President on the Colorado WINS Executive Board by virtue of his/her position. There may also be appointed by the executive board from each chapter a vice chair person.

Each District Chapter shall elect a chapter chairperson every 3 years to serve as a Colorado WINS Vice-President.

(C) District Chapters may be formed or restructured, on the recommendation of the executive director and with the approval of the executive board, as are deemed necessary and proper. However, no District Chapter shall be formed with a membership of less than 100 regular members in good standing.

(D) Each regular member of Colorado WINS shall be a member of a District Chapter based on place of residence.

Section (3) - Retiree Chapter

(A) There shall be a state-wide retiree chapter within the local union whose membership shall consist of persons retired from any employment within CO WINS jurisdiction, as determined by the Executive Board.

All retirees belong to a retiree chapter and elect a non-voting representative to the Executive Board.

(B) The objectives of this chapter shall be as follows:

- To promote the organization of Colorado state retired workers;
- To provide a voice in the shaping of a better and more rewarding life for state employee retirees;
- To inform chapter members of what their benefits are and how to go about applying for them;
- To foster cooperation among those retiree chapters of international unions which are affiliated with Colorado WINS.

(C) The retiree chapter may be affiliated with those retiree entities of SEIU, and AFT as approved by those affiliates and the CO WINS executive board.

- (D) The chapter may establish a governing chapter structure and a structure of sub-chapters, which may reflect district chapters as currently exist pursuant to Article VII, Section (2). Terms shall not exceed three years in length.
- (E) The chapter may conduct representative elections to establish the governing chapter structures as identified in this Article VII, Section (d), in conjunction with the provisions of this constitution and bylaws, Article IX.
- (F) The duties of the representatives of the governing chapter structure may be established by that structure, subject to the approval of the executive board.
- (G) The governing chapter may also prescribe a retiree dues structure, subject to the approval of the executive board. Further, the prescribed dues structure shall be in compliance with the international constitutions of AFT and SEIU.
- (H) Members of the retiree chapter shall elect, every three (3) years, a non-voting representative to the executive board. Such a representative shall have a vote on the executive board when permitted by the international constitutions of AFT and SEIU.
- (I) This chapter shall at all times be subject to the provisions of the constitution and bylaws of Colorado WINS, SEIU, AFT.
- (J) Except to the extent specified in this constitution, no representative of this chapter shall have the power to act as agent for or otherwise bind the chapter or Colorado WINS in any way whatsoever.

A retiree elected by the retiree chapter and an executive director elected by convention shall serve as nonvoting representatives to the Executive Board.

Section (4) - Executive Board

Executive Board governs the union between conventions and consists of President, Secretary, Treasurer and Vice-Presidents from District Chapters and Department Committee.

- (A) The Executive Board shall consist of the Officers (President, Treasurer and Secretary), one Vice President elected from each District Chapter, and a Department Standing Committee-Vice President. Each member of the Executive Board shall have one vote.

A Retiree elected by the retired members and an executive director elected by the convention shall serve as non-voting representatives to the Executive Board. The retiree representative shall have a vote on the executive board when permitted by the International constitutions of AFT, and SEIU.

- (B) The Executive Board shall be the governing body of this Union when the Convention is not in session. All matters affecting the policies, aims and means of accomplishing the purposes of this Constitution not specifically provided for in this Constitution or by action of the Convention shall be decided by the Executive Board. Further, the Board may publish, in writing, all such policies as stated in this Section (4).
- (C) The Executive Board shall meet quarterly, or at the call of the President, or at the call of three (3) or more of its members. A quorum for the Executive Board shall be a majority of its voting members.

Executive Board meets quarterly.

- (D) The Executive Board of Colorado WINS shall:

- 1) Establish goals and a long term strategic program to meet those goals in keeping with the Colorado WINS Pillars and Constitution and Bylaws;
- 2) Establish the Colorado WINS plans and policies required for the direction and operation of the Colorado WINS program;
- 3) Be responsible for adherence to and enforcement of the Constitution;

Executive Board establishes the strategic program to meet the goals to achieve the Colorado WINS pillars.

- 4) At its discretion, form and determine the composition of, and appoint members to, committees.
- 5) Ratify all appointments of committee chairs and to vacancies of elected offices consistent with this Constitution;
- 6) Review recommendations from committees and decide on positions, programs and expenditures that promote the Colorado WINS pillars;
- 7) Develop and take positions on issues for participation in central labor boards, AFT, and SEIU International unions and affiliated bodies;
- 8) Authorize an annual budget and monitor the finances of Colorado WINS;
- 9) Establish consistent procedures for two signatures from those authorized to sign checks;
- 10) Have the power to sue, complain and defend on behalf of the membership;
- 11) Establish the salary, benefits and expense guidelines of the Executive Director; and,
- 12) Establish a conflicts of interest and standard of ethics policy for Colorado WINS, consistent with the International Unions.

Executive Board oversees union committees and fills vacancies of elected offices.

Executive Board authorizes the annual budget and is accountable to the membership for fiscal integrity.

Members of the Executive Board shall have the authority to attend any meetings of Colorado WINS District Chapters; however, shall not have the right to vote in any District Chapter other than that to which he/she is affiliated.

Section (5) - Duties and Responsibilities of Officers

(A) The President shall:

- 1) Be the presiding officer at all annual meetings of the membership, the Executive Board and the Colorado WINS Convention;
- 2) Serve as the primary spokesperson at events that promote the Colorado WINS pillars of growth, empowerment, opportunity, justice and stewardship;
- 3) Recommend appointments to chair committees and for vacancies in elected positions with the approval of the Executive Board and consistent with this Constitution;
- 4) Serve as ex-officio officer of all union committees, except the Election Committee; and
- 5) Be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and authorize regular and usual disbursements of funds.

President is presiding officer and primary spokesperson.

(B) The Vice Presidents who are elected from the District Chapters shall:

- 1) Serve as the official representative of the District Chapter he/she was elected to represent.
- 2) Submit to the chapter membership a monthly operating statement of the financial transactions of Colorado WINS as prepared by the Treasurer.
- 3) Preside at all meetings and perform all duties otherwise performed by the President in the President's absence or inability to serve, when appointed by the members of the Executive Board;
- 4) Assist the President in the work of the President's office, except sign checks;
- 5) Perform other duties as delegated by the President or assigned by the Executive Board.

District Chapter Vice Presidents represent their district.

(C) The Vice President elected from the Department Standing Committee shall:

- 1) Serve as the official representative of the Department Standing Committee.
- 2) Assist the President in the work of the President's office, except sign checks; and,
- 3) Perform other duties as delegated by the President or assigned by the Executive Board.

Department Committee Vice-President represents the Department Standing Committee.

(D) The Secretary shall:

- 1) Maintain the non-financial files, official correspondence and records of Colorado WINS, except as the Executive Board may direct otherwise;
- 2) Be the custodian of the seal and charter of the organization;
- 3) Record and keep accurate minutes of meetings of the membership, the Executive Board and the Convention;

Secretary keeps Colorado WINS records and official correspondence.

- 4) Assist the President in handling the correspondence of the organization;
- 5) Issue the Colorado WINS Convention Call; and,
- 6) Perform other duties as delegated by the President or assigned by the Executive Board.

Treasurer ensures financial records are transparent and accountable.

(E) The Treasurer shall:

- 1) Ensure that an accurate financial record and a monthly operating statement of the financial transactions of Colorado WINS is kept and submitted to the Executive Board and District Chapters;
- 2) Ensure that the monthly membership report to the AFT and SEIU International Union offices is submitted and ensure that per capita tax checks are sent on time to the Secretary Treasurer of the International Unions and similar officers of all other bodies with which the organization is affiliated;
- 3) Ensure that any financial reports required by the AFT and SEIU International Union Constitutions are submitted as required under the International Unions' Constitutions;
- 4) Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and authorize regular and usual disbursements of funds;
- 5) Oversee:
 - a. The records and deposit all dues monies and other income in the name of the organization;
 - b. Maintenance of accurate membership records;
 - c. Issuance of membership cards and notices of delinquency;
 - d. Maintenance of all financial records of the organization;
 - e. Arrangements for an independent audit of the finances of the organization annually and make same available to the Executive Board and membership; and,
 - f. Perform other duties as delegated by the President or assigned by the Executive Board.

Section (6) - Executive Director

An Executive Director shall be elected as the chief administrative officer of Colorado WINS and serve as a non-voting representative to the Executive Board.

Executive Director is Chief administrative officer and conducts the day to day operations of Colorado WINS and is accountable to the Executive Board.

(A) The Executive Director shall:

- 1) Give his/her full time to Colorado WINS, and receive compensation and expenses as established by the Executive Board;
- 2) Direct the Colorado WINS program including organizing, political action, member action, and community engagement;
- 3) Direct all aspects of Colorado WINS partnership with employers;
- 4) Develop procedures for day to day affairs to facilitate the implementation of the programs and goals of Colorado WINS;
- 5) In advance of each fiscal year, shall submit to the Executive Board a proposed budget for the coming fiscal year. The proposed budget shall be subject to revision and adoption by the Executive Board.
- 6) While operating within an approved budget and policies established by the Executive Board, he/she shall have the sole authority to manage his/her staff including employing, compensating, evaluating, and/or disciplining/terminating such staff in order to ensure the efficient administration of Colorado WINS;
- 7) Represent Colorado WINS at meetings with governmental agencies, community organizations and labor organizations;
- 8) Report on Colorado WINS activities to the Executive Board and general membership;
- 9) With the approval of the Executive Board, engage such technical and professional services, as may be required;
- 10) Be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and authorize regular and usual disbursements of funds;

The Executive Director directs all work with employers.

Executive Director prepares the budget for approval by the Executive Board.

Executive Director has sole authority to hire and manage the staff.

- 11) Sign contracts, Partnership Agreements and other official documents on behalf of Colorado WINS;
- 12) Prepare monthly reports in conjunction with the Treasurer to be presented to the Executive Board for approval;
- 13) Serve as an ex-official member of all union committees; and,
- 14) Perform other such duties as the Executive Board may require.

Executive Director represents Colorado WINS to key organizations.

(B) The responsibilities of the Executive Director may not be delegated, but he/she may delegate to a person or persons the execution of such duties as he/she may deem warranted, subject to the limitations of the AFT or SEIU International Constitutions; provided, however, that the duties related to the authorization of expenditures and signing of contracts, official documents and checks may not be delegated.

(C) The Executive Director and/or a representative designated by the Executive Director shall have the authority to attend any meeting of Colorado WINS or its District Chapters; however, shall not have a right to vote.

ARTICLE VIII — COLORADO WINS STANDING COMMITTEES

Standing Committees are advisory to, and make recommendations to, the Colorado WINS Executive Board. The Executive Board may establish, by a majority vote of the board, any standing committees it sees fit to make recommendations to the board, including but not limited to the following Colorado WINS Standing Committees,

Five (5) Standing Committees advise the Executive Board.

Section (1) - Organizing Committee for Quality Public Services

The purpose of the Committee is:

- To organize and unite members, their families, and potential members to improve workplace conditions and quality services for the State of Colorado.

The organizing committee unites members and potential members to fulfill our pillar for growth.

To achieve this purpose the Committee shall:

- Continually strive toward full membership;
- Take direction from, and be accountable to, the Executive Board;
- Draw up specific plans to achieve goals and oversee the execution of them;
- Mobilize state workers to take collective action to promote the health and wellbeing of members and Colorado's communities;
- Focus on specific issues of concern to members;
- Provide ongoing education and training for members, developing the leadership potential in every member; and,
- Collaborate with other Colorado WINS Committees and allies.

Section (2) - Quality Public Services Political Education Committee

The purpose of the committee is:

- To help empower state employees to influence government, private enterprise and local communities, and
- To protect and enhance quality state services for the betterment of all Coloradans.

Our Political committee empowers employees to influence quality service.

To achieve this purpose, the committee shall:

- Actively engage the membership on political issues that affect state workers and the services they provide;
- Screen and recommend endorsement and support of qualified candidates who embrace the mission of Colorado WINS to the Executive Board for final approval;
- Hold elected officials accountable to policies that benefit state employees and the state of Colorado;

- Continually educate the public, elected officials, and Colorado WINS members on legislation that impacts quality public services and our communities; and,
- Collaborate with other Colorado WINS committees and allies.

Section (3) - Quality Public Service thru Community Engagement Committee

The purpose of this committee is to improve the public services offered to the people of Colorado by actively engaging communities and mobilizing action.

Our Community committee mobilizes the community around quality public services.

To achieve this purpose, the committee shall:

- Engage communities, particularly those most directly impacted by government services;
- Help communities recognize, articulate and focus aspirations and needs;
- Invite communities to voice issues, topics, and innovations to improve quality of public services;
- Help to build broad based commitment to mobilize people into action;
- Align with other organizations with similar missions as a catalyst for innovation and quality improvement; and,
- To collaborate with other Colorado WINS committees and engage communities in pursuit of common goals.

Section (4) - Member Relations Committee

The purpose of the Member Relations Committee shall be to make recommendations to the Executive Board on initiatives to maintain existing membership and improve communications among members within the Colorado WINS jurisdiction.

Member Relations Committee makes recommendations to the Executive Board for enhanced membership participation, communication and retention.

To achieve this purpose, the Member Relations Committee shall:

- Develop and present a Membership Maintenance Plan to the Executive Board, including provisions regarding maintenance of membership policies, dues, communication to and from members, and other issues that directly or indirectly impact retention of Colorado WINS members. This Plan will be developed with a broad based involvement from Colorado WINS members;
- Sponsor periodic forums to encourage healthy, two-way communication between the membership and its elected leadership;
- Gauge and report progress toward the goals and objectives contained in the Membership Maintenance Plan; and,
- Appoint a subcommittee to consider and make recommendations regarding membership retention, and to deliver a quarterly report regarding retention issues to the Executive Board.

The Member Relations Committee will work with all other Colorado WINS Committees.

Section (5) - Department Committee

The purpose of the Committee shall be to consider the impact of Colorado WINS decisions and positions as they relate to the public services delivered by each department and to make recommendations to the Executive Board to promote quality services and improve workplace conditions at each department.

Department Committee represents interests of members' departments to the Executive Board and promotes quality public services

The Department Committee shall consist of one elected representative from each of the following departments of state government, who shall serve a three year term.

- i. Department of Agriculture
- ii. Department of Corrections
- iii. Department of Education
- iv. Department of Health Care Policy and Financing
- v. Department of Higher Education
- vi. Department of Human Services

- vii. Department of Labor and Employment
- viii. Department of Law
- ix. Department of Local Affairs
- x. Department of Military and Veterans Affairs
- xi. Department of Natural Resources
- xii. Department of Personnel and Administration
- xiii. Department of Public Health and Environment
- xiv. Department of Public Safety
- xv. Department of Regulatory Agencies
- xvi. Department of Revenue
- xvii. Department of Transportation
- xviii. Office of Information Technology
- xix. Office of Secretary of State
- xx. Office of the State Treasurer
- xxi. Each institution of Higher Education, including Community Colleges
- xxii. Any other state employee not included in the above departments.

Each member will vote for a representative to a department committee for a three year term.

The members in good standing at each department shall elect their representative.

The Department Committee shall elect one of its members to represent the Committee as a voting Vice President on the Executive Board.

Department committee will elect one of its members to the executive board to represent department issues.

ARTICLE IX — ELECTIONS

Section (1) - Term of Office

The term of office for the elected Officers (President, Treasurer and Secretary), the Executive Director, the Department Vice-President and all Chapter Chairpersons and Vice-Chairpersons of Colorado WINS (collectively, “Elected Officials”), as well as Department Committee members and the Retiree Representative, shall be three years.

Term for elected office is three (3) years.

Section (2) - Elections Subsequent to 2009

Subsequent to the 2009 Inaugural Election, elections for Colorado WINS Officers, and the Executive Director shall be by vote of delegates elected to the Colorado WINS Convention. Election of Chapter Chairpersons, Vice-Chairpersons and Delegates shall be by vote of the regular membership in the chapter from which the representative is elected. Election of Department Committee Members shall be by vote of the regular membership of the department from which the committee member is elected. Election of Department Vice-President shall be by vote of the elected Department Committee members. Election of the Retiree Representative shall be by vote of the retired members.

(A) Eligibility

In order to be eligible to be nominated and serve as President, Secretary, Treasurer, Department Vice-President, Chapter Chairperson, or chapter delegate, a member must have been a member of Colorado WINS in continuous good standing for six months prior to the nomination. In order to be nominated and serve as Chapter Vice-Chairperson, Executive Director, Department Committee Member or Retiree Representative, a person must be a member in good standing of Colorado WINS.

To be eligible to run for executive board office or chapter delegate, a member must be in good standing for six months.

(B) Election Committee

A member election committee appointed by the districts will oversee the conduct of the election.

Each District Chapter chairperson shall appoint a regular member of their chapter to serve on an Election Committee. Members of the Election Committee are prohibited from seeking office or participating in campaigns for office while serving on the Committee.

The duties of the Election Committee include:

- 1) Administering the election and assuring that it complies with this Constitution and Bylaws;
- 2) Validating the eligibility of nominees, tabulating and certifying the results of the Election;
- 3) Acting as the initial judge in all questions and matters arising from the election;
- 4) Setting dates, times and locations for the election;
- 5) Recommending to the Executive Board outside entities to assist in any part of the election procedure as it deems necessary and appropriate; and,
- 6) All other duties necessary and appropriate to the proper conduct of Colorado WINS elections.

District Chapter nominations will take place at a District Chapter nomination meeting.

(C) Nomination and Election of Chapter Chairpersons, Chapter Vice-Chairpersons, Delegates to the Colorado WINS Convention and Department Committee Members.

- 1) Nominations - A notice of nominations shall be mailed to the last known address of all regular members at least thirty days prior to the nominations meeting. The notice shall provide the date, time, and place for nominating candidates as well as the criteria for nominations. Members may nominate themselves or any other eligible member for office. No member shall be a candidate for more than one office at a time, though a candidate for any office may also run for Delegate to the Colorado WINS Convention and Department Committee Member position.

2) Election Procedure -

- a. Method of Voting - The election will be by secret ballot of the membership at a meeting within each District Chapter. Candidates may run on slates which may be designated on the ballot.
Separate ballots for 1) District Chapter positions (Chairperson, Vice-Chairperson and Delegate) based on place of residence and 2) Department Committee Members based on department of employment shall be included in the ballot material.
- b. Election Notice - An election notice must be sent out to the last known address of all members at least fifteen days prior to the date of the election. The election notice may be combined with the notice of nominations.
- c. Election - If only one person is nominated for an office/position, or if in an office with multiple positions the number of people nominated does not exceed the number of positions, that person(s) will be declared elected. For each contested office/position on the ballot, the candidate receiving a majority of the votes cast will be declared elected. Any remaining unfilled office/position shall be filled through a run-off election in which there shall be a ballot bearing two (2) names for each office to be filled, such names being those nominees who received the greatest number of votes in the first balloting and the candidate receiving the highest number of votes in the run-off election shall be declared elected. Elected persons shall be installed immediately upon the tabulation of the vote by the Election Committee.

Members will vote by secret ballot at membership meetings for district chairperson, vice-chairpersons and delegates to the convention.

(D) Nomination and Election of President, Treasurer, Secretary and Executive Director.

- 1) Nominations - The nomination and election of the President, Treasurer, Secretary, and Executive Director shall take place at each regular Colorado WINS shall be made in open convention.
- 2) Election Procedures - Elections shall be by secret ballot vote where there is more than one candidate for any office. No members shall be a candidate for more than one office at a time. Candidates may run on slates which may be designated on the ballot.
- 3) Election - The candidate who receives a majority of the votes cast will be deemed elected. Any remaining unfilled office shall be filled through a run-off election in which there shall be a ballot bearing two (2) names for each office to be filled, such names being those nominees who received

Officers and Executive Director candidates will be nominated and elected by secret ballot at convention.

the greatest number of votes in the first balloting and the candidates receiving the highest number of votes in the run-off election shall be declared elected.

Officers shall be installed immediately upon the tabulation of the vote by the Election Committee.

Officers will be installed immediately after vote count.

(E) Nomination and Election of Department Committee Vice-President

- 1) Nominations - Within ten (10) days after the Department Committee Members are installed, they shall meet to nominate and elect a Department Vice President in accordance with Article VIII, Section (5). Department committee members may nominate themselves or any other committee members.
- 2) Election Procedure - Election shall be by secret ballot vote where there is more than one candidate for office and will follow immediately after the close of nominations.
- 3) The candidate who receives a majority of the votes cast will be deemed elected. The Department Vice President shall be installed immediately after tabulation of the votes by the Election Committee.

Department Committee members will elect the Department Committee Vice-President at a meeting by secret ballot

(F) Nomination and Election of Retiree Representative

- 1) Nominations - A notice of nominations shall be mailed to the last known address of all retired members at least sixty days prior to the Convention. The notice shall provide the date, time, and place for nominating candidates as well as the criteria for nominations. Retired members may nominate themselves or any other eligible member for this position and such nominations may be made in person or if in writing, submitted to the Election Committee prior to the date of the nomination meeting.
- 2) Election Procedure
 - a. Method of Voting- The election will be by secret mail ballot vote of the retired membership.
 - b. Election Notice - An election notice must be sent out to the last known address of all retired members at least fifteen days prior to the date of the election. The election notice may be combined with the notice of nominations.
 - c. Election - If only one person is nominated for the Retiree Representative position, that person will be declared elected. If contested, the candidate receiving a majority of the votes cast will be declared elected. Any remaining unfilled office shall be filled through a run-off election in which there shall be a ballot bearing two (2) names for each office to be filled, such names being those nominees who received the greatest number of votes in the first balloting and the candidate receiving the highest number of votes in the run-off election shall be declared elected. The elected representative shall take his/her position immediately upon the tabulation of the vote by the Election Committee.

Section (3) - Election Conduct Applicable to All Elections

(A) Any other local or International Union or any employer may be used to support the candidacy of any member for elective office.

Safeguards to ensure a fair election

(B) Candidates for Office shall not solicit or accept financial support or any other direct or indirect support from non-members of SEIU or AFT or the International Unions' affiliated local unions.

No contributions from non-members for Colorado WINS election campaigns.

(C) Colorado WINS will comply with all reasonable requests of any candidate to distribute by mail, at the candidate's expense, campaign literature. All clerical work for this request shall be done by the Union and no home addresses, e-mail addresses or telephone numbers will be released to any candidate for office.

(D) Any candidate whose name is to appear on the ballot shall have the right to have an official election observer of the candidate's own choosing who must be a regular member of Colorado WINS. The Observer shall have the right to attend and observe all proceedings in which ballots bearing that candidate's name are cast or counted.

Candidates have a right to have an election observer

(E) Colorado WINS shall refrain from discriminating in favor of or against any candidate.

*Equal treatment of
all candidates*

(F) As provided in Section 504 of the Landrum-Griffin Act, no person who has been convicted of a felony shall be eligible for nomination or to hold office in Colorado WINS.

Section (4) - Election Protests

*Rights and procedure
to protest election
conduct*

Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that include specific facts as well as any documentation, to the Elections Committee within five days of the tabulation of election results. The Elections Committee shall have the authority to conduct a hearing, where it deems it necessary, request evidence and render a decision regarding the objections within thirty days of the submission of the challenge. An appeal of the decision of the Election Committee may be made to the SEIU-AFT Review Board within fifteen days of submission of the Election Committee decision.

Section (5) - Vacancies of Office

*Procedures for filling
vacant offices*

In the event of a vacancy in the office of President by reason of death, resignation, or temporary absence, the Executive Board shall elect one of the Vice-Presidents to assume the duties of the President for the remainder of the term or until the temporary absence ends.

The President shall have the authority to recommend appointments to vacancies in all other elected positions with the approval of the Executive Board and consistent with this Constitution and Bylaws.

Section (6) - International Convention Delegates

*Colorado WINS
obligations to parent
unions and labor
federations
contribute to the
strength for all union
members.*

Colorado WINS delegates to the AFT and SEIU International Conventions shall be elected in accordance with the procedures of each International Union.

ARTICLE X — REVENUE

Section (1) - Sources

*Our Revenue comes
largely from
members' dues.*

The revenues of Colorado WINS shall be derived from, but not limited to, dues, voluntary contributions; assessments, agency shop or fair share fees, and such other sources as may be approved by the Executive Board.

Section (2) - Dues Collection

All members of Colorado WINS are under a positive duty to see that their dues are paid on or before the last day of each month in which they are due.

All union dues payable by members may be paid through payroll deduction, an electronic funds transfer from a personal bank account or other methods as established by the Executive Board.

Section (3) - Dues Rate

*Dues are 1.25% of
base salary.*

(A) Colorado WINS shall maintain a dues structure that is sufficient to meet the minimum dues requirements applicable to a subordinate body of SEIU, AFT, and International Unions. This dues structure shall be based upon the MEMBER'S percentage of base salary AS set forth below plus increases in the per capita amounts owed to the International Unions and the Colorado State Federation of Labor-Congress of Industrial Organizations.

(B) The monthly membership dues shall be 1.25% of base salary.

*Dues can be
increased only by a
member vote or a
vote at an AFT or
SEIU Convention.*

(C) The membership of Colorado WINS recognizes that local unions in right-to-work states engaged in active and strategic organizing efforts must examine dues structures that facilitate the local unions' ability to grow in membership. Therefore, the membership hereby empowers the Executive Board, subject to a two-thirds majority vote of the Executive Board, to evaluate alternative dues structures through temporary, limited pilot programs. Any evaluation should be consider the best evidence available to the board, including but not limited to surveys, member interviews, structures in existence with other local unions and all other relevant information. Further, the alternative dues structures should be evaluated

for the sufficiency of support of the needs of Colorado WINS in its strategic organizing efforts, ease and cost of implementation, and whether it is conducive to the growth of the union.

In no case shall the piloted dues structures replace the dues structure established in subsection (b). No alternative dues structure established in this subsection (c) shall be greater than 1.25% of a member's base salary and shall not be lesser than the minimum dues rate as established by the affiliated international unions. Further, member participation in the pilot program shall be voluntary.

(D) Any increase in the rate of dues for regular members or the levying of any general or special assessments shall only occur:

- 1) As a result of a vote by an International Convention;
- 2) Through a secret ballot vote by delegates at a regular convention of Colorado WINS; or
- 3) In between conventions, at a special convention made in accordance with Article VII, Convention, Section 1.

The Executive Board shall establish a dues schedule for all other membership categories within Colorado WINS.

Section (4) - Financial Obligations

Colorado WINS shall pay per capita tax to each International Union and to the Colorado State Federation of Labor (AFL-CIO) based on its entire membership.

Colorado WINS shall establish a dues trust fund and shall make arrangements to have all dues and agency fees (if applicable) deposited directly into the trust account. The account shall be administered in such a manner that the required per capita taxes owed to the International Unions are disbursed directly from the trust fund to those organizations.

Colorado WINS shall have no right to pay any bills before it pays its full obligations to the International Unions each month.

Section (5) - Financial Accountability

Colorado WINS shall be audited on an annual basis by an independent audit firm. The results of such audit and any additional audits shall be made available for review by members. The budget, as approved by the Executive Board, shall also be made available to all members for review.

*Colorado WINS
ensures financial
transparency and
accountability*

ARTICLE XI — PROPERTY RIGHTS

All officers shall deliver to their respective successors at the conclusion of their term of office, all property in their possession belonging to Colorado WINS. All the funds and property of Colorado WINS shall be deemed held in trust for the benefit of the members, to be used in accordance with the direction of the Executive Board or the membership and subject to the International Constitutions of AFT and SEIU.

The title of all property, funds and other assets of this Union shall at all times be vested in this Union for the joint use of the general membership of this Union, but membership in this organization shall not vest any member with any severable proprietary right, title or interest in or to the funds, property or other assets of this Union, now owned or possessed or that may hereafter be acquired and each member hereby expressly waives any right, title or interest in or to the property of this Union, including the funds of this Union.

The funds or property of this Union shall not be divided among the members but shall remain intact for the use of this Union for its legal and legitimate purposes while this Union exists.

*Protection of Union
funds and property*

ARTICLE XII — CHARGES, TRIALS & APPEALS (INTERNAL DISCIPLINE)

Section (1) - Discipline

The accused has certain rights and the charging party has burden of proof.

Members and elected officials of Colorado WINS may be charged with any of the offenses set forth in the AFT or SEIU Constitution and Bylaws or violations of the Colorado WINS Constitution. Charges must be specific and in writing.

Section (2) - Procedures

Internal procedures to resolve serious charges involving members or officers

Charges against any member or elected official of Colorado WINS shall be filed in duplicate with the Secretary (or the President if the Secretary is an involved party), who shall serve a copy thereof on the accused either personally or by registered or certified mail, directed to the last known address of the accused, at least 15 days before the hearing upon the charges, along with a copy of this provision. The charges must specify the events or acts which the charging party believes constitute a basis for charges and must state which offence(s) set forth in the AFT or SEIU Constitution and Bylaws that the charging party believes has/have been committed. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Section. No charges may be filed more than six (6) months after the charging party learned or could have reasonably learned, of the act or acts which are the bases of the charges.

Section (3) - Trial Body

Trial body is composed of regular members appointed by the Executive Board

The Executive Board of Colorado WINS shall appoint a Disciplinary Committee, consisting of three (3) regular members to act as the trial body and to conduct hearings. If the member filing charges or the accused is a member of the trial body he or she shall be ineligible to participate in the consideration of or the decision on such charges. The accused has the right to appear in person and with witnesses and answer the charges against him or her, to face his or her accuser and shall be afforded due process and a full and fair hearing. The accused may select a regular member of Colorado WINS to represent him or her in the presentation of a defense. If the accused is unable to or unwilling to be present at the hearing, a defense may be presented in writing. In default of appearance or defense, the trial body shall proceed with the hearing regardless of the absence of the accused.

If the charges, or any portion thereof, are sustained, then the trial body shall render judgment and impose such penalty as it deems appropriate and as the case requires, including but not limited to fines, suspension, expulsion, and the removal from office. If the charges are not sustained, the same shall be dismissed and the accused shall have full rights of membership in Colorado WINS. In all matters, the charging party shall have the burden of proof.

Section (4) - Appeals

Procedure for appeal

An appeal to the SEIU-AFT Review Board may be brought by either the accused or the member filing the charges from any final decision of Colorado WINS with respect to such charges. Any such appeal shall be filed in writing with the International President of AFT or SEIU within fifteen (15) days after the decision. No specific form or formality shall be required, except that such appeal shall clearly set forth the decision being appealed and the grounds for the appeal. During the pendency of any appeal, the decision appealed shall remain in full force unless stayed by joint approval of the International Presidents or the Review Board. The Review Board may decide the appeal on the record made by the trial body or may in its discretion, upon at least 10 days notice, hear arguments or hold a rehearing either itself or before a hearing officer or officers designated by it. The Review Board may affirm, reverse or modify the decision that is the subject of the appeal and its decision shall be final and not subject to further appeals to SEIU-AFT Review Board. The Review Board shall be authorized to bring litigation or take other appropriate measures, when necessary, to enforce its decisions.

ARTICLE XIII — AMENDMENTS

Section (1)

An amendment to the Constitution may be proposed by:

- (A) A majority of the Executive Board; or
- (B) Majority approval of any chapter; or
- (C) A delegate to the Convention.

*Procedures to
propose an
amendment to the
Constitution*

Section (2)

Proposed amendments to the Constitution shall be submitted to the Executive Board in writing at least 90 days prior to the regular or special Convention or by delegate at least 30 days prior to the Convention.

Section (3)

All proposed amendments shall be reviewed by the Executive Board or a committee appointed by the Executive Board. The Convention Call shall provide notice of proposed amendments, including the text of such amendments.

Section (4)

The proposed amendments shall be presented to the delegates along with the recommendations of the Executive Board

Section (5)

A two-thirds (2/3) vote of the convention shall be required for passage.

*A two-thirds vote of
convention required
to approve
amendments*

Section (6)

The amended constitution shall be published on the Colorado WINS website within 30 days of the close of the Convention and shall be forwarded to AFT, and SEIU, in accordance with the procedures of each International Union. Constitutional amendments shall not take effect until they have been approved in writing by the AFT, and SEIU International Union Presidents.

Section (7)

The Constitution and Bylaws of Colorado WINS and any amendments shall at all times be in compliance with, and subordinate to, the AFT, and SEIU International Constitution and Bylaws.

APPENDIX A – COLORADO WINS HISTORY

Our History

Colorado state employees have always known that when they have a strong voice, Colorado WINS. In his first term, Gov. Ritter recognized the need to hear from state employees. On November 2, 2007, he signed an executive order creating a partnership that allows them to form a union and negotiate job and public service improvements.

At the time, many state employees belonged to one of three organizations (AFSCME, AFT, CAPE-SEIU). Recognizing the historical nature of the opportunity, members of all three unions decided to join together as one. They created Colorado WINS (Workers for Innovation and New Solutions), a new organization dedicated to public employees and quality public services. With the strength and track record needed to win real improvements, WINS would take a modern, partnership approach to achieve results.

In the first half of 2008, WINS supporters fanned across the state to explain the benefits of joining together and speaking with one voice. Within six months, they collected more than 10,000 signatures of support from coworkers. In June and August, elections were held and more than 80 percent of the workers who voted said yes to Colorado WINS.

Two months later, WINS members held the first state-wide convention to set priorities for the upcoming year. State workers from across Colorado worked together to articulate a vision of building political, community, and membership strength.

On January 31, 2009, members came together again to elect the first statewide negotiating team. A 30-member team was selected to negotiate issues that affect all employees, like health care and compensation. Almost immediately, members in some departments began electing representatives to bargain issues that are specific to their department.

WINS members also jumped into our first legislative session. In February, more than 100 of us converged on the Capitol to directly lobby our elected officials. The Governor and House and Senate leadership also met with us to answer questions.

WINS members also testified, called, emailed and wrote letters to protect quality public services through the legislative process. In the worst budget year in a generation, other states resorted to laying off workers or slashing programs and salaries. In Colorado, we had a hiring freeze and four furlough days. But, because WINS members took action, we avoided layoffs and earned a \$14 million increase in funding for health benefits.

In the summer of 2009, Colorado WINS members continue to talk to our coworkers about the importance of building strength. We are planning for future legislative issues, like PERA, and the 2010 elections. WINS members are also writing the bylaws and constitution that will create a powerful and sustainable union of state employees.

Colorado WINS Timeline

Nov. 2, 2007

Gov. Ritter signs an Executive Order creating a partnership with state employees and allowing them the freedom to form a union and negotiate job and public service improvements. AFSCME, AFT and CAPESEIU come together to form Colorado WINS.

June and August, 2008

Elections are held and more than 80 percent of the workers who voted say Yes to Colorado WINS.

Oct. 9, 2008

Colorado WINS state employees hold the first annual convention to set priorities for new organization.

Dec. 11, 2008

Colorado WINS members testify before the Joint Budget Committee marking the first time state employees formally contribute to the state's budget discussion.

Jan. 31, 2009

Colorado WINS holds elections for statewide negotiating team. Thirty state employees are selected to negotiate with Dept. of Personnel and Administration on total compensation, health care, workplace policies and other issues of global concern.

Feb. 25, 2009

Colorado WINS holds first lobby day at the Colorado State Capitol. More than 100 state employees converged on the Capitol to directly lobby their elected officials. Gov. Ritter and members of House and Senate leadership hold question and answer sessions with WINS members.

March 3, 2009

WINS members at the Dept. of Revenue become the first to hold department elections. The departments of Labor and Employment, Human Services, Transportation and Corrections quickly follow—each electing their own representatives to sit down with department management to negotiate issues like workplace morale, training, and seniority.

May 6, 2009

The impact of WINS members taking action throughout the legislative session shows in legislation and the state budget. WINS members help repeal an arbitrary budget formula, kill 12 mandatory furlough days and maintain an important licensure. As other states resort to laying off workers and slashing programs, Colorado state employees receive a \$14 million increase in health benefits.

June 22, 2009

WINS members testify before the Joint Budget Committee.

August 11, 2009

COF Approves the final draft of the constitution and bylaws and unanimously recommends it to the Convention for its adoption.¹

Sept. 18, 2009

Colorado WINS Founding Convention

Colorado WINS Local 1876
Colorado Workers for Innovative and New Solutions
2525 W. Alameda Ave., Denver, CO 80219
Phone 303.727.8040 | Fax 303.936.545

¹ Committee on the Future consists of the following members: Elaine Andersen, Patricia Johnston, Manuel B. Garcia, Casey Atchison, Metza Templeton, Robert Selover, John Vestecka, Bob Bongiovanni, Steve Wolff, and Executive Director, Robert Gibson

