

# **Standing Rules of the East Side Teachers Association**

## **Article I: Purpose and Scope**

1. These Standing Rules of the East Side Teachers Association (ESTA) are a means of recording certain practices and policies of the governing and policy-making bodies of ESTA.
2. These Standing Rules are not intended to supplant or substitute the Bylaws of the Association. In every case in which a conflict arises between these Standing Rules and the adopted Bylaws of ESTA, the Bylaws shall take precedence.
3. These Standing Rules are authorized by the Bylaws of the East Side Teachers Association.

## **Article II: Adoption and Amendment**

1. These Standing Rules shall be in effect only after adoption by a simple majority of the ESTA Assembly at a regular meeting at which 50% plus one of the voting members are present at the time the vote is taken.
2. These Standing Rules may be amended in whole or in part by a simple majority vote at the ESTA Assembly meeting following a proper motion to do so. Unless otherwise specified in the motion to amend, any amendments to these Standing Rules shall take place immediately following passage of the motion.
3. Under Parliamentary Rules, portions of these Standing Rules can be temporarily suspended during a meeting, following a proper motion and an affirmative vote of at least 2/3 of the ESTA Assembly.

## **Article III: Assembly Meetings**

1. Regular meetings of the Assembly shall begin at 4:00 p.m. and end at or before 6:30 p.m. unless a motion to extend the meeting time is passed.
2. Questions on reports shall be held until after the completion of all reports.
3. Debate from the floor of the Assembly on a motion, shall be limited to three speakers “for” and three speakers “against” unless debate is extended by a simple majority. Should the maker of the motion wish to speak to his/her motion, such debate will

constitute the first “for” speaker. The maker of a motion shall have three minutes to speak to the motion. Each subsequent speaker is limited to two minutes for his/her debate.

4. No issue can be raised at a meeting of the ESTA Assembly unless it is properly agendized prior to the adoption of the agenda.
5. During discussion of any said issue, the anonymity of any involved member must be maintained.

#### **Article IV: ESTA President**

1. The ESTA President is authorized to issue a Demand to Bargain in the Association’s name without prior Assembly approval at such times as the President feels that a change in working conditions warrants the action.
2. The ESTA President shall be one of the allotted local delegates to the NEA RA.
3. With the President’s concurrence, the PAC chair may spend up to \$250 without prior Assembly approval; a subsequent report shall be made at the next Assembly meeting.
4. The President shall appoint special committees whenever the need arises.
5. The President shall execute the policies of the Association and supervise its effective implementation.
6. The President shall prepare in cooperation with the Treasurer a budget for the disbursement of the Association funds.
7. The President shall be a liaison between the Association and the East Side Union High School District Board of Trustees, the Superintendent, and between the Association and the Community.
8. The President shall sign the Collective Bargaining Agreement when the Chief Negotiator is unable to sign.
9. The President shall sign Memorandums of Understanding, or Side Letters, when appropriate to meet the needs of the Association and/or District.
10. The President shall contact any Assembly member who has missed two consecutive meetings without due cause and without sending an alternate to determine whether they will continue as an Assembly member.
11. The President shall appoint and dismiss Committee Chairs with the approval of the Executive Board.

#### **Article V: Vice-President**

1. If the President is unable or unwilling to perform his/her assigned duties, the Vice-President will assume the President's duties in his/her absence.
2. In the event the Presidency is vacated, the Vice-President shall become President and complete the current term, and a new election will be held for Vice-President within 45 days.
3. The Vice-President shall take over the meeting when the President wishes to enter the discussion at hand and remain in charge until the motion is voted upon.

#### **Article VI: Secretary**

1. The Secretary shall receive and maintain a permanent file of the records of the business of the Association: its Articles of Incorporation, Bylaws and Standing Rules, membership lists, and the attendance records of the Executive Board and Assembly.

#### **Article VII: Treasurer**

1. The Treasurer shall assist the President in preparing the annual budget for submission to the Assembly. The fiscal year shall include September 1 to August 31.
2. The Treasurer shall be responsible for the reimbursement of authorized charges to Bargaining Unit members.
3. The Treasurer shall supervise and cause to be maintained a detailed record of all receipts and expenditures of the Association and to present this information in a monthly financial report to the Executive Board and the Assembly.

#### **Article VIII: Parliamentarian**

1. A Parliamentarian for the organization shall be appointed by the President. He/she shall be appointed for a two year term. The parliamentarian is familiar with the most recently revised edition of Robert's Rules of Order.
2. The Parliamentarian will be a non-voting member of the Assembly and/or Executive Board, unless that person has been elected to a position in the organization which allows him/her to vote.

3. The Parliamentarian shall be a non-paid position.
4. The Parliamentarian will attend the meetings of the Executive Board, Representative Assembly, and the General Assembly of the Association.

#### **Article IX: Use of Member Mailboxes**

1. ESTA shall no longer accept payment for placement of literature of a commercial nature into members' mailboxes.
2. There will be no distribution of commercial literature into members' mailboxes without prior authorization by the ESTA Assembly.
3. ESTA Site Presidents shall have discretion over removal of commercial literature found in members' mailboxes which they deem offensive or which does not meet the identification criteria.

#### **Article X: Panorama**

1. Members submitting material for publication in *Panorama* will include their name and school affiliation attached to their submitted item(s).
2. The editor of *Panorama* shall have complete discretion to censor *ad hominem* attacks, personal insults, or racially provocative articles.
3. *Panorama* will be published online, and at least twenty hard copies will be made available to all sites.

#### **Article XI: Expectations of Committee Chairs**

##### **Section A: ESTA Political Action Committee Chairperson**

1. Brief Description of the Position  
Works to further the goals and interests of the Association by creating and coordinating a Political Action Committee (PAC) composed of ESTA members; forms and strengthens connections with other political committees who may share common interests with ESTA; assures that all legal requirements for the ESTA PAC are met in a timely manner; oversees the processes leading to making recommendations to the ESTA Assembly for candidate endorsement and campaign contributions.
2. Major Duties and Responsibilities

- 2.1 Establishes and communicates an annual calendar of Political Action Committee (PAC) meetings; reserves meeting space as appropriate;
  - 2.2 Delivers regular reports on PAC activities to the ESTA President, the Executive Board, and the ESTA Assembly;
  - 2.3 Remains knowledgeable about upcoming political issues and elections which may affect ESTA members or the various communities in which we live and operate, alerts the PAC and advises ESTA leadership;
  - 2.4 Works to build membership and active participation in the ESTA PAC from all sites;
  - 2.5 Sets and communicates annual timelines for the PAC with input from CTA/NEA, ESTA leadership, and PAC members;
  - 2.6 Increases and maintains ESTA liaisons with other organizations that have interests and agendas that may align or conflict with ESTA interests;
  - 2.7 Promotes awareness in the ESTA membership of national, state, and regional political issues in which ESTA may wish to participate, including CTA endorsed candidates and ballot initiatives;
  - 2.8 Coordinates PAC activities to identify and interview candidates for political offices that may affect ESTA interests, and brings recommendations to the ESTA Assembly for endorsement and contribution, when appropriate;
  - 2.9 Works with the PAC Treasurer to meet all content and timing requirements for mandated reporting.
3. Other Duties and Responsibilities
    - 3.1 Participates in annual Association budget planning;
    - 3.2 Attends and reports on Political Involvement Committee (PIC) meetings of the Service Center Council;
    - 3.3 Attends CTA leadership training with focus on chapter political strategies;
    - 3.4 Contributes regular articles to *Panorama* and ideas for the *ESTA Update*, and works with the ESTA Webmaster in development of content for the ESTA website;
    - 3.5 Works cooperatively with the chairperson of the ESTA Organizing Committees of PAC and OC;

- 3.6 Identifies PAC members who may succeed PAC leadership;
- 3.7 Request lists of CTA members who live within the ESUHSD;
- 3.8 Becomes knowledgeable in legal matters that may affect our PAC, including in-kind contributions, the scope of the ESTA PAC authority, and financial reporting requirements, and makes every effort to adhere to all legalities;
- 3.9 Communicates to ESTA membership the opportunities and benefits of making individual financial contributions to political entities beyond ESTA, such as those program promoted by CTA or NEA;
- 3.9 Assists in the recruitment of candidates for PAC Treasurer, when appropriate.

## **Section B: ESTA Organizing Committee Chairperson**

### **1. Brief Description of the Position**

Works to further the organizational goals of the Association by creating and maintaining an Organizing Committee composed of ESTA members; creates situations that allow newer ESTA members to see the value and opportunities of membership; promotes association unity and supports the Bargaining Team in times of collective bargaining; encourages wide participation in the ESTA elective processes;

### **2. Major Duties and Responsibilities**

- 2.1 Establishes and communicates an annual calendar of Organizing Committee (OC) meetings;
- 2.2 Delivers reports on OC activities as needed to the ESTA President and monthly written reports to the ESTA Assembly;
- 2.3 Sets and communicates annual goals for the OC with input from CTA/NEA, ESTA leadership, and OC members;
- 2.4 Builds membership and active participation in the OC from all sites;
- 2.5 Works with elected site leadership to coordinate activities at each site designed to increase awareness of the benefits of ESTA/CTA/NEA membership;
- 2.6 Assists in recruitment of members to participate in other ESTA Committees, such as Political Action, Catastrophic Sick Leave Bank, Scholarship, and Grievance;

- 2.7 Develops and maintains site-oriented member contact lists, such as private email addresses and phone trees;
  - 2.8 Prepares for, promotes and coordinates a variety of appropriate membership actions in times of bargaining and other organizational need;
  - 2.9 Develops and maintains media contact lists, and assists in media outreach projects;
  - 2.10 Communicates with Committee Chairs to determine membership needs of the Committee.
3. Other Duties and Responsibilities
    - 3.1 Attends county-wide meetings of other CTA chapter organizing chairpersons;
    - 3.2 Attends CTA leadership training with focus on chapter organizing strategies;
    - 3.3 Contributes articles to *Panorama* and ideas for the *ESTA Update*, and works with the ESTA Webmaster in development of content for the ESTA website;
    - 3.4 Works cooperatively with the chairperson of the ESTA Political Action Committee in matters of mutual interest/involvement of OC and PAC;
    - 3.5 Creates and maintains a file of seasonal OC activities for use by the successor chairperson; identifies OC members who may succeed OC leadership;
    - 3.6 Coordinates acquisition and distribution of materiel for demonstrations and gatherings, including sign-making material, leaflets, apparel and refreshments.

### **Section C: ESTA Benefits Chairperson**

1. Brief Description of the Position

Remains knowledgeable on issues relating to employee fringe benefits; works to represent the goals and interests of the Association by attending and reporting on appropriate meetings; serves as a resource to ESTA leadership and the Negotiation Team; informs members about benefits at the monthly Assembly meeting.
2. Major Duties and Responsibilities
  - 2.1 Attends all meetings of the district Benefits Advisory Committee (BAC) and the ESTA Assembly;
  - 2.2 Delivers regular written reports on BAC topics to the ESTA Executive Board

and Assembly;

- 2.3 Promotes awareness in the ESTA membership of national, state, regional, and district health and welfare issues which may require informed decisions or initiatives on the part of the Association or individual members;
  - 2.4 Participates in CTA and other appropriate trainings, such as the CTA Summer Institute;
  - 2.5 Coordinates research and reporting on benefits issues as may be requested by ESTA leadership bodies or Negotiations Team;
  - 2.6 Publicizes and conducts an annual informational meeting for members prior to the open enrollment period;
  - 2.7 Verifies district data and produces annual benefits cost comparisons;
  - 2.8 Contributes regular articles to *Panorama* and ideas for the *ESTA Update*, and works with the ESTA Webmaster in development of benefits-related content for the ESTA website;
  - 2.9 Conducts poll(s) of membership regarding benefits issues as requested by ESTA leadership.
3. Other Duties and Responsibilities
    - 3.1 Participates in annual Association budget planning;
    - 3.2 Attends and reports on CTA or Service Center Council meetings regarding health and welfare benefits;
    - 3.3 Identifies and assists in the training of potential Benefits Chair successors;
    - 3.4 Serves as a resource to ESTA members with questions or concerns on benefits issues.

#### **Section D: ESTA Grievance Committee Chairperson**

##### 1. Brief Description of the Position:

Advises President and ESTA Leadership on contract compliance, grievance issues, and potential Unfair Labor Practices; serves as a resource to local Site Presidents and Grievance Representatives on discipline and grievance matters; assists with preparation and presentation of grievances at Level 2 and Level 3; coordinates and conducts training for ESTA members on contract monitoring and grievance procedures; represents bargaining unit members as needed; monitors



district practices for contract non-compliance.

2. Major Duties and Responsibilities.

- 2.1 Schedules and conducts training of ESTA Grievance Committee members once a month on matters pertaining to contract monitoring, discipline, and grievance processing;
- 2.2 Provides assistance and leadership as needed to ESTA site personnel in the preparation of Level 1 grievances and problem resolution;
- 2.3 Submits “Association Grievances” with the concurrence of the ESTA President; or in instances in which the President does not concur, the Grievance Chair may appeal to the Executive Board;
- 2.4 Advises President and Executive Board on matters that may lead to a Demand to Bargain the impact of new or altered district practices;
- 2.5 Remains aware of non-contractual methods of advancing significant ESTA issues, such as through the legal system and the Public Employment Relations Board (PERB), and advises ESTA Leadership as appropriate;
- 2.6 Attends all Level 2 Grievance Panel meetings, and is informed by the ESTA President of the outcome of Panel deliberations, votes, and recommendations in a timely manner;
- 2.7 Makes motions at ESTA Assembly meetings regarding recommendations for taking grievances to arbitration or not;
- 2.8 Recommends CTA Group Legal Services attorney referrals for members as appropriate to ESTA President and CTA Executive Director.

3. Other Duties and Responsibilities

- 3.1 Assists as needed in the preparation of presentations at arbitrations;
- 3.2 Maintains records of grievances at all levels; an additional copy will be archived at the Mt. Hamilton CTA Office and/or an electronic copy in a secured Cloud account;
- 3.3 Makes appropriate recommendations for contract language changes on issues that have created or may create grievance situations; remains available for consultation with ESTA Bargaining Team;
- 3.4 Consults with CTA Executive Director on grievance issues and contract monitoring;

- 3.5 Attends all meetings of the ESTA Executive Board and ESTA Assembly, and makes oral reports to both bodies as needed;
- 3.6 Makes periodic contributions of informative articles to *Panorama*;
- 3.7 Participates in annual Association budget planning;
- 3.8 Attends appropriate CTA training conferences and workshops;
- 3.9 Seeks to identify and nurture potential successors for the position.

#### **Article XII: ESTA Treasury**

1. ESTA members receiving Association stipends will be paid ten times a year.
2. ESTA members requesting reimbursement for authorized expenses must use the request form approved by the ESTA Treasurer and must provide copies or originals of applicable receipts.
3. Requests for reimbursement must be made within 30 days of incurring the expense, unless extenuating circumstances exist. In such cases, members must apply for reimbursement within 60 days of incurring the expense, and must attach a written explanation of the extenuating circumstances.
4. ESTA members receiving checks issued by the Treasurer and drawn on an ESTA account must cash or deposit those checks within 90 days of issuance. The Treasurer will initiate a “stop payment” on checks after this time, and will not issue a replacement. In the event of a lost check, the member needs to notify the Treasurer within 90 days upon which a new check will be issued.
5. The ESTA Treasurer will announce and conduct annual meetings of the ESTA Budget Committee.

#### **Article XIII: ESTA Political Action Committee (PAC) Treasurer**

1. The PAC Treasurer or the ESTA President shall each be authorized to write checks on the ESTA PAC account.
  - 1.1 Checks in the amount of \$250 or less may be written with the authorization of the ESTA President or the PAC Chairperson, providing a report is made at the next ESTA Assembly meeting;
  - 1.2 Checks in an amount over \$250 shall only be written following authorization by

the ESTA Assembly.

2. The PAC Treasurer shall maintain accurate records of ESTA PAC finances, and will be prepared to issue a report of PAC income, expense, and account balances at all meetings of the ESTA PAC and the ESTA Assembly, or upon the request of the ESTA President or PAC Chair.

2.1 No check shall be written on the ESTA PAC account in support of any electoral matter subject to control by the Fair Political Practices Commission (FPPC) unless the following information is first recorded:

2.1.1 Name of the candidate or election campaign issue,

2.1.2 Address of the campaign entity to which the funds are to be transmitted,

2.1.3 Treasurer of the campaign entity to which the funds are to be transmitted,

2.1.4 FPPC number of the campaign entity.

3. The PAC Treasurer shall accurately complete and file all required reports in a timely fashion, which shall include:

3.1 Creating monthly, quarterly, and annual reports (State of California Form 460);

3.2 Signing of required forms as the responsible reporting party;

3.3 Writing of other correspondence to the FPPC, the County Registrar of Voters, and the PACs of political candidates or local election campaign issues;

3.4 Completing and filing of daily or weekly reports to the County Registrar of Voters as required by law.

4. THE PAC Treasurer shall assist the PAC Chair in obtaining, completing, and filing requests for funding from the CTA/ABC or other sources of political funding.

#### **Article XIV: Conference Policy**

1. The East Side Teachers Association recognizes that one of its roles is to enable both organizational and professional growth in its individual members, and that one method of doing so is to facilitate attendance at a variety of annual conferences.

2. Defrayal of Costs:

- 2.1. ESTA should establish a budget to reimburse members for conference attendance, and should adopt guidelines for how such budgeted funds should be disbursed;
- 2.2. When appropriate, reimbursement should be provided to cover costs of release time, registration, transportation, housing, meals, and certain incidentals (bridge tolls, shuttles, airport parking);
- 2.3. The maximum amount allowed for reimbursement of transportation costs should provide for carfare for the shortest highway route at the current CTA mileage rate, or coach air fare, whichever is lower;
- 2.4. Housing reimbursement shall be applicable only in circumstances where the conference spans multiple days and as approved by the President;
- 2.5. When overnight housing is appropriate, members may choose either single-occupancy or double-occupancy hotel/motel space, at the recommended Conference hotel/motel, and ESTA will reimburse accordingly. Valid costs are limited to charged room rates and taxes and parking, where applicable. Discretionary items such as entertainment, telephone, laundry, and room service may not be reimbursed unless specific prior arrangements are made. Members will initially pay their own lodging costs and then apply for reimbursement from ESTA;
- 2.6. Reimbursement for meals shall be for no more than the current approved CTA meal rate. Members do have to provide meal receipts for reimbursement. Members shall not be reimbursed for meals that are provided as a part of normal conference registration. Members attending conferences lasting four or more full days may have meal costs advanced prior to attending;
- 2.7. To the extent possible, ESTA will take advantage of conference attendance cost defrayal assistance offered by NEA, CTA, the Santa Clara County Service Center Council, and/or the Mt. Hamilton Council before expending chapter funds;
- 2.8. Members will use the current ESTA “Member Expense Statement” to submit requests for reimbursement to the ESTA Treasurer, and will attach all necessary receipts.

### 3. Selecting Members for Conferences

- 3.1. The total ESTA budget for Conferences should include line items for
  - (a) Executive Board members
  - (b) Assembly members

- (c) General membership;
- 3.2. ESTA members from within these three groupings shall have the opportunity to learn about the possibilities of conferences and apply to be selected as attendees. In each school year, as soon as practical, costs for attendance at conferences will be estimated and the number of attendees at each applicable conference will be determined;
- 3.3. When more applications are forthcoming than the budgeted amount would allow, consideration should be given to selecting attendees based upon:
  - (a) positional requirement (elected as delegate vs. casual attendance)
  - (b) first-time requests
  - (c) value to the Association as a whole
  - (d) deadline and random drawing
  - (e) random drawing at a meeting early in the year;
- 3.4. ESTA will only defray costs for attendance at CTA- or NEA-approved conferences unless Assembly action approves otherwise on a case-by-case basis.
- 4. Expectations
  - 4.1. Members whose conference costs are sponsored by ESTA must attend and participate in the conference;
  - 4.2. Members who attend conferences will be encouraged to report their experience for dissemination to the ESTA Assembly and the ESTA President after their return;
  - 4.3. The Assembly or Executive Board may require a presentation at a meeting from members who attend conferences paid for by the Association.

## **Article XV: ESTA Catastrophic Sick Leave Bank**

- 1. Committee
  - 1.1 The ESTA Catastrophic Sick Leave Bank Committee members are selected by the ESTA President and confirmed by the ESTA Assembly;
  - 1.2 The ESTA President appoints the Chairperson pursuant to ESTA Bylaws;
  - 1.3 The Committee should have at least five members but no more than eleven members; half the Committee plus one shall constitute a quorum for making decisions at meetings;
  - 1.4 The ESTA Executive Vice- President is an *ex officio* member of the CSLB Committee. The Vice- President may vote on decisions regarding applications only to break a tie vote by regular Committee members;

1.5 The CSLB Committee shall practice discretion in dealing with confidential and sensitive information.

## 2. Decisions of the Committee

2.1. Factors which may contribute to a *favorable* finding of the CSLB Committee include:

2.1.1 the applicant's absences are a result of an unforeseen catastrophic illness or catastrophic event or catastrophic injury;

2.1.2 the applicant's application form is well documented and includes the exact nature of the illness or injury, and the limits of disability – if any – of the member's daily work routine from a medical doctor;

2.1.3 the applicant's need arises from a family calamity that specifically requires the member's presence;

2.1.4 the applicant's request can be granted within the limits of the current Collective Bargaining Agreement and the Side Letter establishing the Catastrophic Sick Leave Bank;

2.1.5 the applicant has exhausted all accrued sick leave days.

2.2 Factors which may contribute to an *unfavorable* finding of the CSLB Committee include:

2.2.1 the applicant's recent absences are caused by a chronic or persistent condition without reasonable resolution;

2.2.2 the applicant's absences can be traced to a condition which existed prior to becoming a participant in the CSLB, and the applicant is making the current request shortly after becoming a participant;

2.2.3 the applicant's absence pattern;

2.2.4 there is evidence of fraud or obfuscation on the part of the applicant;

2.2.5 the applicant's recent absences are attributable to an elective event, which could reasonably have been postponed to a time not requiring school absence;

2.2.6 the applicant's absences are attributable to a normal pregnancy;

2.2.7 the applicant is still receiving, or is eligible for, workman's compensation;

2.2.8 granting the applicant's request would cause the total number of sick leave days bestowed to the applicant to exceed 90 days.

2.3. A quorum of the CSLB Committee (half of committee plus one member) must approve an application in order for sick leave days to be withdrawn from the CSLB;

2.4. The Chairperson, or designee, shall communicate the decision of the CSLB Committee in writing to the applicant and to the ESTA President. District email is an acceptable method of such notification. In the case of a denial by the CSLB Committee, the applicant will be made aware of the primary factors leading to the denial;

2.5. A member whose application has been denied by the Committee may choose exactly one of these options:

2.5.1 accept the Committee's decision;

2.5.2 re-submit the application back to the CSLB Committee after amending it to include additional facts as may have been noted in the denial or requested by the Committee;

2.5.3 request that the disapproved application, with no alterations, be submitted to the ESTA Executive Board (see below #8) for appeal of the denial.

2.6 If the SLB falls below fifty days, it shall be replenished by an automatic contribution of one additional day sick day from each member of the bank. Such replenishment may occur no more than once per year as per the Collective Bargaining Agreement.

### 3. Record Keeping.

3.1. The CSLB Committee shall appoint a Secretary from among its members;

3.2. Records shall be kept of all applications to the Committee for withdrawals from the Bank for a period of at least five years;

3.3. Records shall be kept of the names of all contributors of sick leave days to the Catastrophic Sick Leave Bank. For each academic year, these records shall at least include:

3.3.1 the name of the member,

3.3.2 the current site at which the member receives district mail,

3.3.3 the status of the member (vested, not vested),

3.3.4 the number of, and the dates(s) that, sick leave days were donated by each member,

3.3.5 the number of, and the date(s) upon which, sick leave days granted to the member from the Bank.

#### 4. Catastrophic Sick Leave Bank Boundaries

4.1 No eligible member would be allowed more than 20 days per application, up to ninety days in total for the same catastrophic illness or catastrophic event;

4.2 Maternity leave would not be eligible for CSLB days;

4.3 Any applications related to Workman's Compensation will not be eligible for CSLB;

4.4 A pre-existing condition generally will not be covered by CSLB;

4.5 Members who have donated only one day are limited to 30 days from CSLB;

4.6 Members will be allowed to donate additional days once they are fully vested;

4.7 Appeals can be made to the ESTA Executive Board regarding denied requests. One appeal per member per catastrophic illness or catastrophic event is allowed. The member has 30 days from date of denial to submit same application, without alterations, to ESTA Executive Board;

4.8 There is no limit to the maximum number of days contained in the CSLB.

#### **ARTICLE XVI: NEA Representative Assembly**

1. Pursuant to ESTA Bylaws, active members in ESTA who are elected as local delegates to the NEA RA shall remain voting members of the ESTA Assembly until May 31st of their third year term.

2. The new RA representative shall be considered a member of the ESTA Assembly beginning June 1st, of the election year for a three year term.

#### **ARTICLE XVI: ESTA Relief Fund**



## 1. Description and Purpose

The ESTA Relief Fund will provide a means of assisting ESTA members who suffer unreimbursed financial loss of personal property caused by either theft, vandalism, natural disaster, or fire at their worksites or while engaged in ESTA business.

## 2. Assistance to Members

The assistance provided to ESTA members from the Relief Fund will be in the form of a check drawn from an ESTA account by the ESTA Treasurer or other individual authorized by ESTA Bylaws, Standing Rules, or the ESTA Assembly to issue checks.

## 3. Implementation and Funding

- 3.1 The ESTA Assembly shall initially adopt a budget that provides for the creation of a fund that will be known as the ESTA Relief Fund. When such a fund is created, it may receive money from member dues or donations. At the outset, the Relief Fund shall be funded to the level of \$5,000 per school year from ESTA's General Fund;
- 3.2 Submission of a ESTA Relief Fund request must occur within 90 days of an incident accompanying a police report and no later than June 30th of any school year.

## 4. ESTA Relief Fund Committee

- 4.1 The ESTA Relief Fund shall be overseen by the ESTA Relief Fund Committee, whose Chairperson will be selected in accordance with ESTA Bylaws:
  - 4.1.1 The Committee shall be composed of five members, including a chairperson; members are appointed by the committee chair and confirmed by the Executive Board;
  - 4.1.2 A quorum for Relief Fund Committee voting shall be at least three Committee members when the Chairperson is participating, or four Committee members when the chairperson is not participating;
  - 4.1.3 The ESTA President or Vice President may substitute for any missing Committee member for purposes of achieving a quorum, and may vote on Committee business while doing so.
- 4.2 The Committee shall develop model guidelines for operation, which will be brought to the ESTA Assembly for approval and incorporation into these Standing Rules.

- 4.3 The Committee may also recommend amendments in the model guidelines from time to time, based upon experience and prudent practice. Such amendments shall also be incorporated into these Standing Rules after approval by the Assembly;
- 4.4 The Committee shall be authorized to assist individual members in an amount not to exceed \$500.00 per year. The Committee Chairperson shall make a report of each financial disbursement at the first meeting of the ESTA Assembly following the disbursement;
- 4.5 No member of the ESTA Relief Fund Committee shall participate in Committee deliberations regarding loss or vandalism of personal property belonging to that member or an immediate family member;
- 4.6 The Committee will develop an efficient process for notifying membership of the existence and function of the Committee, including information about the filing of police reports, and obtaining and filing applications for assistance;
- 4.7 The Committee will regularly notify the ESTA Assembly of its activities through the chairperson or designee;
- 4.8 The Committee shall have latitude to determine whether to reimburse an applicant for property loss at an amount other than that sought by the member.

## 5. Decisions of the Committee

- 5.1 The Relief Fund Committee shall produce an application form for use by ESTA members when applying for assistance.
  - 5.1.1 the Committee may modify the application form from time to time as is appropriate;
  - 5.1.2 the application form will ask the member to provide documentation, where appropriate, to assist in determining the value of the lost property.
- 5.2 The Relief Fund Committee shall require the submission of a police report to accompany member applications for assistance;
- 5.3 Factors which may contribute to a *favorable* finding of the Relief Fund Committee include:
  - 5.3.1 the applicant took prudent measures to safeguard the lost property prior to the loss;

- 5.3.2 the property was damaged or stolen at such time as the member was engaged in attempting to suppress student violence;
  - 5.3.3 the District refused to reimburse the member;
  - 5.3.4 the applicant had no personal property insurance to cover the loss, or would suffer financially by submitting an insurance claim;
  - 5.3.5 the lost or damaged property was so important that the member was required to immediately replace it;
  - 5.3.6 the property loss occurred on, or immediately adjacent to, District property, or while the member was engaged in ESTA business.
- 5.4 Factors which may contribute to an *unfavorable* finding of the Relief Fund Committee include:
- 5.4.1 the applicant took inadequate prudent preventative measures to safeguard the property;
  - 5.4.2 the lost or damaged property was District property;
  - 5.4.3 the Relief Fund has a balance that cannot support this request;
  - 5.4.4 the lost property was inappropriately brought to the worksite;
  - 5.4.5 there is evidence of fraud or dishonesty on the part of the applicant;
  - 5.4.6 the loss is cash, a cell phone, or a personal electronic device;
  - 5.4.7 the loss occurred at a time prior to the creation of the ESTA Relief Fund.

#### 6. Appeals of decisions by the Relief Fund Committee:

- 6.1 An ESTA member may appeal a decision of the Relief Fund Committee once by re-submitting a more detailed application to the Committee;
- 6.2 Decisions of the Relief Fund Committee are final after the member's first appeal, and cannot be appealed beyond the Committee.

#### 7. Discontinuance

The ESTA Assembly may vote to discontinue the ESTA Relief Fund at any meeting, following proper Parliamentary procedure. If it does so, any unencumbered balance in

the Relief Fund at that time shall revert back to the ESTA General Fund.

## **ARTICLE XVII. SCHOLARSHIP FUND**

### 1. Description and Purpose

In order to assist ESTA families with the cost of higher education at accredited educational institutions, the ESTA assembly adopted and approved the creation of the ESTA Scholarship Fund.

The ESTA Scholarship Committee awards scholarships from the Scholarship Fund to a number of deserving student applicants, who are children or grandchildren of active ESTA members.

### 2. Implementation and Funding

2.1 Each year since 1999, the Representative Assembly of the East Side Teachers Association has passed a budget authorizing a modest diversion from the normal monthly dues of each willing member to the ESTA Scholarship Fund. The budget adopted by the end of May of the preceding school year sets the monthly dues diversion;

2.2 Any ESTA member may request that their dues *not* be diverted to the Scholarship Fund. The amount of dues *will not change* in any way based on a member's decision to participate or not;

2.3 If an ESTA member decides to opt out of the Scholarship Fund, their child's or grandchild's application will not be considered.

### 3. ESTA Scholarship Committee

3.1 The Scholarship Fund shall be overseen by the ESTA Scholarship Committee, whose members will be approved by the Executive Board:

3.1.1 The Scholarship Committee shall be composed of at least five members, including a chairperson;

3.1.2 A quorum for Scholarship Committee voting shall be at least three Committee members when the Chairperson is participating, or four Committee members when the chairperson is not participating;

3.1.3 The ESTA President or Vice-President may substitute for any missing Committee member for purposes of achieving a quorum, and may vote on Committee business while doing so.

- 3.2 No ESTA member who is related to an applicant shall participate in Scholarship Committee deliberations of the Scholarship application;
- 3.3 In December of the current school year, the Scholarship Fund application will be posted on the ESTA website and the application will be due in March. Current Committee Chair will decide on the actual due date;
- 3.4 Funds from the Scholarship must be used between June 1<sup>st</sup> and January 31<sup>st</sup> of the awarded academic school year;
- 3.5 All receipts and documentation for reimbursement of funds must be submitted to the ESTA Treasurer or mailed in to the Mt. Hamilton CTA office postmarked no later than January 31st of the awarded academic school year;
- 3.6 The Committee will develop an efficient process for notifying membership of the existence and function of the Committee, including information about the availability of the application, the due dates of the application and receipts, and recipients of the scholarships;
- 3.7 The Committee Chair will bring committee selected applications to the Assembly for approval.

#### 4. Decisions of the Committee

- 4.1 The Scholarship Fund Committee shall produce an application form available online;
- 4.2 The Committee may modify the application form from time to time as is appropriate;
- 4.3 Applicants must be at least a current high school senior in pursuit of a Vocational, Associate, or Bachelor's Degree from any accredited institution;
- 4.4 Official transcripts and two letters of recommendation must be turned in by the due date; no late applications or specific elements within the application packet will be accepted;
- 4.5 Awarded funds may be used for the following items:
  - 4.5.1. tuition and fees,
  - 4.5.2 textbooks including e-books,
  - 4.5.3 mandated materials and/or software required for the course,

4.6 Monetary awards are capped at \$6,000 with no more than \$2,000 awarded in any one fiscal year.

### **ARTICLE XVIII. Business Expenses and Credit Card Policy**

1. This article establishes a policy governing the reimbursement of business expenses (travel, meals, and other expenses) incurred conducting East Side Teachers Association business, as well as a policy for the appropriate utilization and accountability for the use of an ESTA corporate credit card. It is ESTA's policy to comply with the Internal Revenue Service regulations by requiring the accounting for ordinary, necessary and reasonable expenses on a timely basis in accordance with an "Accountable Plan".

An "Accountable Plan" is a system in which charged or reimbursed expenses are accounted for on a timely basis and includes the following requirements:

- 1.1 Supports valid ESTA business,
- 1.2 Substantiation in the form of a receipt and/or invoice,
- 1.3 Receipts and required documentation submitted within (60) days of the charge.

2.0 Requests for reimbursement of business expense and/or the accounting of charged expenses on the ESTA's corporate credit card must be submitted on the ESTA Business Expense Report. Original receipts or photocopies are required for all expenses submitted for all expenses. To maintain an Accountable Plan as defined by IRS regulations, the business purpose of the expenditure and the names and business relationships of guests must be included as part of the substantiation and be accounted for within sixty (60) days of incurring the expense. If required information is missing, the expense statement will be returned to the originator.

The ESTA Business Expense Reimbursement form, together with required documentation, must be submitted for review and signature approval before payment is made and/or charged expenses are cleared. The ESTA Executive Officers are responsible to ensure that the expenses are reimbursable under this policy, to validate that the expense report has been filled out properly including the required documentation and receipts, and to verify that the expenses are reasonable and necessary.

2.1 The following are common reimbursable expenses allowable under this policy:

- 2.1.1 Lodging (statement required),

2.1.2 Travel expenses including airfare(coach), ground transportation, mileage (at IRS standard mileage rate), and parking for conferences within reasonable driving distance,

2.1.3 Reasonable meal costs necessitated by travel, including tips up to 18%,

2.1.4 Business telephone calls,

2.1.5 ESTA approved car rental parking, tolls,

2.1.6 Internet Connection as needed by conference attendees as necessary to participate in conference,

2.1.7 One checked luggage (under 50 pounds) for air travel.

2.2 Non-reimbursable expenses include (but not limited to):

2.2.1 Personal expenses,

2.2.2 Airline club dues,

2.2.3 Traffic fines,

2.2.4 Tips in excess of 18% and tips in addition to pre-applied gratuity,

2.2.5 Hotel room movies and snacks,

2.2.6 Additional luggage,

2.2.7 Alcohol,

2.2.8 Reimbursement for business miles in excess of the lowest coach cost of airfare to the same destination,

2.2.9 First class or business class airfare.

3.0 No policy can anticipate every situation that might give rise to legitimate business expenses. Each individual must use his/her best professional judgment in determining if expenditure is reimbursable under this policy.

4.0 Business travel will be reimbursed at the per mile rate established by the IRS rates or at the actual costs, whichever is lower.

5.0 Credit cards represent an extension of credit to the union and may only be issued to Executive Officers. Corporate Cards issued by ESTA are not to be used for personal expenses. The card may not be used to obtain cash advances or for expenses other than those incurred by the cardholder. Charges incurred on the corporate card should only be made by the person whose name is on the card. The charging of personal transactions is not acceptable. Infractions of the conditions of this policy could result in cancellation of the card and withdrawal of credit card in question. In all cases of misuse, ESTA reserves the right to recover any monies from the cardholder. ESTA may recover from reimbursable expenses any unauthorized amount claimed.

5.1 Credit card expenditures must be reconciled and submitted within 60 days of the close of the month the charge was incurred. Those who do not submit the required monthly expenditure report may or may not be sent a written reminder. At the end of the 60 days the card may be canceled if no report has been submitted. At the end of 120 days, the person responsible for the expense will need to reimburse the Association (including appropriate taxes);

5.2 Cardholders are expected to exercise prudent business judgment regarding expenses covered by this policy. The business activity or connection must be necessary in the performance of the cardholder's duties or responsibilities, and there must be a clear business purpose for the expense;

5.3 Both the name of the local and the Officer should be displayed (embossed) on the corporate card;

5.4 The corporate card account should be under the local's EIN (Employer Identification number);

5.5 Cardholders not in compliance with this policy risk suspension of the card and potential employment and legal ramifications;

5.6 Lost or stolen cards must be reported immediately to the President or Treasurer. The support staff will then be directed to cancel the card;

5.7 Prior to departure or termination of duties, the cardholder must ensure his/her account is settled prior to departure. The card must be surrendered upon request by the President or Treasurer.



To: \_\_\_\_\_ Name of Cardholder

From: Marisa Hanson, President, East Side Teachers Association  
Marla Bressani, Treasurer, East Side Teachers Association

Subject: ESTA Corporate Credit Card

Enclosed please find the ESTA Corporate Credit Card issued in your name. Please sign your name, date and return this form. Your signature will serve as an acknowledgement that you are in receipt of the ESTA Corporate Credit Card, that you agree to adhere with Business Expenses and Credit Card Policy and that the ESTA Corporate Credit Card is to be used only by yourself for ESTA related business purposes. If you have any questions in regards to the ESTA Corporate Card, please contact Marla Bressani, Treasurer.

Please note only your expenses should be charged on the ESTA Credit Card. The monthly credit limit is \$\_\_\_\_\_. All credit card charges are required to be included on the ESTA Business Expense Report along with the appropriate supporting documentation and should be submitted within thirty (30) days of the incurred expenses.

RECEIVED ESTA CORPORATE CARD:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Credit Card Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Credit Card Expiration Date

## **ARTICLE XIX; Site Officers**

### 1. Site President and Co-President

1.1 Each local site in the district, as defined in Article VII, A. of these Bylaws, shall elect a Site President for each 100 members or major fraction thereof assigned to that site. No such site shall have less than one Site President;

1.2 In the event there is more than one site President per site, the leading vote getter shall be designated "President" and the other(s) shall be "Co-President";

1.3. The District Office and each school site with a Principal shall be entitled to have one or more Site Presidents and one Site Vice- President;

1.4. The term of office of Site Officers as described in this section shall be one year except for the site President whose term is two years, commencing on January 1st and ending on December 31st;

1.5. In case of a site President mid-term vacancy, the site Vice-President shall become President and fulfill the remainder of the term. There will then be a site election for the new site Vice-President

### 2. Site President's and Co-President's Duties and Responsibilities:

2.1 To serve as a voting member of the Assembly;

2.2. To act as the leader of the unit for communications purposes between the Association and the unit;

2.3 To establish a unit phone tree which can be activated at any time;

2.4 To be responsible for the pickup and distribution of all Association publications for members of the unit;

2.5 To coordinate the activities of the unit Assembly Representatives and officers. This includes the assigning of one Assembly Representative to 40 specific unit members;

2.6 To provide the Association President with a list of all unit officers, representatives and unit members, to include addresses and phone numbers;

2.7 To develop a list of five unit members who would be willing to serve as alternates at Assembly meetings;

- 2.8 To convene meetings of unit members as needed for Association purposes;
- 2.9 To hold elections for vacated offices which have unexpired terms;
- 2.10 To establish and appoint unit committees as needed;
- 2.11 To recommend to the Association leadership qualified unit members for various Association committees and activities;
- 2.12 To serve as the staff involvement person at his/her school in accordance with the Collective Bargaining Agreement;
- 2.13 To hold elections for the grievance representative of the unit;
- 2.14 To insure that unit members with grievances are properly represented by the Association;
- 2.15 To serve as the crisis coordinator of the unit in times of Association emergency;
- 2.16 To coordinate community relations and activities with citizens in the unit's attendance area;
- 2.17 To serve as a member of the Association's Executive Board;
- 2.18 To post minutes and reports of the Assembly;
- 2.19 To sit on the site-based decision making team;
- 2.20 To sit on the site safety team.

### 3. Unit Vice-President's Duties and Responsibilities

- 3.1. To serve as a voting member of the Assembly;
- 3.2. To assist the unit President in carrying out executive functions;
- 3.3 To serve as president of the unit in the absence of the unit president;
- 3.4 Shall serve a two year term.

### 4. Assembly Representative's Duties and Responsibilities.

- 4.1. To serve as a voting member of the Assembly;

- 4.2 To conduct constant and ongoing liaison between the Assembly and the Active members of the site;
- 4.3. To assist the Site Officers with distribution of written communications and publications of the Association to Active members as the site;
- 4.4. To represent the views and input of the Active membership at the site in matters before the Assembly, and to conduct frequent and regular polls of site members for this purpose;
- 4.5 Perform such additional duties as prescribed by the Executive Board;
- 4.6 An Assembly representative shall not conduct an election in which s/he is a candidate.

## **Article XX: Voting**

### 1. On-line voting:

- 1.1 Voting on the designated day occurs between the hours of 6 a.m. to 4 p.m. unless an unforeseen circumstance occurs at which an extended period of voting time will be instituted;
- 1.2 Current ESTA members are eligible to vote per the CTA Manual Handbook.

### 2. Election Results

- 2.1 The Election Committee Chair shall notify the President of the election results;
- 2.2 The President or Election Committee Chair shall announce the results of each election to membership within two (2) days of being notified by the Elections Committee;
- 2.3 A copy of the on-line results shall be kept.

## **Article XXI: Grievance Chair Duties and Process**

### 1. Grievance Chair Duties:

- 1.1 Provide for representation to assist all members of the bargaining unit in processing grievances;

1.2 Train site grievance reps for handling grievances during a monthly meeting on the Tuesday prior to the ESTA Assembly meeting;

1.3 Attend the monthly level two grievance panel and assist as needed and report back to the ESTA Assembly.

2. The Executive Board shall recommend and the Assembly shall adopt the procedures for grievance processing. These procedures shall include but are not limited to the following:

2.1 Each District site with a Site president shall be entitled to elect a Local Grievance Representative;

2.1. The term of office for Local Grievance Representatives shall be one year, beginning January 1 and ending December 31;

2.2. Local Grievance Representatives shall be members of the Grievance Committee.

3. Level One (1) Grievance Process:

3.1 Any member has the right to submit a grievance when he/she thinks the contract has been violated;

3.2 The Association recommends that the member work with the Site Grievance Rep or the Site President to assist in filing the Level One Grievance.

4. Level Two (2) Grievance Process:

4.1 Any member has the right to submit a grievance to the level two panel when he/she thinks the contract has been violated, and it was not resolved at level one;

4.2 The Grievance Chair will be available to assist in the presentation of the Level Two Grievance.

5. Level Three (3) Grievance Process (Arbitration):

5.1 Once a grievance has passed Level Two, the grievance belongs to the Association;

5.2 The member may attend the next ESTA Assembly and speak as to why the Assembly should fund the arbitration regardless of the Grievance Chair and the Association President's decision;

5.3 The Grievance Chair along with the President of the Association will make a determination whether to recommend to the Assembly to proceed to arbitration;

5.4 The decision of the ESTA Assembly is binding and final.