

# **D.C.S.M.E.C.**

**Dade County Schools Maintenance  
Employee Committee**

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# **Constitution & By-Laws**

**Amended March 28, 2006**

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**CONSTITUTION  
OF  
DADE COUNTY MAINTENANCE  
EMPLOYEE COMMITTEE**

**ARTICLE I  
NAME AND JURISDICTION**

**SECTION 1.** The name of this Committee shall be:

**DADE COUNTY SCHOOL MAINTENANCE EMPLOYEE COMMITTEE**

**(DCSMEC)**

**SECTION 2.** The Committee shall be composed of representatives of Local Unions which are eligible for affiliation with the Miami Building and Construction Trades Council and employees of Miami Dade County School board that performs maintenance work.

**SECTION 3.** The geographic jurisdiction of the Committee shall be the State of Florida.

## **ARTICLE II OBJECT**

**SECTION 1.** The sole object of the Committee shall be to engage in collective bargaining negotiations with the Miami Dade County School Board which employ's persons who are members of or who perform work covered under the jurisdictions of the various constructions and Construction Trades Council, and to otherwise represent such persons in all aspects of labor/management relations with the Miami Dade County School Board.

**ARTICLE III**  
**QUALIFICATIONS FOR MEMBERSHIP AND GOVERNING BODY**

**SECTION 1.** Membership of this Committee shall be composed of Business Managers and Business Agents of construction trades local unions eligible for affiliation with the Miami Building and Construction Trades Council and employees performing maintenance work for the Miami Dade County School Board.

**SECTION 2.** The governing body of this committee shall be the officers and the Members of the Executive Board.

**SECTION 3.** Only journeypersons shall be eligible to hold office, must be a good standing member of DCSMEC for two (2) years prior to nominations, and must hold their membership in DCSMEC during their term in office.

## **ARTICLE IV MEETINGS**

### **EXECUTIVE BOARD MEETINGS**

- SECTION 1.** Meetings of the Executive Board of this Committee shall be held at least monthly at such time and place as may be determined by majority vote of the Executive Board.
- SECTION 2.** Special meetings may be called by the President at his discretion or written request of the Executive Board, which request shall set forth the business to be settled; provided, however, that no other business will be considered or acted upon except that specified in the call. All Members of this Executive Board shall be notified by mail at least three (3) days in advance of such proposed meeting.

### **MEMBERSHIP MEETINGS**

- SECTION 3.** a. Regular Bi-Monthly Membership meetings will be held on the third Tuesday of every odd numbered months of the year. Should any regular meeting need to be cancelled or changed from this day, it may be done by a majority vote of Executive Board Officers.
- b. Meetings will begin at 4:30 p.m. at a place so designated.
- c. Twenty-one (21) members of DCSMEC in good standing and a majority of elected officers shall constitute a quorum at regular or special called meetings.
- d. All business transacted in any membership meeting will cease at 7:30 p.m. If there is uncompleted business at that time, it will be held over until the next regular meeting, unless a special meeting is held for that business only at a later date.
- e. Special meetings may be called by the President at his discretion or on written request of the Executive Board which request shall set forth the business to be conducted; provided, however, that no other business will be considered or acted upon except that specified in the call.

**SECTION 4.** Non-elected committees established by President, Executive Board, general membership will have regular meetings. They will establish their own meeting time and place and will make reports to the membership at regular membership meetings. They will elect there own Chairperson and Secretary. Minutes of their meetings will be kept by the Secretary in a bound ledger. The Secretary will be responsible to turn over all minutes and correspondence to the elected Business Agent of DCSMEC when the committee ceases to function.

Note: Nothing in the preceding section will be construed as to interfere with or limit the elected officers duties and responsibilities of DCSMEC.



**ARTICLE V**  
**OFFICERS/DUTIES/ELIGIBILITY**

**SECTION 1.** The officers of the Committee shall consist of the President, Vice President, Recording Secretary, Business Agent/Financial Secretary Treasurer (combined office), Assistant Business Agent, Executive Board, and Sergeant at Arms. Officers will be elected by the general membership of DCSMEC to serve a three (3) year term of office.

**SECTION 2.** When a vacancy occur in the elective offices of DCSMEC, the Executive Board will fill the vacancy by appointment at the next regular Executive Board meeting for the remaining term of that office(s).

**SECTION 3.** **The President** shall preside at all membership meetings, His duties will be:

- a. Shall enforce a due observance to the Constitution and By-Laws of DCSMEC.
- b. Shall appoint the majority of all non-elected committees, except the Stewards Committee.
- c. Shall be a co-signer of DCSMEC checks.
- d. Shall be an ex-officio member of all committees with voting privileges.
- e. Shall conduct all meetings in accordance with Parliamentary procedures/Roberts rules of Order.
- f. Shall be a delegate to the South Florida AFL-CIO.
- g. Shall be a member of the Executive Board.
- h. Shall perform such other duties as designated by the body.
- i. The President shall have the power to exclude from meetings any member guilty of indecorous or unruly conduct.



**SECTION 4. The Vice President** shall assist the President in the performance of his duties. Additionally he will:

- a. Shall appoint the minority of all non-elected committees, except the Stewards Committee.
- b. Shall conduct all meetings in the absence of the President.
- c. Shall be an alternate delegate to the South Florida AFL-CIO.
- d. Shall be a member of the Executive Board.
- e. Shall be a co-signer of DCSMEC checks.

**SECTION 5. The Recording Secretary** shall keep an accurate record of each meeting. His duties will be:

- a. Shall keep all documents and read all correspondence at regular meetings of the membership and Executive Board.
- b. Shall read the minutes of the previous meeting(s) at regular membership meetings.
- c. Shall issue all calls for special meetings, either membership or executive.
- d. Shall sign all legal orders.
- e. Shall perform such other duties as may be required by this Constitution and By-Laws.
- f. Shall conduct meetings in the absence of the President and Vice President.

**SECTION 6. The Business Agent/Financial Secretary-Treasurer** will conduct the daily business of DCSMEC. He will be elected to serve a three (3) year term of office by the general membership of DCSMEC. His duties will be:

- a. Shall be a co-signer of DCSMEC checks.
- b. Shall be Chairman of the Financial Investment Committee.
- c. Shall be responsible for maintaining correct bonding and adequate insurance for DCSMEC protection.
- d. Shall be the Chairman of the Labor/Management Negotiating Committee.
- e. Shall be entitled to the same sick and vacation days as all permanent employees, (must be taken yearly, cannot be compounded).
- f. Shall be paid at the highest applicable (currently filled position) rate + 10 % of the DCSMEC contract pay schedule based on a 40-hour week.
- g. To aid the Business Agent/Financial Secretary Treasurer in the performance of his duties and responsibilities, a vehicle or vehicle expense will be provided by DCSMEC. Inasmuch as, the Business Agent/Financial Secretary Treasurer is on call at all times, and when involved in private affairs may be required to immediately attend to DCSMEC business at any time and wherever he may be, she shall be permitted use of the vehicle furnished to him at all times, whether on DCSMEC business or otherwise.
- h. Shall be a delegate to the South Florida AFL-CIO.
- i. Shall be a voting member of any and all committees that may be established.
- j. Shall be responsible for all DCSMEC business conducted daily (any expenditure necessary and proper to meet the current operating expenses of DCSMEC, including, but not limited to salaries of the office staff, reimbursement of expenses, incidental expenses, vehicle and equipment replacement, rental obligations, and any other expenditure may be paid with the approval of the Business Agent/Financial Secretary-Treasurer by authority given to him by this Constitution and By-Laws).

- k. Shall make monthly "state of affair reports" to the Executive Board.
- l. Shall be a member of the Executive Board.
- m. Shall appoint stewards.

**SECTION 7. The Assistant Business Agent** will, under the direction of the Business Agent, assist in conducting the daily business DCSMEC. His duties will be:

- a. Shall be paid at the highest applicable (currently filled position) rate + 5 % of the DCSMEC contract pay schedule based on a 40-hour week.
- b. Shall be "on call" at all times.
- c. Shall be entitled to the same sick and vacation days as all permanent employees, (must be taken yearly, cannot be compounded). Vacation shall not coincide with that of the Business Agent, unless authorized by the Executive Board.
- d. Will be furnished an insured automobile for his/her use at all times.
- e. Shall be non-voting member of all Committees, except as an alternate for the Business Agent's absence.
- f. Shall be required to attend all meetings of DCSMEC and political affairs unless excused by the Business Agent or Executive Board.
- g. Shall not be an authorized signing Officer of any DCSMEC checks.

**SECTION 8. The Executive Board.**

The Business Managers or Business Agents of the Miami Building and Construction Trades Council, by virtue of their positions at their respective local unions will automatically be members of the Executive Board. The President, Vice President and Business Agent/Financial Secretary-Treasurer of DCSMEC elected by the general membership by virtue of these By-Laws will be Executive members as well. Additionally (4) four more Executive Board members will be elected by the DCSMEC general membership. The duties of the Executive Board will be:

- a. Shall be authorized and empowered to take action and render decisions on all matters necessary to carry out the functions and purposes of DCSMEC between membership meetings, and to adequately carry out and enforce the decisions contained in the Constitution and By-Laws.
- b. A quorum for meeting of the Executive Board shall consist of not less than a majority of the dues paying officers.
- c. Each Building Trades Local Union represented on the Executive Board will have only (1) vote as well as each member elected by the general membership.
- d. The Executive Board will elect a Chairman who will preside at meetings of the Board.
- e. Shall meet monthly on the second Tuesday of the month or by written request of the Chairman.
- f. Shall be members of the Negotiation Committee.
- g. Shall establish by majority vote, any committees which they deem necessary and proper.
- h. The Chairman's term of office will run concurrent with other elected officers.
- i. Business Managers or Business Agents of the Miami Building Trades Local Unions will be allowed to participate in the grievance procedure.

**SECTION 9. A Sergeant-At-Arms** will be elected by the DCSMEC general membership. His duties will be:

- a. Shall attend all regular membership meetings.
- b. Shall maintain order and harmony during meetings.
- c. Shall abide by all legal orders of the presiding President.
- d. Shall remove from meetings anyone ruled unruly, intoxicated, or disruptive by the presiding President.



- e. Shall insure that only qualified DCSMEC members enter the meeting place.

**SECTION 10.** All Officers will be elected to serve a three (3) year term of office.

The term will begin and end at the regular November meetings beginning on November 19, 2001. Officers will remain in office until their successor is duly elected and installed.

- a. Nominations for Officers will take place at the regular meeting, prior to elections, every third year under a special order of business. Nominees who are not present at the nomination meeting to accept their nomination must provide a letter of acceptance to the committee (during nominations) or the DCSMEC office. The letter can be hand delivered or mailed, but must be received by the close of the DCSMEC office (3:30 p.m.) within 5 (five) days after nominations (excluding weekends and legal holidays) or the nominee will not be included on the ballot. Election of officers will be held on the second Thursday in October by secret ballot. The location of the election and list of candidates will be announced by mail.
- b. Installation of Officers shall be held at the Regular Meeting in November.
- c. An Election Committee will be selected by a majority vote by the membership at the regular meeting prior to elections under a special order of business. The Committee will count votes and assure that only qualified DCSMEC members vote. The committee members will elect their own Chairperson.
- d. If two or more people are nominated for the same office, names will appear alphabetically on the ballot.
- e. The Business Agent and the Assistant Business Agent will run on a combined ballot and serve a three (3) year term of office.
- f. All ballots shall be cast at the approved polling place in witness of Election Committee personnel. There will be no use of absentee ballots for elections of officers.

## **ARTICLES VI COMMITTEES**

**SECTION 1.** Regular permanent committees will be established. They will be:

- a. Entertainment & Sick Committee (E&S)
- b. Financial investment Committee
- c. Negotiating Committee (Elected)
- d. By-Laws Committee
- e. P.A.C. (Political Action Committee)
- f. Grievance Committee
- g. Yard Representative Committee (Elected)
- h. Stewards Committee (Appointed by BA)
- i. Organizing Committee

Duties of all Committees will report all actions and findings to the Executive Board for the final approval. Duties, rules and qualifications for these committees will be spelled out in future Resolutions to this Constitution and By-laws. Other committees may be established as per this constitution, but will not be considered as permanent committees. All committees will have a minimum of five (5) members with the exception of the Negotiating Yard Representatives and Stewards Committee.

**SECTION 2.** The President, Executive Board or general membership of DSCMEC may establish any other committee, which they deem proper and necessary, as per this Constitution and By-Laws.

**SECTION 3.** In addition to the elected officers and others serving on the Executive Board as the Negotiating Committee, the general membership of DCSMEC will elect two (2) other members at large to serve on the Negotiating Committee.

**SECTION 4.** Any elected officer or appointed committee person missing four (4) consecutive meetings shall be subject to removal from office/ committee, unless satisfactorily excused by the Executive Board. (overtime work shall not be deemed as a satisfactory excuse).

- a. When duties of officers require them to be absent from a meeting, shall report same to the body and they shall be marked excused.



**ARTICLE VII**  
**AMENDMENTS AND RESOLUTIONS TO THE**  
**CONSTITUTION AND BY-LAWS**

- SECTION 1.** This Constitution and By-Laws may be amended by two thirds (2/3) vote of the DCSMEC general membership present and voting.
- SECTION 2.** Proposed changes must be submitted in writing in triplicate (3) to the By-Laws Committee, for legal verification, signed by the member.
- SECTION 3.** The By-Laws Committee will verify that the proposed change is legal from the attorney of record of DCSMEC, and will present the resolution or amendment to be read at the next regular general membership meeting for the first reading, but not less than thirty (30) days after receiving it.
- SECTION 4.** If approved by two thirds (2/3) vote, it will again be presented at the next regular general membership meeting for final vote. To be adopted, it must pass by two (2/3) vote of members present and voting.

**ARTICLE VIII**  
**DUES/FINANCES/POLITICAL ACTION FUND**

- SECTION 1.** Membership dues are 1% of the individual member's annual rate of pay, not including overtime, in accordance with the current contract, provisions, indicated on the payroll deduction card and Florida Statutes, Chapter 477.303.
- SECTION 2.** The DCSMEC Union has established a C.O.P.E., CCE (Committee of Continuous Existence) beginning in 2002. The C.C.E. will be funded out of the 1% dues structure. A monthly amount per member of \$1.30 during 2002 and \$0.65 commencing January 2003 will be dispensed to the C.C.E.
- SECTION 3.** Members attending various functions on Union Business shall be reimbursed for time lost from work plus expenses and registration fees, upon approval of the body, or the Executive Board, between meetings.
- SECTION 4.** The DCSMEC Union shall have an annual Audit, of standard Business practices and the accounting of books and records performed by an independent Certified Public Accountant. These audits shall be scheduled at the end of the calendar year and provided for review at the first Executive Board and regular membership meetings of the New Year (if possible) or soon thereafter.
- SECTION 5.** All DCSMEC checks over the amount of \$200.00 must have two signatures.