



BYLAWS

Revised January 22, 2022

ARTICLE I: NAME

The name of this Labor Union shall be: The Orange Education Support Professionals Association, Local #7449 hereinafter referred to as OESPA.

ARTICLE II: OBJECTIVES

1. Promote public education in Florida.
2. Advance the economic, social and political well-being of the membership.
3. Promote the improvement of the work environment of the membership.
4. Preserve and strengthen collective bargaining.
5. Promote democracy, equality and union values in the community.
6. Provide professional growth for Union members.
7. To promote the interests of citizens who are served by the membership.
8. To promote the effectiveness and quality of the institutions in which our members work.

ARTICLE III: MEMBERSHIP

SECTION I

Membership in OESPA shall be open to all those eligible without regard to race, creed, color, nationality, gender, gender identity, age, sexual orientation, disability, or marital, social, political or economic status.

SECTION II

Membership in OESPA shall be open to all education support professionals employed by the Orange County School Board, as defined in the Public Employees Relation Commission PERC Certification RC-85-013 and as recognized by the contract between the Orange County School Board and OESPA.

SECTION III

Members shall be assessed annual dues as determined by Article X.

SECTION IV

After notice and a hearing comporting with fundamental due process requirements, the Board of Directors, by a two-thirds (2/3) vote, may suspend or expel or cancel the membership of any member for cause, and may reinstate a member who has previously been suspended or expelled from OESPA. Any suspended or expelled member may appeal such action by the Board of Directors to the membership at a regularly called meeting, where a two-thirds majority vote of those present and voting shall be required to overrule the decision of the Board of Directors.

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SECTION V - ACTIVE MEMBERSHIP IN GOOD STANDING

Active membership shall be continuous until the member leaves the school system, resigns from OESPA, or fails to pay membership dues after being provided notice and 30 days to correct such failure.

SECTION VI

All members of OESPA shall also be members of the Florida Education Association, its national affiliates and the Florida AFL-CIO and shall comply with the policies, constitutions and bylaws of each organization.

ARTICLE IV: GOVERNANCE POSITIONS

SECTION I

All officers, vice presidents, directors, and other elected representatives of OESPA shall be members in good standing of OESPA.

SECTION II - OFFICERS OF OESPA

The officers of OESPA shall be a President, Executive Vice President, and Secretary-Treasurer.

SECTION III: ELIGIBILITY FOR OFFICE

- A. All candidates for President, Executive Vice President and Secretary-Treasurer of OESPA must be an active member in good standing of the association for two (2) years prior to the close of nominations for the office.
- B. The President is ineligible to be a candidate for Executive Vice President for one term immediately following the term as President.
- C: All officers must continue in good standing throughout the term of office.

SECTION IV: TERM OF OFFICE FOR ALL OFFICERS

The term of office for all officers shall three (3) years with no officer to serve more than twelve years in any one office.

SECTION V: VACANCIES

- A. In case of a vacancy in the office of the President with less than one year remaining in the term, the Executive Vice President shall assume the office of the President for the unexpired term.
- B. If the office of the President becomes vacant during the first year of the term, then the Executive Vice President shall preside until a special election can be held for the office of President.
- C. In case of a vacancy in any other officer position, the Board of Directors shall fill the office among its ranks by secret ballot.

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- D. There shall be a special Board meeting within ten (10) days of the vacancy to officially declare the office of the President vacant and to direct the Election Committee to establish timelines and conduct a special election as quickly as possible following all established guidelines.

SECTION VI - DUTIES OF OFFICE

All officers shall be members of the Board of Directors. They shall perform the duties pertaining to their respective offices and such other duties as may be directed by the Bylaws and/or Policies of OESPA.

A. The President shall:

1. Represent OESPA as spokesperson on matters of policy or assign, at the President's discretion, responsibility for such representation.
2. Call and preside at all meetings of the Board of Directors, Stewards Council, and all other general OESPA meetings.
3. Prepare the program and agenda for meetings over which the President presides.
4. Deliver an annual report on OESPA's activities at an annual membership meeting.
5. Appoint a Parliamentarian, as needed, to advise the President at meetings of OESPA at which the President presides.
6. Appoint all Committees, Task Forces, and conference participants, with the approval of the Board of Directors, assign charges within the approved goals, and be an ex-officio member of all committees.
7. Appoint the chairperson and the Board liaison of all Committees with the approval of the Board of Directors, except as otherwise stated in these Bylaws.
8. Obtain a bond for OESPA in the sum to be fixed by the Board of Directors. The premium on said bond shall be paid by OESPA.
9. Sign contracts and other instruments connected with OESPA and professional activities as authorized by the Board of Directors.
10. Be a co-signor of financial instruments and checks for payments authorized by the Board of Directors or the Budget.
11. Perform related duties approved by the Board of Directors.

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12. Recommend appointments to fill vacancies for approval by the Board of Directors.
13. Schedule worksite visits.
14. Provide a written report on the activities of the President at all Board of Directors and Stewards council Meetings.

B. The Executive Vice President shall:

1. Pursuant to Section V, assume the duties of the President if for any reason the President is unable to complete his/her term in office or in the President's absence or inability to serve.
2. Represent the President at meetings and conferences at the direction of the President.
3. Serve as the chairperson of the, Bylaws/Policies Committee, responsible for ensuring that the Bylaws and policies of the Union are current and up to date. Make recommendations, when necessary, to the Committee and report all actions of the Committee to the appropriate governing bodies of the Union.
4. Serve as the Chairperson of the Government Relations Committee, responsible for keeping the membership of OESPA updated on political activities that affect the OESPA membership and making sure the Union meets all legal and Union requirements.
5. Obtain a bond for OESPA in the sum to be fixed by the Board of Directors. The premium on said bond shall be paid by OESPA.
6. Provide assistance as requested by the President, Board of Directors and the Stewards Council.

C. The Secretary-Treasurer shall:

1. Record and maintain all minutes of OESPA and the Board of Directors, Steward, and General Membership meetings.
2. Maintain accurate records of attendance at all meetings.

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3. Obtain a bond for OESPA in a sum to be fixed by the Board of Directors. The premiums on said bond shall be paid by OESPA.
4. Meet with the President each month to review all disbursement of funds by OESPA to insure the legitimate expenditure of those funds and make regular reports to the Board of Directors regarding the financial status of OESPA.
5. In conjunction with the officers prepare and present a yearly budget to the Budget Committee and Board of Directors for approval.
6. Be a co-signor of financial instruments and checks for payments authorized by the Board of Directors or the Budget.
7. In conjunction with Executive Director and President, ensure that the financial records are submitted for annual audit to a licensed accountant at the close of the fiscal year.
8. Preside as chairperson of the Budget Committee.
9. Preside as chairperson of the Membership Committee, responsible for drafting, executing and reporting activities to maintain and increase membership.
10. Maintain financial records at the OESPA office in a secure location. All financial records shall remain the property of OESPA.

SECTION VII- OCCUPATIONAL VICE PRESIDENTS and DIRECTORS

A. Occupational Vice Presidents

There shall be one (1) Vice President from each of the following OESPA occupational areas:

[1] Custodial	[5] Secretarial/Clerical
[2] Food Service	[6] Transportation
[3] Maintenance	[7] Uniformed Security
[4] Para-Professional	[8] Technology

B. Occupational Directors

The Vice Presidents of each occupational area shall represent the occupational areas. Occupational areas with more than 200 workers as of January 1 in the election year of those occupational areas shall be awarded additional director positions based on an occupational area's membership. The Executive Director shall document the membership counts for this purpose to the Board at their January meeting. An additional Director seat shall be awarded to each such occupational area as follows:

Total Occupational Membership	Additional Directors
0 – 200	0
200 – 300	1
300+	2

C. Term of Vice Presidents and Directors

Each Vice President and Director shall serve for a term of three (3) years. No Vice President or Director shall serve for more than twelve (12) years in the same position.

D. Election of Vice Presidents and Directors

1. Vice Presidents and Directors shall be elected by the OESPA members within their occupational areas and must work within that area for the entire term of office.
2. Any Vice President/or Director displaced due to a change in occupational area, shall be declared ineligible for the current office and shall be automatically removed from the Board of Directors.

E. Occupational Vice Presidents and Directors Duties

Occupational Vice–Presidents shall:

1. Call and preside over regular meetings of the members of the occupational area.
2. Develop a communication and representation network of stewards at each worksite to assist members of his/her occupational area with union matters.
3. Serve as spokesperson and set the agenda for any occupational area meetings.
4. Appoint the members to attend any occupational area meetings.
5. Counsel the President regarding all appointments to represent the occupational area.
6. Serve as a member of the Board of Directors and perform the additional duties of Director as listed below.
7. Counsel the President regarding members benefiting the Union by their attendance at conferences, trainings or meetings.

8. Perform all other duties as assigned by the President and Board Directors.

Occupational Directors shall:

1. Serve as a member of the Board of Directors.
2. Have the responsibility to communicate and/or meet regularly with the members in the occupational areas.
3. Attend all required meetings.
4. Assist the Occupational Vice Presidents as assigned by the President and Board of Directors.

SECTION VIII – TERMS OF OFFICE

All terms of office for elected officers shall begin June 25 and end June 24,

SECTION IX – OFFICER COMPENSATION

A. President

It is the intent of this Union to pay the President a salary that reflects the professionalism and responsibilities of the office. Therefore, the President shall be compensated at an amount approved each year in the OESPA operating budget, but shall be no less than the annual salary which they would have received as an employee of Orange County Public Schools.

The cost of family coverage health insurance for the President shall be paid for by the Union.

B. Executive Vice President

The Executive Vice President shall receive a stipend if approved in the annual budget. Expenses incurred while performing the duties of the office shall be reimbursed in accordance with the OESPA Policies.

C. Secretary/Treasurer

The Secretary/Treasurer shall receive a stipend if approved in the annual budget. Expenses incurred while performing the duties of the office shall be reimbursed in accordance with the OESPA Policies.

ARTICLE V: BOARD OF DIRECTORS

The primary responsibility of the Directors is to protect the members' assets and ensure the effective representation of members and efficient operation of the Union.

SECTION I – MEMBERS

The Board of Directors shall consist of Officers, Vice Presidents, Directors and the duly elected FEA Governance Board Member. FEA Governance Board Member shall be included as a voting member of the Board of Directors.

No member of the Board of Directors shall hold more than one (1) voting position on the Board.

SECTION II – DUTIES

The Board of Directors shall:

- A. Have the duties, responsibilities, and authority for the conduct of OESPA in all matters as defined by these Bylaws and shall be limited only as described herein.
- B. Establish goals, and recommend an annual budget as outlined in Article X.
- C. Authorize adjustments within the adopted budget to meet the established goals of OESPA and establish policies regarding the disbursement of funds.
- D. Be empowered to act upon all of the business of OESPA.
- E. Approve the appointment of Committee Chairpersons and Board liaisons to Committees.
- F. Approve the appointment of members to offices and directorships if vacancies occur between elections, except as stated in Article IV
- G. Initiate discipline of any Officer, Vice President, Director, or Lead Steward who is not adequately performing the duties of their office such office as constitutional, violations, fiduciary breaches or acts clearly detrimental to OESPA.
- H. Act upon suspensions, expulsions, and reinstatements of membership as outlined in Article III, Section IV.

- I. Establish additional committees and task forces as needed to accomplish the established goals of OESPA.
- J. Function as the Appeal Board regarding decisions of the Contract Committee, if one is established to address the arbitration of grievances.
- K. Approve all change(s) or adoption(s) of policies of OESPA by a majority vote of those present.
- L. Approve changes to the Bylaws as presented by the Bylaws Committee.

ARTICLE VI: STEWARDS AND STEWARDS COUNCIL

SECTION I – UNION STEWARDS

There shall be one Lead Steward elected for each worksite.

Work locations with more than twenty-five (25) members will be additionally represented by an additional steward, with full rights and duties of office. For each additional fifty (50) members or major fraction thereof at the work location, another steward shall be elected.

Each worksite shall elect by secret ballot, by May 20 of each year, one (1) Lead Steward.

If a worksite fails to conduct a secret ballot election, the President may conduct an election or appoint a Lead Steward until such time as the worksite conducts an election.

- A. All candidates for the position of Lead Steward or Steward must be active members of OESPA.
- B. Each Lead Steward and Steward shall serve for a term of one (1) year.

- C. The Lead Steward shall:
1. Serve as a member of the Stewards Council.
 2. Organize an OESPA unit in his/her school and serve as its chairperson.
 3. Report the business and activities of OESPA to his/her worksite.
 4. Represent members on Union matters at the worksite.
 5. Conduct the yearly election of the Lead Steward at his/her worksite.
 6. Present to the Stewards Council the wishes and desires of his/her worksite.
 7. Secure membership and transfer the required forms to the OESPA office.
 8. Attend training on Union matters and assist Stewards to represent members on Union matters at the worksite.
 9. Communicate the needs of occupational area members to the appropriate occupational area Vice President.
- D. The Steward shall:
1. Serve as a member of the Stewards Council.
 2. Report the business and activities of OESPA to the members at the worksite.
 3. Communicate the needs of members at the worksite to the appropriate occupational area Vice President.
 4. Assist the Lead Steward with member representation at the worksite.
 5. Organize members at the worksite.
 6. Attend the Stewards Council, Union training, and such other meetings as requested.

SECTION II – Membership of Stewards Council

All members of the Board of Directors, all Lead Stewards, and all Stewards shall comprise the Stewards Council.

SECTION III – DUTIES OF THE COUNCIL

The Stewards Council shall:

- A. Be the legislative body of the Union.
- B. Communicate the business and activities of OESPA to the worksites.
- C. Communicate the wishes and desires of the members from the worksites.
- D. Review bargaining issues and provide input on the same prior to discussion with the School Board of Orange County.
- E. Develop, review and approve the annual goals of the organization.
- F. Review and approve changes to the dues assessment.
- G. Receive and review the reports of the President, Executive Board and Committees.
- H. Take appropriate action as specified in the Bylaws and initiate and take other such actions as the body deems necessary.

ARTICLE VII: COMMITTEES

- A. The standing committees shall include at least the following: Budget, Contract, Bylaws/Policies, Elections.
- B. Other Committees and Task Forces shall be established by the President and the Board of Directors, as necessary.
- C. Committees and Task Forces shall perform such duties and tasks within the established goals and budget of OESPA and approved by the Board of Directors.
- D. Only active, dues paying members shall serve on any OESPA committee.

ARTICLE VIII: ELECTIONS AND RECALL

SECTION I – ELECTIONS

A. Election Procedure

Elections shall be conducted in accordance with the standards and requirements of the Labor-Management Reporting and Disclosure Act (LMRDA). The election procedures of OESPA shall provide for an open nomination procedure by which every eligible OESPA member in good standing shall have the opportunity to nominate any eligible OESPA member in good standing subject only to the reasonable regulations contained in these Bylaws and Election Guidelines, which shall be uniformly imposed. The rules of the affiliate organizations shall also be followed when electing any member who shall hold voting rights to represent OESPA members within the affiliate organization.

Only active members in good standing of OESPA shall be eligible to participate.

B. Election Committee

1. Elections shall be conducted by the Elections Committee according to OESPA's Bylaws and Election Guidelines Policies.
2. The Elections Committee shall consist of five members in good standing, four of whom will be selected by the Stewards Council at its first meeting of the year.
3. Any member of the Elections Committee nominated for or seeking office must vacate their position and will be replaced by a member nominated by the president and approved by the Executive Board.

C. Nominations

1. Sixty (60) days prior to the date of the election, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled, the necessary qualifications for nomination and election to such offices, and of the date of the election by electronic delivery to the members' last known e-mail address.

2. To be nominated for the offices of President, Executive Vice President, and Treasurer/Secretary, a candidate must submit to the Elections Committee a petition containing the signatures of ten (10) percent of the membership, or twenty-five (25) members, whichever is less. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.
3. To be nominated as a candidate for the office of Vice President or Director for an occupational area, a candidate must submit to the Elections Committee a petition containing the signatures of ten (10) percent of the membership of the constituency for the vice-presidential office the candidate is seeking, or ten (10) members of the constituency, whichever is less. Said petitions must be submitted no later than (30) days following the notice of the opening of nominations.
4. Members nominated to run for office must affirmatively accept their nomination.
5. The Elections Committee shall determine whether the nominations were timely and if each nominee is eligible to run for office.

D. Election Procedure

1. All elections for officers, vice presidents, and directors shall be conducted electronically.
2. The Elections Committee shall prepare and send ballots electronically to all members in good standing for the proceeding sixty (60) days, in such manner as to ensure the secrecy of the ballot, no later than ten (10) days following the close of nominations. The period between the mailing and return date for the ballots shall be no fewer than twenty (20) calendar days.
3. Such elections must be completed prior to May 30.
4. The ballots shall be tabulated by the Elections Committee, and the candidate with the highest number of votes (plurality) should be declared elected. In event of a tie, the tie will be decided by a coin toss to be conducted by the Chairperson of the Elections Committee after all votes have been tallied.

- 5. In any election where there is only one nominee or fewer nominees than positions, the Election Committee Chair shall declare that candidate elected.
- 6. All candidates for office of President shall simultaneously run for the position of delegate to all state and national affiliates' conventions (FEA, AFT, NEA, and AFL-CIO).
- E. Elections of all Officers, Vice Presidents, Directors, Florida Education Association (FEA) Governance Board members, and State and National Delegates shall be conducted every three years.
- F. Special elections shall be conducted as required when there is a vacancy or recall.
- G. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.
- H. The election results will be published and distributed to the membership within thirty (30) days of the count. All elections materials, will be kept in a secure location for one (1) year.

SECTION II – RECALL

A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of a recall election. If a majority of the Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

ARTICLE IX: MEETINGS

SECTION I - GENERAL MEMBERSHIP

- A. There shall be at least one (1) regular meeting of the membership of OESPA each year.
- B. Additional meetings may be called by the President or upon the written request of fifty (50) members, or upon the majority vote of the Board of Directors.

SECTION II - STEWARDS COUNCIL

- A. The Stewards Council shall meet every other month during the traditional school year beginning in September.
- B. Additional meetings may be called by the President, a majority vote of the Board of Directors, or upon the written request of ten (10) members of the Stewards Council.

SECTION III - BOARD OF DIRECTORS

Regular meetings of the Board of Directors shall be held every other month during the school year beginning in August, or at any other time at the call of the President or at the call of the majority of current voting members of the Board.

SECTION IV - QUORUM

- A. General Membership - A quorum shall be 10% of the total union membership, which must be present at a general membership meeting to conduct business.
- B. Stewards Council - Thirty percent of the total number of stewards or representing 30% of the membership shall constitute a quorum.
- C. Board of Directors - A quorum shall consist of a majority of current voting members of the Board present at a duly called meeting.

ARTICLE X: BUDGET and Dues

SECTION I - BUDGET

- A. The Secretary/Treasurer shall prepare a tentative budget for the following fiscal year with input from the executive officers and present it to the Budget Committee for recommendations and approval.
- B. The Secretary/Treasurer shall present the tentative budget to the Board of Directors at the April meeting. The Board shall have the opportunity to make changes to the tentative budget. All changes must be approved by the Board.

SECTION II - DUES

- A. State and National Affiliate dues and increases shall be as established by the respective affiliate bodies and shall be automatically passed through to the membership. Changes to local dues shall be approved by the Stewards Council as recommended by the Board of Directors.
- B. Local dues shall be in the amount determined by the Board of Directors according to the following procedures.
 1. The Budget Committee with the assistance of the President and the Secretary/Treasurer shall prepare a local annual dues structure for the following fiscal year which supports the annual goals and budget of the organization.
 2. The Board of Directors shall review and approve the tentative annual local dues structure for the following fiscal year.
 3. Any changes to the local dues structure shall be reviewed and approved by the Stewards Council.
- C. Local OESPA dues shall be payable at the beginning of each school year or upon acceptance of a position during the school year.
- D. Dues may be paid by:
 1. Payroll deduction - Any member shall, upon signing a payroll deduction form, be assessed the amount of dues remaining through payroll deduction.
 2. Lump Sum Payment:
 - Cash to be paid in full by December 1;
 - In two installments by August 21st and January 31st. any person whose dues are not paid by February 1 relinquishes his/her position of active membership in OESPA.

SECTION III – FISCAL YEAR

The fiscal and membership year of the Union shall be from September 1 through August 31.

SECTION IV - NOTIFICATION

Stewards shall be notified of the presentation of any goal or dues structure change to be voted on a Stewards Council meeting at least one (1) week prior to the meeting. Members shall be notified in an official publication, e-mail and/or direct

mail prior to the Stewards Council review of said change, if any tentative local annual dues structure change is to be discussed.

ARTICLE XI AFFILIATION

Section I.

This organization may maintain affiliation with the following organizations:

- A. The state American Federation of Labor-Congress of Industrial Organizations.
- B. The appropriate Central Labor Council(s) of the American Federation of Labor-Congress of Industrial Organizations
- C. Florida Education Association (FEA)
- D. National Education Association (NEA)
- E. The American Federal of Teachers (AFT)

Delegates to meetings, conventions, and assemblies of affiliated organizations shall be elected annually and must be in good standing of OESPA.

Section II. Other

The Board of Directors may affiliate special interest caucuses of OESPA members in accordance with the following criteria.

- A. Each Caucus seeking affiliation shall file a written statement of purpose and any proposed operating procedures with the Board of Directors.
- B. Caucuses must require OESPA membership as a prerequisite for Caucus membership.
- C. Any goals, objectives, Constitution and Bylaws, or operating procedures must be compatible with those of OESPA.
- D. No Caucus shall involve itself in any independent, external political activities in opposition to OESPA activities or positions.

ARTICLE XII: RULES FOR AMENDING BYLAWS

SECTION I

- A. Amendments to the Bylaws of this Union may be proposed by:
 - 1. A majority of the Board of Directors.
 - 2. A Petition signed by twenty-five (25) members.
 - 3. The Bylaws Committee.
- B. All proposed amendments must first be reviewed by the Bylaws and Policy Committee no later than their January meeting.
- C. After review by the Committee, all proposed amendments, along with any recommendations and rationale, shall be presented to the Board of Directors.
- D. A final copy of the approved Bylaws as amended shall be provided in an official communication to each member and posted on the website.
- E. Except when an amendment carries a separate effective date to the contrary, all amendments adopted by the membership shall become effective on June 25 following their adoption.

ARTICLE XIII: RULES OF ORDER

Robert's Rules of Order Newly Revised shall govern this organization and all of its subordinate bodies in all matters not expressly covered by the Bylaws of this organization.