

## **I. GENERAL PROVISIONS**

### **A. Name**

The name of this organization is National Nurses United, AFL-CIO.

### **B. Objectives of National Nurses United**

1. To build a movement to defend and advance the interests of direct care nurses and patients everywhere, in solidarity with sister nurse and allied organizations around the world.
2. To unite and organize all direct care Registered Nurses into a single organization capable of exercising maximum influence over the health care industry, governments and employers.
3. To win healthcare justice: accessible, quality healthcare for all, as a human right.
4. To provide effective collective bargaining representation to National Nurses United members and support to National Nurses United Affiliates in order to promote the economic and professional interests of direct care nurses.
5. To advocate for direct care nurses and patients on all public policy matters related to safe care and nursing practice, including safe nurse-to-patient ratios and patient advocacy rights.

### **C. AFL-CIO Affiliation**

National Nurses United shall be affiliated with the American Federation of Labor and Congress of Industrial Organizations.

#### D. Affiliations

Subject to expeditious ratification by the Convention at its next regular or special meeting or by ballot, the Executive Council is empowered to and may enter into affiliation agreements.

#### E. Amendments to Constitution

This Constitution may be amended, added to, or any part or parts thereof may be repealed by a two-thirds (2/3) majority vote of the Convention at any meeting of the Convention, in accordance with the procedures set forth in Article VI. F, provided the Convention delegates receive ninety (90) days written notice of the proposed action.

#### F. Parliamentary Law and Rules of Order

Questions of parliamentary law and rules of order not provided for in this Constitution, policies or adopted rules of National Nurses United shall be governed by Robert's Rules of Order - Newly Revised.

## II. MEMBERSHIP

### A. Membership

#### 1. Members of National Nurses United are:

- a. All Registered Nurses who are represented for collective bargaining by National Nurses United ("direct members") or a National Nurses United Affiliate ("indirect members"),
- b. All National Nurses United Officers, and

- c. Any non-RN represented and/or organized as part of a collective bargaining unit represented by National Nurses United or a National Nurses United Affiliate may, as permitted by the Affiliate, become a member of National Nurses United on the same terms, conditions and obligations as RN members.
2. Every member in good standing of a National Nurses United Affiliate or National Nurses United shall be entitled to the rights, benefits and privileges set forth in this Constitution and the policies of National Nurses United.
  3. Every member in good standing shall receive a National Nurses United membership card signed by the Secretary-Treasurer and bearing the seal of National Nurses United.
  4. To be in good standing in National Nurses United, a member must either: (a) be in good standing in the Affiliate in which he or she is a member and not be in arrears in the payment of National Nurses United dues and special assessments, as set forth in Article VII. A, B and C; or (b) be a National Nurses United Officer or represented for collective bargaining by National Nurses United, who is not in arrears in the payment of National Nurses United dues and special assessments. Good standing of a member shall not be adversely affected if an Affiliate fails to transmit dues and assessments in a timely manner under Article VII.B.1, unless the Affiliate is delinquent under Article VII.B.5 and the Convention then makes a decision as to the good standing of the members of such Affiliate as a group. Good standing as used

throughout this Constitution refers to the provisions of this Section.

5. All members of National Nurses United obligate themselves, by virtue of such membership, to comply with this Constitution and published National Nurses United policies.
6. There shall be no discrimination against any member of National Nurses United by reason of race, color, creed, national origin, ancestry, gender, sexual orientation, gender identity or expression, marital status, disability, age or political affiliation.

B. Termination of Membership

National Nurses United membership shall be terminated when a member no longer meets the requirements of Article II.A.4.

C. Associate Membership

1. A Registered Nurse working as a direct care Registered Nurse who is not represented in collective bargaining by National Nurses United or a National Nurses United Affiliate, or a Registered Nurse who was working as a represented direct care nurse or serving as a National Nurses United Officer at the time of retirement, or who was working as an Affiliate represented direct care nurse at the time of retirement shall be eligible for Associate Membership in National Nurses United for the purpose of participating in programs established for Associate Members upon payment of appropriate dues.

2. The Executive Council may establish different programs for Associate Members. Dues for Associate Members shall be initially established by the Secretary-Treasurer, subject to approval by the Executive Council.
3. Associate Members shall not be eligible to vote or be candidates for any National Nurses United elected position.
4. An individual who meets the criteria set forth in Article II.C.1 shall complete and send to the Secretary-Treasurer the standard Associate Member application form provided for that purpose by the Secretary-Treasurer. Each application for Associate Membership shall be reviewed and either accepted or rejected by the Secretary-Treasurer. The applicant whose application is rejected by the Secretary-Treasurer may submit an appeal to the Executive Council. The Executive Council's decision on such appeal shall be final and binding.

### **III. AFFILIATES**

#### **A. National Nurses United Affiliates are:**

1. State Nurses Associations or their separate collective bargaining programs that represent Registered Nurses for purposes of collective bargaining, including those whose members are represented by National Nurses United under an arrangement approved by the National Nurses United Executive Council.

2. Labor organizations that represent Registered Nurses for purposes of collective bargaining that become affiliated with National Nurses United pursuant to Article I.D.

B. Rights and Responsibilities

Each Affiliate shall have the following rights and responsibilities:

1. To act as the collective bargaining agent for its Registered Nurse members and to submit copies of its collective bargaining agreements to the National Nurses United Executive Council.
2. To ensure that its members represented for collective bargaining are members of National Nurses United.
3. To receive access to appropriate resources and support from National Nurses United, subject to National Nurses United policies and procedures.
4. To have membership participation in the Convention in accordance with Article VI.
5. To submit nominees for consideration by the Executive Council for National Nurses United appointive positions.
6. To meet its financial obligations to National Nurses United.
7. To conduct its affairs in accordance with this Constitution and published National Nurses United policies.

## IV. NATIONAL OFFICERS

### A. Titles

#### 1. Council of Presidents and Secretary-Treasurer

The principal National Officers of National Nurses United shall consist of the three (3) members of the Council of Presidents, each holding the title of President and the Secretary-Treasurer.

The Council of Presidents and the Secretary-Treasurer shall be elected in a secret ballot mail referendum of the total NNU membership.

The Council of Presidents and the Secretary-Treasurer shall be elected at large by all NNU members.

#### 2. Vice-Presidents

##### a. Affiliate-Based Voting Groups

The Vice-Presidents shall each be elected in a secret mail ballot referendum of NNU members in affiliate-based voting groups, as follows:

- (i) Each current Affiliate with 5,000 NNU members or more shall constitute a separate voting group (e.g., currently CNA, MassNA, MinnNA and MichNA);
- (ii) All current Affiliates with less than 5,000 NNU members shall together constitute a single, separate voting group (e.g., currently DCNA); and

- (iii) All direct NNU members shall constitute a single, separate voting group (e.g., currently VA, UCMC, WHC and SUN members).

b. Total Number and Allocation

The total number of Vice-Presidents to be elected and the allocation of elective VP offices among the voting groups shall be determined as follows:

One vice-president + one additional vice-president for each 10,000 members in the voting group.

- c. Members may only vote for Vice-Presidents from their own Affiliate or affiliate-based voting group.

3. Conduct of Election

The election of all National Officers shall be conducted by the Election Committee in accordance with the rules and procedures adopted by the Committee and approved by the Executive Council. (see Article VIII - Election Committee and Election Process)

The election of National Officers will occur at the same time as elections of Delegates (as provided in Article VI) in a consolidated mail ballot referendum of NNU members conducted by an NNU-designated independent election firm.

B. Eligibility

- 1. To be eligible for election as a National Officer, a member must be in continuous good standing in National Nurses United for at least one (1) year immediately preceding nomination.



2. National Officers must maintain their good standing status throughout their elected term in order to continue holding office.
3. Supervisors of NNU or NNU Affiliate-represented registered nurses or non-RNs, as defined and determined under applicable labor laws and/or the application, custom and practices under NNU or NNU Affiliate collective bargaining agreements, and management personnel of employers of NNU or NNU Affiliate-represented registered nurses and non-RNs, who have an inherent conflict of interest with the interests and professional obligations of direct care nurses to provide nursing care in the exclusive interests of patients and in accordance with the duty of patient advocacy, shall not be eligible to be a candidate for, or elected to, or serve as a National Officer of NNU.

C. Terms of Office

1. The term of office for National Officers shall be three (3) years.
2. The term of office for any National Officer appointed as a result of a vacancy in office shall be until the next regular delegate election of National Officers, at which time such vacancy shall be filled by delegate election.
3. An Officer who has served one-half term or more shall be considered to have served a full term.

D. Jurisdiction and Duties

1. The Presidents shall:

- (a) Constitute the National Nurses United Council of Presidents. Ensure that the affairs and functions of National Nurses United are carried out in accordance with National Nurses United policy.
- (b) Consult with and be assisted by the Secretary-Treasurer and Vice Presidents in furthering the objectives and policies of National Nurses United.
- (c) Serve as Chairpersons of all regular and special Conventions and Executive Council meetings.
- (d) Call regular meetings of the Convention and the Executive Council as provided in this Constitution.
- (e) Be the official spokespersons for National Nurses United in external relations and authorize other representatives of National Nurses United to speak for National Nurses United in their place.
- (f) Make appointments to such non-elected committees as may be necessary for the proper conduct of National Nurses United business, and serve as an ex-officio member(s) of all committees except the Election Committee.
- (g) Report and be accountable to the Executive Council and the Convention.
- (h) Perform such other duties as set forth in this Constitution and National Nurses United policies.

2. The Secretary-Treasurer shall be responsible for assuring that the following duties are carried out in accordance with National Nurses United policies:
  - (a) Maintenance of the general records and correspondence of National Nurses United, including National Nurses United membership records, minutes of Executive Council meetings and proceedings of the Convention.
  - (b) Oversee the financial administration of National Nurses United and related financial matters.
  - (c) Submit quarterly financial reports and the annual audited report to the Executive Council.
  - (d) As chairperson of and together with a Finance Committee consisting of two additional members of the Executive Council appointed by the Executive Council, prepare a budget in line with modern budgetary practice and presentation of the budget to the Executive Council for review and approval prior to implementation.
  - (e) Present the financial report to the Convention.
  - (f) Report and be accountable to the Executive Council and the Convention, and perform such other duties as are assigned by the Presidents and Executive Council.

3. The Vice-Presidents shall:
  - (a) Assist the Presidents by performing such duties and functions as may be assigned by them.
  - (b) Report and be accountable to the Executive Council and the Convention.

E. Vacancies in Office

1. When a vacancy in the office of President, Secretary-Treasurer or Vice-President occurs, the Executive Council shall fill such vacancy by appointment until the next regular delegate election of National Officers, at which time such vacancy shall be filled by the delegate election.
2. Appointees to National Offices must meet the eligibility criteria set forth in Section B above.

F. Bonding

The National Officers shall be bonded for an amount determined by the Executive Council.

G. Removal

Any National Officer may be removed from office in accordance with policies and procedures adopted by the Executive Council in conformance with applicable law.

V. **EXECUTIVE COUNCIL**

A. Composition

The Executive Council shall be comprised of and the members shall be the three (3) Presidents, each holding the title of President, the Secretary-Treasurer and the Vice-Presidents.

B. Jurisdiction and Duties

The Executive Council shall have authority over National Nurses United's general direction and business affairs, including the authority to act for the membership in intervals between meetings of the Convention and may, consistent with its fiduciary obligations:

1. Establish and carry out policy as necessary to further the objectives of National Nurses United.
2. Interpret the Constitution and National Nurses United policy.
3. Appoint members of the Election Committee set forth in Article VIII and such other committees as may be necessary for the proper conduct of National Nurses United business.
4. Determine and issue final and binding decisions on appeals of decisions of the Election Committee on protests and complaints regarding elections of NNU officers.
5. Call the Executive Council and Convention into special session.
6. Enter into affiliation agreements pursuant to Article I.D.
7. Approve policies and delegate authority with respect to NNU direct representation of members

as the certified or recognized collective bargaining representative.

8. Approve and monitor the annual budget and exercise all fiduciary duties consistent with applicable labor law.
9. Monitor the strategic goals for National Nurses United that have been established by the Convention.
10. Resolve jurisdictional disputes between and among Affiliates.
11. Appoint, establish the terms and conditions of employment for, and evaluate the Executive Director.
12. Perform such other duties as set forth in this Constitution and National Nurses United policies.

#### C. Meetings

1. Regular meetings of the Executive Council shall be held at least four times annually, at a time and place determined by the Executive Council. An Executive Council member(s) may participate in an Executive Council meeting by teleconference or videoconference upon approval of the Executive Council.
2. Special meetings of the Executive Council may be called at any time by two of the Presidents or a majority of the Executive Council that includes at least one of the Presidents. The call for a special meeting shall state a specific agenda item(s).

3. The Executive Council may hold meetings by telephone in intervals between in-person meetings.
4. National Nurses United members may attend open meetings of the Executive Council as observers at their own expense. Others wishing to attend open meetings of the Executive Council must request permission to do so from the Executive Council.
5. When action by the Executive Council is required on matters that must immediately be addressed in intervals between meetings, one of the Presidents or his/her designee may poll the Executive Council via email, and any action approved by a majority of the Executive Council members shall constitute action of the Executive Council as if it were taken at a meeting, provided that any action taken will be confirmed at the next Executive Council meeting.

D. Quorum

A quorum consisting of no fewer than a majority of the Executive Council, including at least two of the Presidents shall be required for the consideration of and action upon any matter by the Executive Council.

E. Voting

1. Decisions on all matters brought before the Executive Council shall be determined by a majority vote unless otherwise specified in this Constitution.

2. Each member of the Executive Council shall have one vote on all matters coming before the Executive Council. Proxy voting is not permitted.

F. Meeting Records

1. Minutes of each regular and special meeting of the Executive Council shall include, at a minimum, the names of the Executive Council members present, every resolution or motion acted upon, the names of the moving Council members, and the disposition of each resolution or motion.
2. The minutes, or record of proceedings, of an executive session shall be read and acted upon only in executive session, and shall be compiled and retained separately from the regular meeting minutes in order to ensure confidentiality. Actions taken in executive session, or as a consequence of executive session deliberations will be included in the regular meeting minutes as appropriate and necessary.
3. The minutes of the Executive Council meetings shall be distributed to members of the Executive Council. Regular meeting minutes, excluding minutes of executive sessions, will be available for inspection by representatives and/or officers of Affiliates and for inspection by a member(s) upon request to the Secretary-Treasurer.

G. Executive Director

The Executive Director is accountable to the Executive Council and shall perform such administrative and operational functions as are necessary to implement National Nurses United objectives and policies.



## H. Executive Committee

### 1. Composition

- a. The Executive Committee of the NNU Executive Council shall be composed of each member of the Council of Presidents, the Secretary-Treasurer and three (3) Vice-Presidents appointed by the Executive Council.
- b. The Executive Director or designee shall serve in an advisory capacity to the Executive Committee without vote.

### 2. Meetings

Meetings will be held monthly between regular meetings of the Executive Council and at the call of the Council of Presidents. Business may also be conducted by telephone or mail, including electronic mail should immediate action be necessary.

### 3. Quorum

A majority of the Executive Committee shall constitute a quorum, provided one of those present is a Member of the Council of Presidents.

### 4. Powers and Duties

Between Executive Council meetings, the Executive Committee shall have the power to make interim decisions on NNU business with the limitation that the Executive Committee cannot rescind or make substantive changes on any action of the NNU Executive Council or Convention. In addition, the Executive Committee may have the following duties:

- a. Give direction and act as a consultant group to the Council of Presidents and the administrative staff between Executive Council meetings, interpreting policy of the Convention and the Executive Council;
- b. Give direction to administrative staff through the Executive Director for decision-making on issues that require prompt action;
- c. Serve in advisory capacity to the Council of Presidents on emergency situations that cannot wait for the next Executive Council meeting or a special Council meeting, especially if no policy has been established; and,
- d. Review and approve the record of actions of the preceding Convention.

#### 5. Accountability

The Executive Committee shall report to the Executive Council at each meeting and in addition, provide a written report to every Executive Council member on emergency decisions or actions as soon as possible after action is taken.

## VI. CONVENTION

### A. Composition

The Convention shall be comprised of:

1. National Nurses United members in good standing who are elected as delegates in secret ballot elections by National Nurses United members; and
2. Members of the National Nurses United Executive Council.

B. Jurisdiction and Duties

1. The Convention is the highest governing body of National Nurses United. Decisions of the Convention shall be the final governing decisions of National Nurses United. The Convention shall have the authority to:
  - (a) Establish National Nurses United policy.
  - (b) Interpret and amend the Constitution.
  - (c) Establish strategic goals for National Nurses United.
  - (d) Establish dues and levy special assessments.
  - (e) Perform all other duties and responsibilities set forth in this Constitution and National Nurses United policies.

C. Delegates

1. Each delegate or alternate delegate shall be elected for a three-year term.
2. Affiliate-Based Voting Groups

NNU members shall elect Delegates as follows:

Affiliate-Based Voting Groups: Delegates shall be elected in a secret mail ballot referendum of NNU members in affiliate-based voting groups, as follows:

- (i) Each current Affiliate with 5,000 NNU members or more shall constitute a separate voting group (e.g., currently CNA, MassNA, MinnNA and MichNA);
- (ii) All current Affiliates with less than 5,000 NNU members shall together constitute a single, separate voting group (e.g., currently DCNA); and
- (iii) All direct NNU members shall constitute a single, separate voting group (e.g., currently VA, UCMC, WHC and SUN members).

The number of delegates to be elected by the NNU membership of each affiliate-based voting group shall be determined as follows:

- (1) One (1) delegate for each affiliate-based voting group; and
- (2) One (1) additional delegate for each 1,000 NNU members of the affiliate-based voting group and part thereof.

### Conduct of Election:

NNU Delegates will be elected in a Uniform Election of NNU Delegates by NNU members in good standing in each affiliate-based voting group. Members may only vote for NNU Delegates running from their own Affiliate or affiliate-based voting group. Affiliate policies regarding delegate elections will be observed and incorporated into the Uniform Election process as long as these policies do not conflict with NNU constitutional and policy requirements (e.g., Affiliate policies for geographical representation).

The Uniform Election of Delegates will occur at the same time as the election of NNU national officers in a consolidated secret mail ballot referendum of NNU members conducted by an NNU-designated independent election firm. Costs of the election will be paid by NNU.

#### D. Credentials Committee

Prior to the Convention, the Executive Council shall appoint three (3) of its members to serve as the Credentials Committee. The Credentials Committee shall be responsible for: (1) registering and certifying the credentials of all delegates seated at the Convention; (2) reporting to the Convention on the number of properly qualified delegates to be seated at the Convention; (3) making determinations resolving complaints and disputes regarding credentialing of delegates; and (4) in the event these determinations do

not resolve complaints and disputes presented to the Committee, submitting a report to the Executive Council for final determination of the complaint or dispute. The Credentials Committee members' appointment will expire at the conclusion of the Convention at which they serve.

## E. Meetings

### 1. Regular Meetings

- (a) Regular meetings of the Convention shall be held in 2012 and every three (3) years thereafter at a date and location designated by the Executive Council.
- (b) Notice of regular Convention meetings shall be sent to the delegates and Affiliates not less than ninety (90) days prior to the beginning date of such regular meeting.

### 2. Special Meetings

Special meetings of the Convention to address specific agenda items shall be called:

- (a) At any time by two of the Presidents or a 2/3 majority of the Executive Council that includes at least one of the Presidents;
- (b) By one of the Presidents upon the written request of a two-thirds (2/3) majority of the Convention delegates; or
- (c) Whenever fifteen percent (15%) of the membership petitions the Secretary-Treasurer requesting the Convention be called into session to address specific agenda items and a majority of the

membership then votes in favor of calling such a session.

- (i) Upon receipt of such petition, the Secretary-Treasurer shall, within twenty-one (21) days, ballot the membership on the question of whether or not the Convention shall be called into session. Such ballot shall state the specific agenda item(s) on which the petitioners desire the Convention to act, and shall state a reasonable count date for the ballot.
- (ii) If a majority of the membership votes in favor of calling the Convention into session, the Secretary-Treasurer shall, within fourteen (14) days from said count date, mail notice of such meeting to all delegates to the Convention by certified mail, return receipt requested, fixing the date for convening such meeting. Such date shall not be less than forty-five (45) nor more than sixty (60) days from the date of mailing such notices.
- (d) Except for good cause as determined by the Executive Council, notice of a Special Meeting, including the date, place and agenda for the meeting, must be sent to the delegates and Affiliates at least forty-five (45) days prior to the meeting.

## F. Agenda Submission Procedures

1. For all regular meetings of the Convention, the following procedures shall apply with respect to the submission of Advance Agenda Items:
  - (a) Advance Agenda Items may only be submitted by individual delegates, Affiliates, the National Nurses United Executive Council and two of the National Nurses United's Presidents.
  - (b) All Advance Agenda Items must be in writing and must include the title, subject, identity of the submitting party, relevant background information and proposed action to be taken.
  - (c) In order to be placed on the agenda, all Advance Agenda Items must be received by the National Nurses United Secretary-Treasurer or bear a postmark date no later than sixty (60) days prior to the first day of the Convention.
  - (d) No later than thirty (30) days prior to the Convention, the Secretary-Treasurer shall transmit to the Affiliates and the delegates to the Convention the items which have been placed on the agenda.
  - (e) Agenda items shall be published as submitted. No additions, deletions or editing may be made without the permission of the sponsor.
  - (f) Any properly submitted Advance Agenda Item may be cosponsored by any delegate(s), Affiliate(s) or Executive Council member(s).



Such endorsement shall be in writing and shall be submitted to the Secretary-Treasurer prior to the close of the first day of the Convention.

## 2. Late Agenda Items

- (a) Late Agenda Items may be submitted for a Regular Meeting by an individual delegate(s) or an Affiliate: (i) prior to convening a Regular Meeting of the Convention after the time period for submitting Advance Agenda Items under Section F.1(c) has expired; and (ii) during the first day of the meeting. Acceptance of such Late Agenda Items shall require a two-thirds (2/3) majority vote of the Convention.
- (b) Late Agenda Items may be submitted for a Special Meeting by an individual delegate(s) or an Affiliate: (i) after the call for a Special Meeting of the Convention and prior to convening the meeting; and (ii) during the first two hours of a Special Meeting. Acceptance of such Late Agenda Items shall require a seventy-five percent (75%) vote of the Convention.
- (c) Late Agenda Items are subject to the requirements of Section F.1(a), (b), (e) and (f) above.
- (d) One of the Presidents or the Executive Council may submit a Late Agenda Item at any time prior to or during a Regular Meeting of the Convention.

- (e) One of the Presidents or the Executive Council may submit a Late Agenda Item at any time prior to or during a Special Meeting upon a seventy-five percent (75%) vote of the Convention.

#### G. Attendance and Quorum

1. At any meeting of the Convention, fifty percent (50%) of the total delegates representing a majority of National Nurses United members, and a majority of the Executive Council, who are either two Presidents or one President and the Secretary-Treasurer, shall constitute a quorum for the transaction of business.
2. Except as provided in Convention Rules, only elected delegates and members of the Executive Council may participate in the Convention.
3. All meetings of the Convention are open to all members in good standing and invited guests, provided, however, that the Convention may declare any session to be a closed session and exclude all persons who are not duly credentialed delegates.

#### H. Voting

1. Decisions on all questions brought before the Convention shall be determined by a majority vote of the delegates unless otherwise specifically stipulated in this Constitution or in rules adopted by the Convention. Each delegate shall be eligible to cast one (1) vote.
2. All voting shall be by voice vote unless a delegate requests that a standing vote be taken.

3. Members of the Executive Council may vote on all matters.

#### I. Meeting Records

1. The actions taken at each meeting of the Convention shall be compiled and published and issued to all members of the Convention and all Affiliates within sixty (60) days of such meeting.
2. A copy of the transcript of each meeting of the Convention shall be available for inspection by a member in good standing at the National Nurses United national offices upon request to the Secretary-Treasurer.

### **VII. DUES, ASSESSMENTS AND FINANCES**

#### A. Dues Amount

1. The rates for NNU member dues shall be provided in the NNU Dues Policy as adopted by the Convention.
2. Effective January 1, 2010, the NNU Dues Policy established an annual rate for NNU Affiliate per capita dues with an annual automatic escalator for payment of behalf of NNU Affiliate [indirect] members.
3. Effective January 1, 2012, the NNU Dues Policy established an NNU direct member dues rate with an annual automatic escalator.

4. The dues rates established by the NNU Dues Policy may be increased only by majority vote of the Convention.

B. Payment of Per Capita Dues by Affiliates

1. The per capita Affiliate dues obligation shall be paid in equal monthly installments of applicable annual rate and shall be transmitted electronically by wire transfer to a designated NNU account(s). Affiliates are obligated to pay dues to National Nurses United for the current month no later than the end of the succeeding month, unless otherwise determined by the Executive Council in extreme hardship cases, in accordance with National Nurses United policy.
2. Affiliates shall transmit agency shop and other service fees to National Nurses United for all Registered Nurses paying such fees to the Affiliate. All references to dues in this Section B shall be applicable to the payment of agency shop and other service fees.
3. At the time of payment of an Affiliate's monthly per capita dues obligation, the Affiliate shall submit to NNU an accurate list of members on whose behalf the payment has been made, which includes identification of the facility at which the member is employed, the member's employee identification number or other designation used by the Affiliate to track dues check-off, and such other information requested by NNU reasonably calculated to verify the accuracy of such payments, as determined by National Nurses United policy.

4. The Executive Council may cause the review of the books and records of an Affiliate to the extent necessary to verify the accuracy of dues payments or to make a determination on issues concerning dues arrears.
5. Affiliates that have not paid dues by the twentieth (20th) day of the month succeeding the date due under Section B.1 above, and have not received a hardship exemption pursuant to Section B.1, shall not be entitled to enjoy the rights and privileges of Affiliates set forth in Article III.B.3, 4 and 5.

#### C. Special Assessments

1. A special assessment on all members for a finite period of time for lawful trade union purposes may be levied by the Convention.
2. Each Affiliate shall be notified of the terms and conditions for the payment of such assessment, and shall be responsible for collecting and transmitting such assessment to National Nurses United.
3. The provisions of Section B above pertaining to dues payments shall be applicable to the payment of assessments.
4. Any proposal for a special assessment shall include the: (a) purpose; (b) expected outcomes; (c) detailed budget; (d) time limit; and (e) evaluation of the assessment.

#### D. Fiscal Responsibility

National Nurses United shall provide all Affiliates and all Affiliates shall provide National Nurses United with

an annual audit report, and shall make available for inspection, upon a specific request for identifiable information, the financial books, records and financial accounts necessary to verify such reports.

## **VIII. ELECTION COMMITTEE AND ELECTION PROCESS**

### **A. Election Committee**

#### **1. Composition**

The Election Committee shall consist of five (5) members who are appointed by the Executive Council.

#### **2. Qualifications**

In order to qualify for appointment to the NNU Election Committee, an NNU member shall:

- a. have been an NNU member in continuous good standing for at least one (1) year preceding the appointment;
- b. cannot serve concurrently on the Executive Council; and
- c. must, as a condition of accepting appointment, state with positive assurance that she/he does not intend to run for election to NNU office or delegate position while serving on the Election Committee.

#### **3. Term, Vacancies and Removal**

- a. The term of service as a member of the Election

Committee shall be three (3) years.

- b. Vacancies on the committee shall be filled by Executive Council appointment.
- c. Submission by a member of the Election Committee of a Consent to Serve for election to an NNU office during her/his term on the Election Committee shall automatically result in removal from the Election Committee.

## B. Election Process - Elective Offices and Positions

### 1. Council of Presidents and Secretary-Treasurer

The Council of Presidents and the Secretary-Treasurer shall be elected in a secret ballot mail referendum of the total NNU membership. The Council of Presidents and the Secretary-Treasurer shall be elected at large by all NNU members.

### 2. Vice-Presidents

#### a. Affiliate-Based Voting Groups

The Vice-Presidents shall each be elected in a secret mail ballot referendum of NNU members in affiliate-based voting groups as follows:

(i) Each current Affiliate with 5,000 NNU members or more shall constitute a separate voting group (e.g., currently CNA, MassNA, MinnNA, MichNA);

(ii) All current Affiliates with less than 5,000 NNU members shall together constitute a

single, separate voting group (currently DCNA); and

(iii) All direct NNU members shall constitute a single, separate voting group.

#### b. Total Number and Allocation

The total number of Vice-Presidents to be elected and allocation of elective VP offices among voting groups shall be determined as follows:

One (1) vice-president + one (1) additional vice-president for each 10,000 members in a voting group.

### 3. Conduct of Election

The election of all National Officers shall be conducted by the Election Committee in accordance with rules and procedures adopted by the Committee and approved by the Executive Council.

Consistent with the purpose of establishing collective leadership as a fundamental organizational value and method of operation, candidates for election to the Council of Presidents (“COP”) must run for office as a member of a three (3) member slate running collectively for the office of Council of Presidents. The “candidate” for election will be the complete slate of three members. Ballots will state the names of each of the three COP slate participants, but NNU members will vote for COP candidate slates as a slate, not for individual members of a COP candidate slate.

A plurality vote shall elect the Council of Presidents,



Secretary-Treasurer, and Vice Presidents.

The election of National Officers will occur at the same time as the election of Delegates (as provided in Article VI) in a consolidated mail ballot referendum of NNU members conducted by an NNU-designated independent election firm.

### C. Delegates

1. Each delegate or alternate delegate shall be elected for a three-year term.
2. Affiliate-Based Voting Groups

NNU members shall elect Delegates as follows:

a. Affiliates:

NNU members of current Affiliates will elect delegates in their Affiliate voting group. The number of delegates to be elected by the NNU membership of each current Affiliate shall be determined as follows:

- (1) One (1) delegate for each Affiliate; and
- (2) One additional delegate for each 1,000 NNU members of the Affiliate and part thereof.

b. Direct NNU Members:

- (1) Direct member delegates selected for the 2011 Convention will remain seated through the 2012 Convention.

- (2) Beginning in 2012, NNU direct members will elect their delegates in a single voting group of all NNU direct members. The number of delegates to be elected by the NNU Direct Member voting group shall be determined as follows:
    - (i) One (1) delegate; and
    - (ii) One (1) additional delegate for each 1,000 members and part thereof.
3. To be eligible for election to a delegate position, a member must be in good standing in National Nurses United.
4. Delegates must maintain their good standing status throughout their elected term.

#### D. Election Process - Secret Mail Ballot Vote -- Ballot Preparation and Mailing

1. NNU Members seeking election to the national offices of Council of Presidents, Secretary-Treasurer, and Vice Presidents shall be nominated by mailing a Consent to Serve form to the Secretary-Treasurer, which shall include a biographical sketch including organizational experience, present employment, and position.
2. The Election Committee shall prepare a list of candidates who timely submit a Consent to Serve and meet "good standing" eligibility requirements.

3. The names of candidates for each elective office and position shall be placed on the ballot in random order.
4. Ballots and election records shall be retained for one (1) year after announcement of election results.

#### E. Election Process - Complaints and Protests

1. Any candidate for election to NNU office may protest and seek to overturn the election for that office mailing a written complaint to the NNU Secretary-Treasurer.
2. The Election Committee shall adopt necessary and appropriate rules and procedures governing conduct of elections for NNU officers.
3. An election complaint shall state with specificity the conduct alleged to be improper and the provisions of the NNU Constitution, NNU policies, and/or other applicable rules which are alleged to have been violated in the conduct of the election.

F. All complaints protesting and seeking to overturn an election for NNU office shall be considered and determined by the Election Committee.

- G. The Election Committee's decision may be appealed to the Executive Council by the complainant or any other candidate for the office subject to challenge
- H. An appeal must be in writing and state with specificity the conduct alleged to be improper and the provisions of the NNU Constitution, NNU policies, and/or other applicable rules which are alleged to have been violated in the conduct of the election and asserted as the basis for appeal.
- I. No member shall file a complaint with any government agency or court or take or file any other action or complaint challenging the conduct of an election for NNU office without first exhausting internal complaint procedures.

**IX. DURATION**

The duration of National Nurses United shall be perpetual and National Nurses United shall not be dissolved as long as at least three (3) Affiliates whose National Nurses United RN memberships total at least twenty percent (20%) of the total National Nurses United members in good standing oppose dissolution of National Nurses United.

## **NNU DUES POLICY**

### **A. Affiliate (Indirect Member) Dues**

The NNU Founding Convention established a dues policy for members of NNU Affiliates who obtain NNU membership by: (1) maintaining membership in good standing with their NNU Affiliate organization; and (2) timely payment by the Affiliate to NNU of equal monthly installments of the annual per capita affiliate dues obligation. The policy established for NNU Affiliate per capita (indirect member) dues is:

1. Effective January 1, 2010, the annual per capita dues rate for National Nurses United Affiliates was \$136.40 per member per year.
2. Beginning on January 1, 2011, this annual NNU Affiliate per capita rate is increased on January 1 of each year by an annual automatic escalator of 2.5% .
3. The dues amount will be the same for full-time and part-time collective bargaining members.
4. Payment of National Nurses United dues will continue to be governed by Article VII.B of the National Nurses United Constitution.

### **B. Direct Member Dues**

The policy governing payment of dues by members who are represented directly by NNU in collective bargaining is established as follows:

1. Effective January 1, 2012, the amount of NNU direct member dues shall be 2.2 times the individual member's base hourly rate per month.

2. Direct member dues shall not exceed a cap of \$117 (one-hundred seventeen dollars) per month for the period of January 1, 2012 through June 30, 2012. Effective July 1, 2012 and annually on July 1 of each year thereafter, the maximum amount (cap) of regular direct member dues shall increase based on the average wage increase in the preceding calendar year at the three (3) NNU-directly represented or NNU Affiliate-represented facilities with the highest RN base rate wages.
3. The existing dues rates for NNU direct members in effect when this dues policy is adopted shall not automatically increase to the direct member rate established in sections B(1) and (2) above, but shall increase in such amounts over such periods of time until parity with the union direct member rate is achieved, as determined by the Executive Council, based on evaluation and recommendation of the Executive Director after consultation with affected members and their nurse leaders.
4. Membership dues may be paid on an annual, installment payment, electronic funds transfer (EFT), or payroll deduction basis. Members paying by methods other than payroll deduction shall pay the per month maximum for their membership category with exceptions for special circumstances as determined by the Executive Council.
5. A regular member who was paid on the basis of twelve (12) hours per week or fewer shall pay fifty percent (50%) of full dues.