

**2008 General Council Resolution
SEIU Local 503, OPEU**

Subject: Expel Officer For Dealing With The Union As An Adverse Party

Sponsored by: Local 001

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Whereas, it is a serious breach of trust for an officer of this Union to deal with the Union as an adverse party; and

Whereas, Bylaws Article I, Section 5(a) requires “officeholders, employees, agents, Union Stewards, and other representatives of the Union occupy positions of trust in relation to the Union and its members as a group. Accordingly, it is the duty of each such person, taking into account the special problems and functions of the Union as a labor organization,... to refrain from dealing with the Union as an adverse party or in behalf of an adverse party in any manner connected with such person's duties,” as a part of his or her fiduciary responsibilities;

Whereas, we need to send a clear signal that such behavior by a member holding a position of trust within our Union shall not be tolerated; now, therefore,

BE IT RESOLVED by the 2008 General Council of SEIU Local 503, OPEU: That immediately upon adoption of this resolution by a two-thirds or more vote of the General Council the following steps shall be taken:

1: The President of the Union shall turn over to the Vice President of the Union the responsibility to preside over the General Council until all steps of this resolution have been completed.

2: A tribunal consisting of retiree local Immediate Past President John Hawkins as chair, and Past Union Presidents Deb Bolton and Dawn Morgan assisting shall be seated to preside over the trial.

3: The author of this resolution shall submit to the tribunal a signed copy of the charge(s) naming the charged, and any documents supporting the charge(s). The charged shall be provided a copy of the charge(s) and any supporting documents.

4: The charged may also be represented by a delegate appointed by the charged. The Executive Director of the Union, and a delegate appointed by the Executive Director, shall act as managers for the Union.

5: The General Council shall immediately move to recess, and the trial shall start in executive session. All non-delegates shall leave unless invited to stay by the tribunal. The Sergeant-at-arms shall remain to assist the tribunal, as will some of the Pages. General Council committees and other delegates shall leave, except as invited to stay by the

tribunal. A list of witnesses shall be prepared and witnesses shall be excluded except when providing testimony. Witness testimony will be electronically recorded and transcribed after the regular session of the General Council. A secretary will be provided the tribunal to informally record and assist according to the tribunal's instructions. All information gathered during the trial shall be sealed pending final approval by the tribunal. Upon gathering of all information the tribunal shall retire to deliberate in private.

6: The tribunal shall prepare a report either exonerating the charged or summarizing its findings of guilt. The report shall be distributed to the General Council to be taken up in executive session as the first order of business upon return from recess. The Vice President of the Union shall preside over the meeting while the tribunal remains seated to answer questions. Upon adoption of the tribunal's report by a two-thirds or more roll call vote of the General Council the tribunal is dismissed and the report takes immediate effect.

7: The Disciplinary Procedures of the Union, and the special rules of order adopted by the General Council, shall remain in effect throughout these proceedings except as modified by this resolution.