

CONSTITUTION

OPTOMETRY UNIT

Engineers and Scientists of California Local 20, IFPTE
AFL-CIO & CLC

Amended July 2025

ARTICLE I - NAME

- 1.01 The name of this organization shall be the "Optometry Professional Unit" ("Unit") of the "Engineers and Scientists of California Local 20, IFPTE AFL-CIO & CLC" ("Union")

ARTICLE II - OBJECTIVES

- 2.01 The members of the Unit shall be governed by the Constitution of ESC Local 20, IFPTE and this set of Bylaws in their relationship with the Union.
- 2.02 The objectives of the Unit shall be:
- (a) To support the principle of equal opportunity for all without regard to color, race, sex, marital status, ancestry, national origin, creed, age, handicap or sexual orientation.
 - (b) To represent members of the Unit in collective bargaining by negotiating with the Employer to attain a just and equitable recognition of the work performed, together with proper compensation and working conditions.
 - (c) To promote the professional status of the members.
 - (d) To cooperate with the other units within the Union and with other unions to achieve common goals.

ARTICLE III - MEMBERSHIP

- 3.01 Membership in the Unit shall be confined to Professional and Technical employees in the Optometric field who are employed in a certified bargaining unit represented by ESC and members of the Union.
- 3.02 Per the Union Constitution, a member in good standing shall be one who is not in arrears of dues or assessments. A member whose dues or assessments are not paid within 60 days after they become due shall be deemed in arrears and may be suspended. Such member shall lose the privilege of voting or in any manner participating in the activities of the Union. They may be restored to good standing upon payment of dues.

ARTICLE IV - OFFICERS

4.01 The officers of this Unit shall be:

President
District Representatives (7) ESC
Board Representative

District 1 Santa Clara
Skyport
San Jose
Milpitas
Mountain View
Gilroy
Santa Cruz
Redwood City
San Mateo
Campbell

District 2 San Francisco
South San Francisco (Daly City)
San Rafael
Petaluma
Novato
Santa Rosa

District 3 Walnut Creek/Park Shadelands
Martinez
Antioch
Pleasanton
Livermore
Vallejo
Napa
Fairfield
Vacaville

District 4 Fresno
Stockton
Manteca
Modesto
Tracy

District 5	South Sacramento Elk Grove Sacramento Roseville Davis Point West Folsom Rancho Cordova Lincoln
District 6	Fremont/Hayward (Greater Southern Alameda Area GSAA) Union City Oakland Richmond
District 7	Optometric Assistant (At Large)

4.02 Candidates for office must be members in good standing, and officers shall continue in office only so long as they remain in good standing.

4.03 The elected officers shall be installed and shall assume their new positions at the next regularly scheduled Unit Executive Board meeting after the election.

Any officer is subject to recall. To initiate such recall procedure, a written petition stating the charges purporting to justify the recall signed by at least ten percent 10% of the members in good standing of the Unit, or by at least two-thirds of the members of the Unit Executive Board, must be submitted to the Unit Executive Board which shall order a recall election. The officer shall be informed in writing of the charges and shall have the right of rebuttal. A majority of the valid ballots cast shall be necessary for recall. The ballot shall be accompanied by a statement of the charges upon which the recall petition is based and by any rebuttal of these charges, which may be offered. Two-Thirds of the valid ballots cast shall be necessary for recall. The Unit Executive Board may, by motion, suspend the accused from the performance of the duties of their office pending the outcome of the vote.

ARTICLE V- DUTIES OF OFFICERS

- 5.01 The Unit Board President shall preside at all meetings of the Unit Executive Board and the Unit Membership. They may be a member of each committee ex-officio, except the Election Committee.
- 5.02 An appointed District Representative shall perform the duties of the President during their absence and perform other duties as assigned by the President.
- 5.03 A District Representative shall be designated Secretary to keep minutes of the meetings conducted by the Unit Executive Board and ensure that officers are informed of all meetings.
- 5.04 The District Representatives shall serve as the liaison between their District and the Unit Executive Board. They may attend and/or serve as a delegate to the Labor Council as assigned by the Union Executive Board.
- 5.05 The ESC Vice President for the Optometry Unit Board shall attend Optometry Unit Board meetings not as an officer but to act as a liaison without voting rights. The ESC Vice President shall be required to attend the Executive Board, General Membership and their respective Unit Executive Board meetings. The ESC Vice President shall submit a report of their Unit at the Executive Board and General Membership meetings

ARTICLE VI – UNIT EXECUTIVE BOARD

- 6.01 The Unit Executive Board shall consist of the President, an appointed Secretary from the standing District Representatives, and seven (7) District Representatives. Four (4) members shall constitute a quorum for the Unit Executive Board. The Unit Executive Board shall meet at least four (4) times per annum.
- 6.02 The duties of the Unit Executive Board shall be:
 - (a) To conduct all business of the Unit as provided in the Bylaws.
 - (b) To report all business transacted to the membership at the next subsequent general meeting of the Unit.
 - (c) To appoint such committees and members of such committees as may be required.
 - (d) To request the Union to submit grievances to arbitration.
 - (e) To act as liaison between the Unit and the Union.
- 6.03 Any act of the Unit Executive Board shall be subject to review by the membership of the Unit, by presentation of a petition to the Unit Executive Board, signed by twenty-five percent (25%) of the members, within thirty (30) days after said act has been reported to the Unit. The Unit Executive Board shall, not later than thirty (30) days after presentation of the petition, submit the matter in question to all members by letter or electronic ballot to determine whether or not the membership sustains or repeals the action.

- 6.04 If any office of the Unit Executive Board with the exception of the Union Representative is vacated, the Unit Executive Board shall within sixty (60) days conduct an election in accordance with the requirements under these Bylaws . In the event no nominations are received, the Unit Executive Board may appoint a member in good standing to serve the remaining term.

ARTICLE VII - NOMINATIONS AND ELECTION OF OFFICERS

- 7.01 The term of office for each officer shall be three years. Election for the offices of President and District Representatives 2, 4 and 6, shall first be held in 2026. Election for the offices of District Representatives 1, 3, 5 and 7 shall first be held in 2025.
- 7.02 Nominations shall be submitted by letter signed by not less than ten (10) Unit members in good standing. Such a letter shall be filed with the Secretary or designee, on/or before September 30th.
- 7.03 The Election shall be by mail, or electronic ballot, but not both for the same election.
- 7.04 Ballots shall be sent to all Unit members in good standing not later than October 15th. To be valid, ballots must be received on/or before 5:00 p.m. on October 31st.
- 7.05 Letter ballots shall be opened and counted by the Election Committee following the close of the balloting, under the supervision of a neutral arbitrator.
- 7.06 A plurality of the votes cast shall be required for election. Write-in votes shall not be permitted.
- 7.07 In case of a tie, a run off election shall be held.

ARTICLE VIII - BALLOTS

- 8.01 Each ballot shall state the closing time and date of the poll. Unless otherwise provided in these Bylaws, each issue on the ballot shall be determined by a majority of the valid votes cast. The Election Committee shall count the ballots and certify the results to the Unit Executive Board, which shall incorporate said certification in the minutes of its next meeting, the result of the ballot shall then become effective. Letter ballots shall be administered to ensure the validity of the votes cast and the secrecy of the ballot. If electronic voting is utilized , the Union Executive Board, will determine use and execution rules.

ARTICLE IX - FACILITY REPRESENTATIVES

9.01 Facility Stewards:

The members in each facility shall select at least one Facility Steward. The Steward will assist the District Representatives and staff in keeping the members in the facility aware of the activities of the Union by activities including, but not limited to, maintaining Union bulletin boards, attending to members grievances, informing members of their rights and responsibilities under the contract, and encouraging new members to participate in their Union and Unit affairs.

ARTICLE X - MEETINGS

10.01 Annual Meeting:

The Unit will meet at least once a year as part of the ESC Annual Meeting. Notice of the date, time and place of the Annual Meeting shall be provided not less than ten (10) days before the date thereof.

10.02 Special Meetings:

Special Meetings of the Unit membership may be called at the discretion of the Unit Executive Board but must be called within thirty (30) days of the receipt of a petition for such meeting signed by not less than twenty (20%) of the members in good standing. A quorum for the transaction of business at the meeting shall be ten percent (10%) of the members in good standing.

10.03 Unit Executive Board, Annual and Special meetings are open to the general membership.

ARTICLE XI - DUES AND FINANCES

11.01 The amount of dues and the use and distribution of funds shall be in accordance with the Constitution and By-Laws of ESC Local 20, IFPTE.

11.02 At the expiration of their terms of office, the officers and all committee members of the Unit Board shall deliver all records and property in their possession to the Union.

ARTICLE XII – AMENDMENT

12.01 This Constitution may be amended:

- (a) By a formal resolution of a majority of the members of the Unit Executive Board.
- (b) By a petition, signed by 30% of the members in good standing, which shall be submitted to the Unit Executive Board for consideration.

Amendments submitted by membership petition shall be submitted for vote by the members within 60 days of receipt by the Unit Executive Board.

Proposed amendments shall be submitted to the entire membership of the Unit. Ballots shall be sent out to all members of the Unit in good standing. To be valid, ballots must be received on or before 15 days from the date of the mailing.

An affirmative vote of 50% plus one (1), will be required for adoption of the amendment(s), and will become effective when a true copy thereof, together with a record of the count of votes, shall have been certified by the Election Committee to the Unit Executive Board or to the Unit in meeting and included in the minutes of said meeting.

- (c) Any amendments to these Bylaws shall be submitted to the Union Executive Board for approval.

ARTICLE XIII - RULES OF ORDER

- 13.01 The Parliamentary procedure of meetings of the Unit shall be guided by Roberts Rules of Order to the extent practicable except that in any conflict with these Bylaws, the Bylaws shall take precedence.