

# University of Michigan Professional Nurse Council Bylaws

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## Article I Name

The name of this organization shall be the University of Michigan Professional Nurse Council.

## Article II Objectives

The objectives of this Nurse Council shall be:

- A. To provide a voice for the membership in determining wages, hours, and general working conditions under which they practice.
- B. To provide expert, quality care to our patient population and to work towards continuous improvement within our profession, and to collaborate with other health professionals, collective bargaining associations, and the public in promoting community efforts to meet health and social needs.
- C. To promote professional growth through membership in the Michigan Nurses Association and encourage active participation in Association activities at all levels: Nurse Council, Michigan Nurses Association, United American Nurses, and American Nurses Association.
- D. To provide members the opportunity for effective representation in negotiations and/or discussions with their employer.
- E. To help educate Nurse Council members in the process of negotiation and implementation of the collective bargaining agreements.

## Article III Membership and Dues

- A. The members of this Nurse Council shall be:
  1. Those graduate nurses and registered professional nurses employed by the University of Michigan who are eligible for Nurse Council representation according to the collective bargaining agreement; and
  2. Those who have paid membership dues to Michigan Nurses Association, and the Nurse Council, and whose membership has not been revoked for violations of the ANA Code for Nurses, or United American Nurses, MNA, or Nurse Council Bylaws.
- B. Only nurses who are members of the Nurse Council, MNA, and UAN shall have voting privileges.
- C. The members of this Nurse Council shall adhere to the policies, Bylaws, and the Economic and General Welfare philosophy of the Nurse Council, MNA, UAN, and ANA.

- D. The University of Michigan Professional Nurse Council dues shall be determined by the membership by secret ballot. Any dues change shall be proposed by the Finance Committee.
- E. An employee may choose to pay a service fee which is determined by the MNA, but which does not give the employee the privileges of a Nurse Council, MNA, UAN, ANA member.
- F. Those members of the Nurse Council who have assumed temporary supervisory or management positions such as, but not necessarily limited to, an Interim Nurse Supervisor or an Interim Nurse Manager shall not be members of the Nurse Council.

#### Article IV

##### Disciplinary Process

- A. Members of this Nurse Council may be subject to censure, expulsion, or fine by the Nurse Council following a two-thirds vote of the membership for:
  - 1. Violation of the Code for Nurses as established by ANA or;
  - 2. Violation of the Bylaws of this Nurse Council, MNA, or UAN or;
  - 3. Conduct or acts of a nature deemed injurious to this Nurse Council, its Officers or members, including conduct or acts during a job action authorized by this Nurse Council.
- B. No such action shall be taken against a member until such a member has been served with written specific charges, given a reasonable time to prepare any defense, and offered an opportunity for a full and fair hearing.
- C. Members suspended or expelled under provisions of this article shall be eligible for reinstatement upon application approved by a two-thirds secret vote of the membership.
- D. All action taken under these Bylaws shall be in accordance with established policies and procedures for handling alleged violations.

#### Article V

##### Officers and their Duties

- A. The Officers of the Nurse Council shall be the Chairperson, Vice Chairperson, Secretary, Treasurer, and Chief Grievance Chair.
- B. The Chairperson shall:
  - 1. Preside at all meetings of the Nurse Council.
  - 2. Be an ex-officio member of all committees except the Nominations Committee.
  - 3. Appoint any specific committee as needed, subject to approval of the Executive Committee.
  - 4. Serve as Chair of the negotiating team.
  - 5. Implement the contract.

- C. The Vice Chairperson shall:
  - 1. Perform the duties of the Chairperson in the absence of the Chairperson and assume the Chairperson title in the event of a vacancy within that office.
  - 2. Serve as member of the negotiation team.
  - 3. Assist the Chairperson as assigned.
  - 4. Implement the contract.
- D. The Secretary shall:
  - 1. Notify Officers, Representatives, and committee members of their appointments.
  - 2. Post or send out notices of regular meetings and send out notices of other meetings.
  - 3. Keep the minutes of the meetings and post minutes on the Nurse Council website.
  - 4. Notify the MNA Board of Directors of current Officers, Representatives, and committee members.
  - 5. Notify the employer of elected and appointed officials.
  - 6. Maintain, revise, and update the Nurse Council website, [www.UMPNC.org](http://www.UMPNC.org).
- E. The Treasurer shall:
  - 1. Review the collection Reports from the MNA to the Nurse Council.
  - 2. Assure the deposit all monies belonging to the organization in the name of the organization, in a federally insured financial institution approved by the Executive Committee.
  - 3. Keep an itemized account of all receipts and disbursements, and provide written reports at least quarterly of the Nurse Council's income and expenditures to the Executive Committee and available to the membership.
  - 4. Pay all bills as directed by the Executive Committee. In this regard, is authorized to pay all monthly bills including, but not necessarily limited to, the rent and utilities. To pay for those non-monthly bills which entail major expenditures outside of the approved budget, the Treasurer must have approval from the Executive Committee.
  - 5. Keep a permanent record of all financial transactions.
  - 6. Serve as a member of the Finance Committee.
  - 7. File all necessary tax forms relating to the operation of the Nurse Council.
  - 8. With assistance from the Finance Committee, construct an annual 12 month budget due December 1<sup>st</sup> of each year to be submitted for approval to the Executive Council and available for review by the membership and the MNA Board of Directors. This Budget will become effective on January 1<sup>st</sup> of each year.
  - 9. Assure that any other member who is authorized to write checks and utilize credit cards, is appropriately bonded or otherwise insured in order to protect the funds of the group.

10. Stay current with and make recommendations to adjust the organization's financial policies and procedures according to the Best Accounting Standards and Practices of similar organizations.
- F. Upon securing negotiated release time, the Chief Grievance Chair shall:
1. Maintain excellent communications with the Chairperson and Vice Chairperson on the status of disputes as those disputes relate to contract implementation and negotiations.
  2. Serve in an advisory capacity to the negotiation team.
  3. Administer the grievance procedure through all levels of the process.
  4. Collaborate with the Chairperson, Vice Chairperson, and Education Committee in providing education regarding collective bargaining, general labor law, and the dispute resolution procedure to the Area and District Reps.
  5. Advise and direct the Area Reps and District Reps in performing their duties concerning the enforcement of the collective bargaining Agreement.
  6. Report to the Executive Committee on the status of all grievances.
  7. Serve as an Ex-Officio on the Bylaws Committee.
- G. All elected or appointed Officers or Representatives of the Nurse Council in the exercise of their discretionary duties, may act solely in their best judgment upon the facts brought to their attention without liability for errors in judgment and with complete immunity of liability of losses, damages, or liabilities sustained by the Nurse Council, the Union, or the employer as long as the Nurse Council Officers or Representatives have acted in good faith. If the Officers or Representatives are sued as a result of their participation in the Nurse Council, those Nurse Council officials will be indemnified for their costs in defending such a suit as long as the Officers or Representatives have acted in good faith.

## Article VI

### Representation Structure

- A. Representation Areas: There will be no less than 6 representation areas.
- B. Chief Representatives. There will be one Chief Representative from each area.
1. Functions:
    - a. While having a specialized understanding of their area, represent the entire membership in the process of contractual negotiations.
    - b. Implement and enforce the contract.
    - c. Represent individual members in the dispute resolution process.
    - d. Coordinate the activities of District Representatives.
    - e. Serve as members of the Executive Committee.

- C. District Representatives: Each area may have one or more District Representatives as determined by the Executive Council.
  - 1. Functions:
    - a. Serve in an advisory capacity to the negotiation team and the Executive Committee.
    - b. Assist the Chief Representatives in the implementation and enforcement of the contract.
    - c. Assist the Chief Representatives in representing individual members in the dispute resolution process.
    - d. Serve as members in the Leadership Committee.
    - e. Composition of the Negotiation Team: The Negotiation Team will be composed of the Chairperson, Vice-Chairperson, and all Chief Representatives. In addition, the Negotiating Team may appoint additional members by consensus, to serve in an advisory capacity.

## Article VII Committees

- A. Committees shall be composed of members of this Nurse Council and shall assume such duties as are assigned by the Executive Committee, and specified by the Bylaws of this Nurse Council.
- B. The Nurse Council shall have the following committees: Executive, Nominations, Finance, Bylaws, Education, and Leadership.
  - 1. The Executive Committee shall:
    - a. Consist of the Officers and Chief Representatives.
    - b. Establish policies and provide for the transaction of business.
    - c. Provide for the adoption of the financial policies and the budget.
    - d. Establish standing and special committees as necessary.
    - e. Make appointments and fill vacancies as necessary.
    - f. Assume such other duties as may be provided for elsewhere in the Bylaws.
    - g. Define representation areas as necessary.
    - h. May appoint unit based representatives to assist in the implementation of the collective bargaining Agreement.
  - 2. The Nominations Committee shall:
    - a. Consist of no less than five (5) members elected by the membership.
    - b. Solicit nominees from the membership to run for offices and other selected positions.
    - c. Assume responsibility for conducting elections.
  - 3. The Finance Committee shall:
    - a. Consist of no less than four (4) members, one of whom shall be the treasurer.

- b. Be appointed by the Executive Committee.
  - c. Act in an advisory capacity to make budgetary recommendations to the Executive Committee.
  - d. Assist the Treasurer in the construction of the annual Nurse Council budget.
4. The Bylaws Committee shall:
    - a. Consist of no less than two (2) members appointed by the Executive Committee.
    - b. Provide an ongoing review of existing Bylaws, suggest revisions and amendments as necessary.
    - c. Present proposed amendments and revisions to the membership as provided for in Article XI.
  5. The Education Committee shall:
    - a. Consist of no less than two (2) members appointed by the Executive Committee.
    - b. Within 100 days of assuming office, provide the Leadership Committee a structured education program concerning collective bargaining, the dispute resolution procedure, and general labor law.
  6. The Leadership Committee shall:
    - a. Consist of the Officers, the Chief Representatives, and District Representatives.
    - b. Serve in an advisory capacity to the Executive Committee.

#### Article VIII

##### Elections/Appointments/Terms of Office

- A. Starting in 1999, the Chairperson, Vice-Chairperson, Secretary and Treasurer will be elected every three years to serve a three year term, and will be limited to no more than four (4) consecutive terms for the same office unless there are no candidates, in which case they may serve in excess of four (4) consecutive terms. Upon securing negotiated release time starting in 2008, the Chief Grievance Chair will be elected every three years to serve a three year term, and will be limited to no more than four consecutive terms for the same office unless there are no other candidates, in which case may serve in excess of four consecutive terms. Proviso- In the event the Chief Grievance Chair is not elected during the 2008 elections, a special election will be held, and then the position of the Grievance Chair will assume alignment with the election of the other Officers and Representatives.
- B. Starting in 1999, Chief and District Representatives will be elected every three years Chief and District Representatives will be limited to no more than four (4) consecutive terms for the same office unless there are no candidates, in which case they may serve in excess of four (4) consecutive terms.

1. Chief and District Representatives will be elected only by members from the area they represent. In the event that a member works in more than one area, the member may choose which one area they wish to cast their ballot.
- C. Starting in 1999, members of the Nominations Committee will be elected every three years to serve a three-year term.
- D. Starting in 1999, members of the Finance Committee and the Bylaw Committee will be appointed by the Executive Committee to serve a three-year term. Starting in 2003, the Education Committee will be appointed by the Executive Committee. The newly elected Officers and Chief Representatives following each election cycle will make these appointments.
- E. All newly elected officials will assume office on the first day of business in January following the election, except that, in the event elections take place during contract negotiations, the negotiation team that was in office at the start of negotiations will complete negotiations through ratification. The newly elected Chairperson, Vice-Chairperson, Chief Grievance Chair, Chief and District Representatives will assume duties other than negotiation on the first day of business in January following elections and will assume negotiation responsibilities following ratification of the new contract.
- F. All newly appointed officials shall take office immediately following notification of their appointment.
- G. Members of the Nurse Council will be notified at least one month prior to elections of the offices to be filled, and the method and deadlines for submitting nominations. Before the ballot is completed, a membership meeting must be held to allow additional nominations from the floor. The membership must be notified at least two weeks prior to the meeting, of the date, time, and agenda for that meeting.
- H. Elections will be held by secret ballot. Ballots will provide opportunity for write in candidates. Any write in candidate for an Officer or Representative position must have at least twenty-five votes to assume office.
- I. The candidate who receives the highest number of votes within each office will be elected. In the event of a tie, a witnessed coin toss will determine the winner.
- J. The Nominations Committee will appoint a Chief Teller from the current or retired Nurse Council membership who will be responsible for the overseeing the counting of all ballots, certifying the election, and reporting the results. The Chief Teller may not be a candidate for any office or a current office holder. The Chief Teller must be present to oversee the count, but need not participate in the counting process.

- K. When counting ballots, there must be at least two additional members present to serve as witnesses and may assist in the counting of ballots. These members may not be candidates for office or current office holders. Candidates for office retain the right to observe the counting of ballots, but may not drive the selection of a date or time for the process to occur. Ballots and credentials of the voting body and other election records shall be kept on file for one year after the election.
- L. All elected and appointed officials shall be current members of the Nurse Council, MNA, and UAN.
- M. Any vacancy will be filled by appointment of the Executive Committee until completion of said term or a special election is held.
- N. A member who has served at least half a term will be said to have served a term.
- O. Recall of any elected or appointed official may be instituted by petition by any Nurse Council member with no less than 10% signatures of eligible voters. A majority vote of eligible voters shall be required to constitute a valid recall. Recall shall be successful if a majority of those voting vote to recall.
- P. Any member of the Leadership Committee shall be subject to removal from office if that member is absent from three (3) consecutive Leadership Committee meetings. Prior to any consideration of removal from office that member will be given at least two (2) weeks notice before the next scheduled Leadership meeting to prepare and offer explanation for such absences.
- Q. If the Nominations Committee considers an electronic voting system to conduct elections that system must comply with Department of Labor guidelines.
- R. Elections of Delegates to the Michigan Nurses Association (MNA) House of Delegates
  - 1. As allotted and in accordance with the MNA Bylaws, this Nurse Council shall elect from its membership, delegate(s) and alternate delegate(s) to serve in the MNA House of Delegates.
  - 2. Delegates to the MNA House of Delegates shall be required to:
    - a) be a member in good standing of the UAN, MNA, and the Nurse Council
    - b) attend the MNA House of Delegates
    - c) support the interests of the Nurse Council, MNA, and UAN
    - d) participate in activities that supports the goals of the Nurse Council, MNA, and UAN.
    - e) report to the Nurse Council membership regarding the delegate activities and,
    - f) encourage membership input and participation with MNA initiatives.

3. Further, it is recommended for Delegates to the MNA House of Delegates to:
  - a) attend the MNA Leadership Council (MNALC) and
  - b) become and remain informed of Nursing and labor issues of importance to the UAN, MNA, and Nurse Council.
  
4. Rules for the election to the MNA House of Delegates
  - a) Elections shall be held by secret ballot and administered by the Nominations Committee.
  - b) Proxy voting is not permitted.
  - c) Write-in candidates are permitted. To be eligible to serve, any write-in candidate must receive three votes.
  - d) Consent to serve for each candidate must be first obtained from all nominees and, subsequent to the elections from all elected write-in candidates. Such consent shall be given to a member of the Nominations Committee by the deadline cited by the Nominations Committee.
  - e) Terms of office shall begin upon completion of elections.
  - f) Nurse Council members elected to the MNA House of Delegates shall be elected at large to serve two year terms. Elections shall be conducted in odd years in accordance with time-lines established by the MNA.
  - g) Delegates elected shall be assigned to fill the allotted number of Delegate seats as determined by the MNA with candidates fulfilling the allotted Delegate seats in highest to lowest vote sequence.
  - h) In the event that there is a tie in the number of votes of any of the candidates, the Nominations Committee shall determine a fair, random, and open method to delineate the sequencing of Delegates and Alternative Delegates to serve at the MNA House of Delegates.
  - i) After the Delegates have filled the allotted number of Delegate seats, the remaining candidates in highest to lowest vote sequence shall assume alternate Delegate status. If an elected Delegate cannot serve at a House of Delegates, the highest vote alternate Delegate shall assume the seat of the Delegate who cannot serve at that House.
  
  - j) Election ballots must be preserved for at least two years.
  - k) MNA Certification of Elections Form shall be completed to report the University of Michigan Professional Nurse Council (UMPNC) Michigan Nurses Association Delegate(s) and alternate Delegate(s) election results and provide contact information per

MNA guidelines. The Election Form or other designated MNA election report form shall be sent to the MNA no later than April 28 of each year.

## Article IX Meetings

- A. Regular meetings of the Nurse Council shall be held at least four times per year. General membership meetings may have an Area focus, but are open to the business of the entire membership. In order to conduct formal business, twenty five (25) members constitute a quorum.
- B. The Executive Committee and Leadership Committee shall meet at least quarterly, and otherwise at the discretion of the Chairperson. A quorum for the Executive Committee shall consist of the Chair, or Vice Chair and one other Officer, plus a majority of the Executive Committee. The Executive Committee and Leadership Committee may meet jointly.
- C. A ratification vote must be held in order to accept or reject the proposed negotiated agreement and for modifications proposed during the life of the contract. Only MNA members of the Nurse Council may vote. A majority of those voting is required for ratification of the tentative agreement. Members must be notified five (5) days in advance of the ratification vote. Prior to the vote, a membership meeting shall be held to allow members of the negotiation team and members of the Nurse Council the opportunity to discuss the proposed changes to the agreement.
- D. Special meetings may be called by the Chairperson and must be called by the Executive Committee upon written request of 10 members. Notification of this meeting and the agenda shall be made seven (7) days prior to the meeting. No business shall be transacted other than the business identified in the notification.
- E. Prior to any job action:
  1. A special membership meeting shall be held to discuss the proposed action.
  2. Notification to the membership shall include date, time, location and agenda.
  3. A majority of the membership present and voting must approve such action by secret ballot at, or immediately following the special meeting.
  4. At least ten (10) days notification shall be given to the employer of any intended job action.
  5. Notice shall be given to the MNA Board of Directors that the Nurse Council has complied with the provisions of this section.

Article X  
Parliamentary Authority

The current edition of Robert's Rules of Order Newly Revised shall govern all meetings of the Nurse Council in all cases to which they are applicable, unless they are inconsistent with these bylaws and any special Rules of Order the Council may adopt.

Article XI  
Amendments

- A. These bylaws may be amended by a two-thirds vote of the members voting, provided fourteen (14) calendar days notice has been given and the proposed amendments have been made available to the membership.
- B. These bylaws may be amended without previous notice at any general membership meeting by 99% of the voting body present and voting.
- C. A meeting shall be held prior to any vote of proposed bylaw changes to allow the membership the opportunity to discuss and propose additional amendments. Members shall be notified of this meeting and the agenda at least 14 calendar days prior to the meeting.

Appendix A:

Representation Areas Please note: the Executive Committee has the authority to redistrict representation areas. The Executive Committee will place any area not listed below in the appropriate representation area.

University Acute Care:

(1 Chief Area Representative and 4 District Representatives)

4A, 4B/C, 5A, 5B, 5C, 6A, 6B, 6C, 7A, 7B/C, 8A, 8B, 8C, CVC Acute Care, Vascular Access Services, CSR Acute care cluster.

University Hospital ICU's:

(1 Chief Area Representative and 4 District Representatives)

Neuro ICU, SICU, CCMU, CICU, Acute Dialysis, Trauma/Burn ICU, Emergency Services, Survival Flight, Adult Pain Service, CVC ICU's, CSR Adult ICU Cluster.

Pediatric/Perinatal/Psychiatry:

(1 Chief Area Representative and 3 District Representatives)

PICU, PCTU, ECMO, Holden, Pediatric Dialysis, Women's Birthing Center, 9C, 9D, Child/Adolescent Psychiatry, Pediatric Dialysis, OB Anesthesia Nurses, CSR Pediatric ICU Cluster, CSR Pediatric Acute Care Cluster.

Ambulatory Care:

(1 Chief Area Representative and 4 District Representatives)

Taubman Clinics, Cancer Center, Turner, Employee Health Center, Off Site Health Practices, Howell Pediatrics, Dental School, Radiation/Oncology, University Health Service, Flint Student Health, Outpatient Psychiatric Clinics, Ambulatory Care CSR Cluster, All practices under the AC Local Operating Agreement.

Operating Rooms and Procedure Areas:

(1 Chief Area Representative and 5 District Representatives)

Main Operating Rooms, Main Recovery, Mott Operating Rooms, Mott Recovery, Medical Procedures Unit, Cardiac Catheterization/EPS/ECHO labs, Kellogg, Livonia Surgical Center, Angiography/Radiology, Cancer Center Infusion, Cancer Center B1 and B2, Photopheresis, Blood Bank/Apheresis, All Dialysis units except Pediatric Dialysis, East Ann Arbor Surgery Center OR and Recovery, CVC Operating and Recovery Rooms.

Advanced Practice:

(1 Chief Area Representative and 3 District Representative)

All Advance Practice Registered Nurses/pay grades N-4, NP-4, N-5 and N-6.

Continuity of Care Area:

(One Chief Area Rep and 3 District Reps.)

Practice Management Support Services, Michigan Visiting Nurses, Home Med, Home Infusion, and Non N-4's in Education Services for Nursing.

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