



## **What is the House of Delegates?**

The House of Delegates is our annual meeting, and it is the highest governing authority of PASNAP, as stated in our Bylaws [1]. As elected representatives of the entire membership, delegates elect the Executive Board, which is responsible for carrying out the Union's mission and vision and adopting policies consistent with our Constitution to achieve our expressed goals [2]. **Delegates receive a lengthy report on our previous year's activities and review the budget.**

The President of the Union chairs the House of Delegates and operates by Robert's Rules of Order (see **Parliamentary Procedure Summary**). The House has the right to vote on proposed bylaw changes, adopt policies, or make recommendations to the Board, provided they are consistent with our Constitution and Bylaws. During the general business session, members may bring forward motions for the body to consider. If these are presented before the House meets, they will be distributed for member review as part of your information folder when you arrive at the House. Still, they may be distributed at the meeting or simply presented verbally. **Motions submitted to the Executive Board at least two weeks before the House of Delegates will be distributed in delegates' packets.**

Robert's Rules guarantee that motions brought before the delegates get a fair hearing and are consistent with our governing documents, and that the meeting remains efficient and transparent.

Motions fall into two types: 1) Resolutions that are not binding on either the Executive Board or Members but express goals toward which we aspire or a value we hold. For example: "The House of Delegates strongly encourages every Local to establish a position for a Community and Political Outreach chair within their Local Executive Board." **(A motion requiring such a position would violate the autonomy of Locals under our Bylaws, and so would be out of order.)**

2) Mandatory policies or actions for the Executive Board, Locals, or members. Example: "PASNAP shall maintain full membership in and pay all required dues to NENA unless the House of Delegates approves a lesser level of participation." **(By using the word "shall" instead of "should," this motion would require the Executive Board to maintain full funding for NENA in our annual budget, a decision within the scope of the authority of the House of Delegates.)**

In addition to its formal responsibilities, the House is a rare opportunity for Members to meet each other from across the state and compare notes, learn what's happening across the Union, and attend workshops that strengthen our skills as PASNAP leaders.

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[1] Bylaws, "Article 5. The membership, at its Annual Meeting, shall have the following powers and duties:

1. To conduct the business of PASNAP at its Annual Meeting;
2. To elect the executive officers of PASNAP;
3. To recall an executive officer of PASNAP;
4. **To exercise all other powers which are customarily conferred upon the supreme governing body of an organization.**

[2] Bylaws, Article 4. "A. The Executive Board shall have the following powers and duties:

1. To carry out the mandates set at the Annual Meeting, to establish PASNAP policies that are consistent with those mandates, and to perform such other duties as may be required by the Constitution and Bylaws.

## PROGRAM

### PASNAP HOUSE OF DELEGATES 2024 SHAPING THE FUTURE OF HEALTHCARE Eden Resort and Suites

SUNDAY, APRIL 28

5:00 pm - 7:00 pm PASNAP Welcome Reception and Awards Ceremony -  
*Courtyard*

MONDAY, APRIL 29

7:30 am - 9:00 am Registration Opens - *Main Lobby*  
7:30 am - 9:00 am Delegate Breakfast Buffet - *Courtyard*  
8:00 am - 9:00 am Executive Board Meeting with Breakfast - *Presidential Ballroom*  
8:00 am - 9:00 am Treasurer Training - *Ryan Melvin, PASNAP Finance Director*  
*Crystal Room I*  
8:00 am - 9:00 am Membership Coordinator Training - *Karen Arms, Staff Representative-*  
*Crystal Room III*

9:00 am - 9:30 am **Welcome and Opening Remarks** - *Maureen May, PASNAP President*

9:30 am – 11:30 am **Plenary Session**  
Meg Soper  
*Operating room nurse, motivational speaker and stand-up comedian*  
*Meg Soper on “The Secret Sauce: Thriving in Times of Change!”*

Edie Brous, Esq., RN  
*PASNAP House of Delegates favorite Edie Brous will give a preview of*  
*her workshop*

11:30 am - 12:30 pm **Contract Campaigns and Organizing Wins – Member Reports**

12:30 pm - 1:30 pm **Lunch**

1:30 pm – 3:00 pm **WORKSHOPS - Session I**

- How What You Write Shows Up in Court – An Interactive Documentation Workshop - Edie Brous (*Presidential Ballroom*)
- Art Therapy for Healthcare Workers - Stephanie Wise (*State Room*)  
*Maximum 30 people*
- Just Culture - Barbara Olson, Mary Adamson, Maureen May (*Crystal II*)
- Violence Prevention in Healthcare - Cecelia Gilligan Leto, Authorized OSHA Trainer and Project Director for NJ WEC (*Regency I*)
- Campaign Updates: Safe Staffing and Workplace Violence Bills. What’s Happened, Where are We Going, and How We’re Going to Win - Steve Morris & Sean Gavin (*Regency II*)

- Taxation in Retirement - Jeffrey Walker, Bret Elam, Thrive Financial Services (*Crystal I*)
- Insta Fun! Build Solidarity Within Your Local With Social Media (Members share) Megan Gorman, Anthony Downing, Alexis Faisal + Members (*Embassy*)
- Organizing 101: How to Overcome Obstacles and Move People to Action - PASNAP Organizers (*Crystal III*)

3:30 pm – 5:00 pm

**WORKSHOPS - Session II**

- How What You Write Shows Up in Court – An Interactive Documentation Workshop - Edie Brous (*Presidential Ballroom*)
- Art Therapy for Healthcare Workers - Stephanie Wise (*State Room*)  
*Maximum 30 people*
- Just Culture - Barbara Olson, Mary Adamson, Maureen May (*Crystal II*)
- Violence Prevention in Healthcare - Cecelia Gilligan Leto, Authorized OSHA Trainer and Project Director for NJ WEC (*Regency I*)
- Worker’s Compensation and Social Security Disability: Know Your Rights - Jerry Lehocky, Pond Lehocky (*Crystal Room I*)
- Campaign Updates: Safe Staffing and Workplace Violence Bills – What’s Happened, Where are We Going, and How We’re Going to Win Steve Morris & Sean Gavin (*Regency II*)
- Techs and Pros Panel Discussion: Recent Fights/Wins, Goals, Standards, and Challenges - Meghan Devonshire, Nafis Hasan, Liz Laycak, Nick Alpers, Kyle Kintsche, Rich Myers, Alex Lotorto; Carlos Aviles, Lisa Frank, Kate Denny (*Embassy*)
- Coordinating our Bargaining: Recent Wins, Standards We’re Shooting For & Plans for Upcoming Fights - Andrew Gaffney, Kalie Gargone, Bob Bozek (*Crystal III*)

6:00 pm - 7:00 pm

7:00 pm

8:00 pm

**Cocktail Hour (*Courtyard*)**

**Dinner**

**After Party with DJ/Karaoke (*Crystal Room*)**

**TUESDAY, APRIL 30**

7:30 am - 8:45 am

**Breakfast (*Courtyard*)**

9:00 am - 12:00 pm

9:00 am

9:00 am - 9:15 am

9:15 am - 10:30 am

10:30 am - 12:00 pm

**PASNAP General Session**

Call to Order

Year in Review - Maureen May RN, PASNAP President

Directors and Treasurer Reports

Executive Board Elections

NENA Elections

PASNAP Strategic Plan

Call for Resolutions

Health and Welfare Announcements

**12:00 pm**

**Meeting Adjourned/Box Lunches**



## **Parliamentary Procedure Summary**

Each officer and delegate should become familiar with the fundamental rules of parliamentary procedure. The business of any meeting is conducted more efficiently and quickly with parliamentary procedure and gives members a sense of security in knowing what course of action may be taken and in what order.

The rules of parliamentary law are built on a careful balance of the rights of persons and groups within an organization. The rules are based on regard for the rights of the majority (defined as more than half), the minority and individual members.

### **Order of Business**

**Call to Order:** The President determines if a quorum is present. No business may be conducted if the meeting lacks a quorum. The President calls the meeting to order.

**Roll Call:** The Vice President takes the roll call.

**Reports of Officers:** The President calls on the officers with reports - these reports are not adopted or approved.

**Reports of Standing Committees/Special Committees:** These reports are not adopted or approved unless there is a recommendation for action included in the report. The Committee Chair makes the motion by stating, "On behalf of the committee, I move for the adoption of (insert motion needed to implement action)."

**Unfinished Business:** Announced only if there are such items postponed from the last meeting.

**New Business:** The President asks if there is any new business. This is when members bring motions to the floor. A motion requires a second to be considered. The President will ask if there is a second. The seconder does not have to be recognized. If there is no second the motion fails. If it is seconded, the President will state the motion, "It is moved and seconded that we add a coffee break to this meeting, is there any discussion?" Members then have the opportunity to debate the motion.

During this time, members can propose amendments to try to perfect the motion. The

amendments must be seconded. Amendments will be discussed and voted on prior to the vote on the original motion. If the originator agrees with the amendment, the motion as amended will be brought to the floor for a vote without a separate vote on the amendment.

Members can make motions to:

Quick Reference					
	Must Be Seconded	Open for Discussion	Can be Amended	Vote Count Required to Pass	May Be Reconsidered or Rescinded
Main Motion	√	√	√	Majority	√
Amend Motion	√	√		Majority	√
Kill a Motion	√			Majority	√
Limit Debate	√		√	2/3 <sup>rds</sup>	√
Close Discussion	√			2/3 <sup>rds</sup>	√
Recess	√		√	Majority	
Adjourn (End meeting)	√			Majority	
Refer to Committee	√	√	√	Majority	√
Postpone to a later time	√	√	√	Majority	√
Table	√			Majority	
Postpone Indefinitely	√	√	√	Majority	√

Each motion must be disposed of somehow (passed, defeated, tabled, referred to committee, ruled out of order or postponed indefinitely).

Delegates may not interrupt a speaker except to:

- Make a parliamentary inquiry - to get information about rules
- If you can't hear, for comfort or safety reasons
- If you see a breach of the rules - ask for a "point of order"

### **8 Steps to Making Motions**

1. A member rises and addresses the chair when nothing is pending. "Madam President"
2. The President recognizes the member. "The Chair recognizes..."
3. The member states her motion. "I move that we add a coffee break to this meeting."
4. Another member, without recognition, seconds the motion, "Second"
5. The President states the motion and asks for discussion. "It is moved and seconded that we add a coffee break to this meeting. Is there any discussion?"
6. Members have the right to get recognized and debate the motion. During debate, amendments or a motion to postpone may be introduced.
7. Amendments to the motion are debated and voted on first unless they are "friendly amendments" and the originator agrees with the amendment.
8. When the discussion is finished, the President brings the motion to a vote. "The motion is that we add a coffee break to this meeting at 10 am (a friendly amendment). Those in favor say "Aye,"

those opposed say “No.” The results of the vote are announced - “The Ayes have it, the motion is adopted, we will have a coffee break at 10.” Or, “The Nos have it, the motion is defeated, we will not have a coffee break at 10.”

**Adjournment:** The President calls for any further business, if there is none, she will ask for a motion to adjourn.

# PASNAP HOUSE OF DELEGATES 2024

**Sunday, April 28–Tuesday, April 30**  
**Eden Resort and Suites, Lancaster, PA**

## SHAPING THE FUTURE OF HEALTHCARE

Every year, we come together at our House of Delegates meeting to strategize ways to build a more powerful, engaged, and active union—to meet members from all PASNAP locals, to elect members to our Statewide Executive Board, to share what works and what we are planning in the year ahead, to learn, to collaborate, and to have fun. This year, as we reflect back on 2023, we'll also look forward to the year and decade ahead. Our theme is "Shaping the Future of Healthcare"—don't miss it!

In addition to learning how to strengthen our ability to win excellent contracts with safe staffing, solid wage increases, better working conditions and protections for caregivers, and no healthcare give-backs, we'll learn about recent wins and standards we are striving to achieve in PASNAP contracts statewide. We'll hear from an OSHA trainer about workplace violence prevention. We'll learn how using social media can strengthen your Local and raise PASNAP's profile statewide. And much, much more.

**We're also excited and very proud to host operating room nurse and stand-up comedian Meg Soper this year!**



**PLUS:** Some HOD 2023 faves are returning: Nurse Attorney Edie Brous will be back to lead an important workshop on how to document incidents and experiences for court appearances. And art therapist Stephanie Wise will once again lead "Art Therapy for Healthcare Workers" workshops.

**REGISTER AND RESERVE YOUR ROOM NOW** →

And contact your local board if you're interested in running for a delegate position.



## PASNAP Executive Board Consent to Serve Form

### 2024 Election for seats on the PASNAP Executive Board

There are 8 PASNAP Executive Board positions up for re-election at this year's House of Delegates: Vice President and Treasurer, and 6 At Large Members, all with 2-year terms.

**By completing and returning this Consent to Serve form, you are expressing your interest in filling one of these positions and consenting to serve in that position if elected by voting delegates.**

I, \_\_\_\_\_ (print name), consent to serve as:

Vice President     Treasurer     At Large Member

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Executive Board Consent to Serve forms are due to the PASNAP office by April 16; no forms will be accepted after that date.** Forms can be mailed to PASNAP, 3031 Walton Road, Suite C-104, Plymouth Meeting, PA 19462-2326; scanned and emailed to [hilary@pasnap.com](mailto:hilary@pasnap.com); or faxed to the attention of Hilary Williams at (610) 567-2915. PLEASE follow up with an email to [hilary@pasnap.com](mailto:hilary@pasnap.com) to alert us that your form has been submitted and to confirm its receipt.

## PASNAP/NENA Consent to Serve 2024

I, \_\_\_\_\_, consent to serve as a  
(print name)

PASNAP representative to the NENA Executive Board as a Member at Large.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**TO SUBMIT A CONSENT TO SERVE:** This form can be filled out and emailed to Hilary Williams at [hilary@pasnap.com](mailto:hilary@pasnap.com). Or, you can simply email Hilary and state in your email that you consent to serve as a PASNAP representative to the NENA Executive Board as a Member at Large.



***Pennsylvania Association of Staff Nurses and Allied Professionals***

**CONSTITUTION**

**ARTICLE I.        *Name***

The name of this association shall be the PENNSYLVANIA ASSOCIATION OF STAFF NURSES AND ALLIED PROFESSIONALS, (hereinafter referred to as “PASNAP”).

**ARTICLE II.        *Purpose***

**Mission Statement**

The purpose of the Pennsylvania Association of Staff Nurses and Allied Professionals shall be to protect and advance the interest of its members, promote safe, quality health care, and campaign for laws which will improve patient safety and provide better working conditions.

With nurses and health care professionals collectively organizing our power we can reach out to our thousands of unorganized colleagues in the Commonwealth and make a difference for our professions and our patients.

**Vision Statement**

PASNAP is an aggressive, focused group of staff nurses and health care professionals who are committed to creating professional empowerment and dedicating resources to organize. At the same time we seek to lead the struggle to establish laws that will guarantee health care as a human right for all people.

**ARTICLE III.        *Membership Eligibility***

- A. Regular membership shall be available to persons currently employed as health care professionals or technical employees in a bargaining unit represented by PASNAP. Members of local associations must maintain membership in the appropriate membership category of PASNAP in accordance with requirements established in PASNAP and local bylaws.
- B. The Executive Board may designate other categories of membership together with the requirements of said categories.
- C. All rights, title, and interests of a member in and to the property of PASNAP shall end upon termination of membership.

**ARTICLE IV.       *Executive Officers***

- A.     The officers of PASNAP shall be the President, Vice-President, Secretary and Treasurer who shall participate as voting members of the Executive Board. Only active members of PASNAP in category A in Article III above may hold these offices or vote in the election of officers.
- B.     Officers shall serve for a term of 2 years, which shall begin with the next scheduled Board meeting following their election.
- C.     A vacancy in the office of President shall be filled by the Vice-President until the next regularly scheduled election. A vacancy in any other elected office shall be filled by appointment by the Executive Board until the next Annual Meeting, which shall elect a successor for the remainder of the term.
- D.     The election of all officers shall be in accordance with the bylaws.

**ARTICLE V.       *Executive Board***

- A.     The Executive Board shall consist of the Executive Officers, and eleven members elected at large at the annual meeting from among the local associations. In order to ensure broad representation on the Executive Board, not more than one of the nine Members-at-large may come from the same local association as an Executive Officer; provided further, that no more than one of the elected Executive Officers may come from one local association.
- B.     The Executive Board shall meet at least four times a year at times and places designated by the President.
- C.     Members-at-large shall be elected in conformity with the bylaws. The nominees receiving the highest vote totals shall be elected. There shall be no run-offs except in a tie vote for the ninth position.
- D.     Any vacancy shall be filled by appointment by the Executive Board until the next Annual Meeting, which shall elect a successor for the remainder of the term.

**ARTICLE VI.       *Annual Meeting***

- A. Local association representatives and officers shall comprise the voting participants at the Annual Meeting. Executive Officers shall be entitled to vote at the Annual Meeting on all matters except dues and the election of PASNAP Officers.
- B. Each local association shall be entitled to one representative for every 50 active members or major fraction thereof. Irrespective of size, however, each local association shall be entitled to at least one representative. The determination for the number of representatives for each Annual Meeting will be made on February 1<sup>st</sup> of the year of the Annual Meeting. An exception to this rule will be made for newly organized local union chapters who become dues paying members between December 31<sup>st</sup> and the date of the Annual Meeting.
- C. Local Associations may designate elected local officers as ex-officio delegates through provision of Local bylaws. The president of each local association shall be an ex officio delegate and, if a local association has more than one delegate, the vice president of said local association shall be an ex officio delegate. If a local association is entitled to more than two delegates, such delegates shall be elected by the local association no later than March 1 of the year of the Annual Meeting.
- D. The Annual Meeting will be held each year in April. The Executive Board may call Special Meetings as provided herein with adequate notice being given to local associations and representatives.
- E. Elections for delegates to the Annual Meeting shall take place by secret ballot among members in good standing of PASNAP and the local association either by mail, electronically and/or at a special meeting conducted between February 1 and March 1 of the year of the Annual Meeting depending on the method selected by the local Board. A newly organized local association which has enrolled dues paying members after February 1 of the year of the Annual Meeting but cannot conduct a special meeting by March 1 shall be permitted to conduct said special meeting no later than March 31. Fifteen days written notice by mail to the members' last known address or electronic mail of the date and time of such special meeting shall be given to the members of the local association.
- F. After completion of the voting, the ballots shall be tabulated and members obtaining the highest number of votes shall be elected to the delegate positions.

- G. Any objections to the election of delegates must be filed by candidates with the Secretary of PASNAP no later than three (3) calendar days after the election. Upon receipt of such an appeal, the President of PASNAP shall designate a member of the PASNAP Executive Board to conduct an investigation within ten (10) days and such member shall issue a decision within twenty (20) days after the filing of the protest. If the investigation shows that there were violations which may have affected the outcome of the election of delegates, the election may be set aside and a new election held. In such circumstances, the new election, which must be conducted within seven (7) days of the decision of the member assigned to investigate, shall be conducted under the supervision of a representative designated by the PASNAP Executive Board member who conducted the investigation.

**ARTICLE VII.      *Membership Year***

The membership year for PASNAP shall be July 1 through June 30.

**ARTICLE VIII.     *Fiscal Year***

The fiscal year for PASNAP shall be July 1 through June 30.

**ARTICLE IX.        *Non-Profit Status***

PASNAP is not organized for profit and no part of its earnings shall inure to the benefit of any private member or individual.

**ARTICLE X.         *Amendments***

- A. This Constitution may be amended by a two-thirds vote, either at membership meetings, by mail or electronic ballot, depending on the method selected by the Executive Board. Two-thirds of those present at the meeting, or two-thirds of all returned mail or electronic ballots, must vote in favor of the amendments. Any amendment must be proposed with the endorsement of the majority of the entire Executive Board or with the written endorsement of at least ten percent of PASNAP's membership.
- B. Notification of any proposed amendment to the Constitution shall be provided to the membership no less than thirty (30) days prior to any vote occurring on such amendment.



Pennsylvania Association of Staff Nurses & Allied Professionals

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**ARTICLE XI.      *Bylaws***

Bylaws and all subsequent amendments not inconsistent with this Constitution may be adopted by a two-thirds vote of the membership voting at any membership meeting or by mail or electronic ballot, depending on the method selected by the Executive Board.

*Revised and adopted 12/31/23*



## **BYLAWS**

### **ARTICLE I.           *PASNAP Objectives***

The objectives of PASNAP shall be as follows:

- A. To protect and advance PASNAP's organizational security;
- B. To improve the structure of PASNAP in order to ensure full and effective participation of all members, thereby establishing and maintaining an independent, self-governing organization;
- C. To promote and to protect the rights and welfare of its members;
- D. To advance professional rights and to enhance professional responsibilities in order to further the consistent development and improvement of the profession and its practitioners.

### **ARTICLE II.           *Membership Categories***

- A. Regular membership shall be available to any person actively employed as a health care professional or technical employee and in a certified bargaining unit represented by PASNAP who has completed a membership application to PASNAP, and is current in their dues.
- B. Regular membership may be either full-time, part-time, casual or per diem. Membership dues for all members employed in bargaining unit facilities shall be 1.2% of gross wages.
- C. Dues cap. The monthly cap will increase for RNs by \$14 in July 2023. The monthly cap will increase by \$20 in July of 2024 and July of 2025. There will be no increase in 2026. The monthly cap will increase by \$20 in 2027. There will be no increase in 2028. In 2029, the monthly cap will increase by \$20 for all members. The monthly cap will then increase moving forward by \$10 annually for all members.

For professional and technical staff, the monthly cap will increase by \$11 in July of 2023. The monthly cap will increase by \$15 in July of 2024 and July of 2025. There will be no increase in 2026. The monthly cap will increase by \$15 in 2027. There will be no

increase in 2028. In 2029, the monthly cap will increase by \$20 for all members. The monthly cap will then increase moving forward by \$10 annually for all members.

- D. Reserve membership is available to employees who are on unpaid leave from health care employers and in a bargaining unit represented by PASNAP. A person on unpaid leave shall be obligated to pay three-quarters' annual dues if receiving three-quarters' annual salary or less, one-half annual dues if receiving one-half annual salary or less, and one-quarter annual dues if receiving one-quarter annual salary or less.
- E. Retired membership is available to any person formerly a member of a health care bargaining unit represented by PASNAP at the time of retirement or resignation.
- F. Associate membership shall be available to any individual employed in a health care profession who is not employed in a bargaining unit represented by PASNAP.
- G. Regular members have the right to vote in PASNAP elections, and in local association elections and in any election regarding approval of a collective bargaining agreement or a decision to strike. The Executive Board shall determine the rights, responsibilities, and dues, if any, for members in categories other than active, except that they may not vote on the matters referenced in this section.

*Amended at House of Delegates May 2, 2023*

**ARTICLE III.        *Powers and Duties of Officers***

- A. The President shall have the following powers and duties:
  - 1. To represent PASNAP as spokesperson;
  - 2. To serve as chairperson of the Executive Board;
  - 3. To perform such functions as may be approved by the Executive Board or which are customarily performed by the President of an organization including the right to delegate certain duties to the officers.
- B. The Vice-President shall have the following powers and duties:
  - 1. To perform the duties of the President in the absence of the President;
  - 2. To perform such duties as are delegated by the President.
- C. The Treasurer shall have the following powers and duties:
  - 1. To receive all monies of PASNAP and to pay out the same upon order of the Executive Board;
  - 2. To report to the Executive Board on all PASNAP receipts and disbursements;

3. To maintain or cause to be maintained all financial records required by regulation of the Department of Labor and the LMRDA;
4. To serve as chair of the Finance Committee.
5. To perform such other duties as may be assigned by the Executive Board.

D. The Secretary shall have the following powers and duties:

1. To write, or cause to be written, and maintain the minutes of all meetings of the Executive Board, the Annual Assembly, and any special meetings called under the authority of this Constitution and Bylaws.
2. To maintain, or cause to be maintained, paper and electronic archives of the minutes and all proceedings of the above referenced meetings, and all non-financial union records required by the Department of Labor and the LMRDA.
3. To perform such other duties as may be assigned by the Executive Board.

E. At-large board members shall have the following powers and duties:

1. To serve on a minimum of two committees.
2. To act as a liaison to assigned locals as assigned by the executive committee.
3. To perform such duties as may be assigned by the executive committee.

#### **ARTICLE IV.       *Powers and Duties of the Executive Board***

A. The Executive Board shall have the following powers and duties:

1. To carry out the mandates set at the Annual Meeting, to establish PASNAP policies which are consistent with those mandates, and to perform such other duties as may be required by the Constitution and Bylaws;
2. To adopt a Code of Ethics for PASNAP and its members, to adopt procedures for investigation, hearing and review of alleged violations of the Code of Ethics, and to appoint hearing panels as needed;
3. To censure, suspend, or expel a member of PASNAP for conduct inconsistent with the goals and objectives of PASNAP upon recommendation of an appointed hearing panel. The Executive Board shall be the only entity with the ability to censure, suspend, or expel members of PASNAP from membership at either the local or state level;
4. To call a Special Meeting of the membership upon three-fifths vote of all Executive Board members;
5. To approve the establishment of new local associations;
6. To delegate such duties as it deems appropriate and to perform such duties and exercise such powers which are expressly or by implication provided for in the Constitution and Bylaws;
7. To adopt policies to implement this Constitution and Bylaws and for the operation of PASNAP.
8. A majority of the Executive Board shall constitute a quorum sufficient for conducting the business of PASNAP unless otherwise specified in these documents.

- B. Members of the Executive Board shall not be personally liable for monetary damages for any action taken or any failure to take any action, except as provided for by the Director's Liability Act of 1986.
- C. Standing Committees. The following standing committees of the Board shall be appointed by the President with approval of the Board. The Board shall have the ability to create or dissolve committees as they are relevant to the needs of the Union. Such committees shall have the responsibilities as listed in the relevant policies of the Board. Standing committees may include but not be limited to: Finance, Personnel, PAC, Education, Elections, HOD, Strategic Planning, Bylaws, Grievance.

**ARTICLE V.           *Annual Membership Meeting***

- A. The membership at its Annual Meeting shall have the following powers and duties:
  - 1. To conduct the business of PASNAP at its Annual Meeting;
  - 2. To elect the executive officers of PASNAP;
  - 3. To recall an executive officer of PASNAP;
  - 4. To exercise all other powers which are customarily conferred upon the supreme governing body of an organization.

**ARTICLE VI.           *Elections***

- A. Each year, at the October meeting of the Executive Board, an Elections committee shall be appointed by the President with the approval of the Board for a one-year term. The committee shall consist of three (3) members of the Board who are not candidates for election at the Annual Meeting in the following year, unless there are not three Board members who meet that criteria in which case the committee shall consist of three (3) PASNAP members in good standing appointed by the President.
- B. The committee shall certify the eligible voters, as defined in this Constitution and Bylaws, and the number of delegates to the Annual Meeting for each chapter.
- C. The committee shall adopt a standard practice for nomination of delegates, other than ex officio delegates, and Executive officers and Board members, and insure that such information is communicated to all regular members at least thirty days prior to the close of nominations.
- D. Nominations shall close two weeks prior to the Annual Meeting.
- E. The election committee shall prepare the ballot, the voting rosters, and count the ballots at the Annual meeting.
- F. All election materials will be retained for three years.

**ARTICLE VII.      *Local Associations***

- A. Local associations shall be organized by the active members within a healthcare facility or bargaining unit represented by PASNAP. Where multiple bargaining units exist within a single facility, represented members may choose to have distinct locals for each distinct bargaining unit.
- B. A local association shall have categories of membership which are consistent with PASNAP's categories of membership.
- C. Local associations shall require recognition and approval of the Executive Board.
- D. The Constitution and Bylaws of local associations shall be consistent with the Constitution and Bylaws of PASNAP.
- E. Any local association wishing to amend, revise, replace or otherwise change its constitution or Bylaws may do so by a two-thirds vote of the members voting, provided that proper and adequate notice of at least 30 days has been given to all members of the proposal to amend, revise, replace or otherwise change such local constitution or Bylaws and subject to the provisions of Paragraph D of this Article. Any proposed amendments must be verified by the Executive Board of PASNAP in advance of notice and submission to the members in order to be effective. Should any provision of any local association's constitution and Bylaws contravene the laws or regulations of the United States or the Commonwealth of Pennsylvania, PASNAP shall (1) deem such provision invalid; and (2) conform the local association constitution and Bylaws to the relevant statutes or regulations. Decisions made by the PASNAP Executive Board may be appealed to the full Board by filing a written notice of such appeal within ten (10) days after the decision is issued. The Executive Board shall provide the opportunity for all interested parties to be heard and shall consider all other information obtained in the investigation conducted by a member or members of the Executive Board.
- F. The constitution of each local association shall contain:
  - (a) a provision establishing a quorum for each local association executive board and membership meetings and, in the case of any local association whose constitution and Bylaws do not contain a provision establishing a quorum, the quorum for meetings of such local association shall be ten percent of the membership in good standing in such local union and for the local executive board, more than 50% of its members; and
  - (b) a provision stating that "except to the extent specified in this constitution, no officer of this local association shall have the power to act as agent for or otherwise bind the association in any way whatsoever. No person or group of persons shall have the power to act on behalf of or otherwise bind this association except to the extent specifically authorized in writing by the president of the association or by the executive board of the association."

- G. The financial books and other records of local associations, including financial books and other records concerning any health and welfare, pension, insurance or other benefit programs covering members of such local associations, shall be open to inspection at any time by representatives designated by the Executive Board of PASNAP. Such inspection may be made at reasonable places and times designated by the accredited representatives and the books and records may be taken into possession by the representative upon giving receipt therefor. The principal financial officer of each local association shall see that any financial reports required by this Constitution or by the local association constitution and Bylaws be submitted to PASNAP within thirty (30) days of completion.
  
- H. If any local association ceases to exist, all monies, books, collective bargaining agreements and any other memoranda of understanding or other agreements concerning wages, hours, or terms and conditions of employment of members of such local association and other properties shall be transmitted to the Treasurer of PASNAP and assigned to PASNAP.

**ARTICLE VIII.     *Trusteeship***

- A. The PASNAP Executive Board is empowered to place a local association under trusteeship pending notice and hearing if the PASNAP Executive Board finds that a local association has (1) seceded or purports to have seceded, or (2) threatens to dissolve or secede, or (3) threatens to dissipate its funds or assets, or (4) has deliberately filed false dues reports or other financial reports, or (5) is engaged in financial malpractice or corruption, or (6) interferes publicly with a PASNAP organizing campaign, or (7) conducts the affairs of the local association in such a manner as to jeopardize the fundamental rights and interests of the membership of the local association or PASNAP, or (8) violates the PASNAP Constitution and Bylaws or any lawful order of PASNAP, and that such conduct cannot and will not be immediately remedied by the local association, such that the PASNAP Executive Board believes that an emergency exists.
  
- B. During the trusteeship, the PASNAP Executive Board shall assume the affairs and business of such local association and may appoint a trustee. All actions of the trustee shall be subject to the direction, instructions and approval of the PASNAP President. Such trustee shall have the right, upon demand, to take possession of all the funds, property, books and other assets of such local association for the period that the trustee is in charge, with such assets to be held in trust for the benefit of the local association and to be expended only to the extent necessary for the proper conduct of the affairs of the local association. The trustee shall institute all necessary action to recover money or other property of the local association. The trustee shall be authorized and empowered to suspend from office any or all the officers and appoint temporary officers, from among the members in good standing of such local association, for the duration of the trusteeship; to remove or replace representatives or other employees of such local association; and to take such other actions as are necessary for the preservation of the rights and interests of the members of the local association and of PASNAP. The trustee may manage the affairs of the local association with the assistance of the officers or

temporary officers herein provided for until the trusteeship is terminated. The trustee shall submit complete monthly reports of the trustee's actions and of the affairs of the local association to the PASNAP Executive Board. Such Trusteeship shall be continued no longer than is necessary. The local association shall have the right to appeal to the PASNAP Executive Board for removal of the Trusteeship on the ground that such Trusteeship has been continued longer than is necessary; provided, that no such appeal may be made within six months after a prior decision by the PASNAP Executive Board.

- C. When the PASNAP Executive Board places a local association under trusteeship, the President of PASNAP shall appoint from among the members of the Executive Board a Trusteeship Hearing Board composed of three members. Said panel shall designate one of the members to serve as Chairperson. The Chairperson of the Trusteeship Hearing Board shall be responsible for making all hearing arrangements and for giving adequate notice to the local association.
- D. A hearing shall be held before the Trusteeship Hearing Board as soon as is consistent with due process, but with not less than seven days' notice, and not later than twenty-one days after the imposition of any Trusteeship. All interested parties shall be given a fair opportunity to present their views on the matter.
- E. The Trusteeship Hearing Board shall as expeditiously as possible decide whether the local association has committed any of the acts enumerated above.
- F. If a majority of the Trusteeship Hearing Board decide that the local association has not committed any of the acts enumerated in Section 1, the trusteeship shall be vacated. If a majority of the Trusteeship Hearing Board decides that the local association has committed any of the acts described in Section 1, then the Executive Board of PASNAP shall take such action as it deems appropriate.
- G. When a Trusteeship is terminated, the trustee shall return all funds, books, property and other assets of the local association to its appropriate officers. The trustee shall make a final accounting of the Trusteeship and submit it to the PASNAP Executive Board and to the local association.
- H. No financial obligation or liability of the local association which may exist at the time the Trusteeship is instituted or which may have been incurred before that time, shall be assumed by or become an obligation of PASNAP.

#### **ARTICLE IX.       *Recall***

An officer of PASNAP or an Executive Board representative at large may be recalled from office by two-thirds vote of the representatives at the Annual Meeting. Recall shall be initiated by a recall petition signed by 25 percent of the membership.

#### **ARTICLE X.       *Parliamentary Authority***

Robert's Rules of Order shall be the parliamentary authority for PASNAP on all questions not covered by this Constitution and Bylaws or by rules of procedure adopted at the Annual Meeting.

## **ARTICLE XI.**

Except to the extent specified in this Constitution and Bylaws or expressly authorized by PASNAP, no member of PASNAP nor any officer or representative of any local association shall have the power to act for or otherwise bind PASNAP in any way whatsoever.

## **ARTICLE XII.      *Elections Code***

### **A.      General provisions**

1. No funds of PASNAP or any local association shall be used to support the candidacy of any member for any elective office within PASNAP or any local association.
2. No publication sponsored by or supported by PASNAP or any local association shall endorse or support any candidate for elective office within PASNAP or any local association.
3. Any nominee or announced candidate for elective office shall have the right once prior to the election to have mailed, through the union office but at private expense, campaign literature. In a local association election, such literature may be mailed to each member in good standing. In a PASNAP election, such literature may be mailed to each affiliated local association and/or to each member in good standing.
4. No member whose eligibility for membership is based upon employment in a position for which another organization is the exclusive representative with regards to wages, hours, or other terms and conditions of employment shall be eligible to seek or hold office with PASNAP or a local association; provided, that any member now serving a term of office shall not be barred by this Section from completing the remainder of such term of office.

### **B.      Election of local association officers**

1. To be eligible for election, a nominee must be a member in good standing of the local association and must meet such other conditions as are stipulated in the constitution of the local association.
2. An Election Committee shall be established and shall have general responsibility for the conduct of the election in accordance with this Constitution and the constitution of the local association. Any challenge concerning the eligibility of any nominee shall be referred to the Election Committee for decision and the decision shall be reported to the local association prior to the election. The Election Committee shall also report, as expeditiously as possible, the results of the balloting, together with recommendations regarding any protests which have been lodged regarding the conduct of the election. No member of the Election Committee may be a candidate for office.
3. The terms of office for officers of local associations shall be set forth in the constitution of each subordinate body but may not exceed three years.

4. Not less than fifteen days prior to the holding of nominations for local union officers, a notice of the nominations and elections shall be mailed to each member at the member's last known address.
5. Nominations may be made at a regular or special meeting by a local association member. Nominations may also be made by a nominating committee, unless prohibited by the constitution of the Local association. Those nominated shall be afforded the opportunity to decline, and the name of any nominee who declines shall not appear on the ballot. Write-in votes shall not be valid for any purpose.
6. In any case where there is only one nominee for office, such nominee shall be declared elected. In all other cases, election shall be by secret ballot. All local association members shall be afforded a reasonable opportunity to vote.
7. Local association elections may be conducted at the same meeting as nominations, at the following meeting, by referendum, and/or by mail or electronic ballot depending on the method selected by the local Executive Board and as provided in the local association constitution or Bylaws.
8. For in-person or elections by mail, any candidate whose name is to appear on the ballot shall have the right to have present an official observer of the candidate's own choosing, who must be a member of PASNAP, in all places where ballots bearing the candidate's name are to be cast or counted. There shall be no campaign activity within 50 feet of the polling area.
9. Upon completion of the voting, the ballots shall be tabulated and the candidate for each office receiving a majority of the votes cast for that office shall be declared elected. Those elected shall be installed in office within 14 days. The names, addresses and terms of office of the newly elected officers shall be submitted to the Secretary of PASNAP.
10. Upon completion of the voting, the ballots shall be tabulated and the candidate for each office receiving a majority of the votes cast for that office shall be declared elected. Those elected shall be installed in office within 7 days. The names, addresses and terms of office of the newly elected officers shall be submitted to the Secretary of PASNAP.
11. Vacancies in office shall be filled in accordance with provisions of the constitution of the local association. If no constitutional provision exists, vacancies shall be filled by vote of the executive board of the local association.
12. All election records, including ballots, shall be retained by the local association for at least one year after the election.

C. Challenges and protests

1. Any member of a local association may challenge the eligibility of any nominee by filing a challenge with the Election Committee prior to the holding of the election. The Election Committee shall make a determination regarding the challenge, and shall report its ruling to the local association. The local association shall either accept or reject the ruling of the Election Committee prior to the election.
2. Any protest concerning the conduct of the election may be lodged at the meeting at which the election is conducted or by filing such protest in writing with the local

- association within seven days following the election. All interested parties shall be afforded an opportunity to be heard. Such protests shall be decided by the local association not later than thirty days after the filing of the protest.
3. If the local association determines that there were violations which may have affected the outcome of the election, it may order such election or any part thereof set aside, and a new election held. Any officers who have been installed prior to such determination shall remain in office pending the outcome of any new election or of a future appeal.
  4. Any protestant or nominee adversely affected by a decision on a challenge or a protest may file a written appeal with PASNAP within ten days of the local association's decision, or, if no decision has been rendered, within 30 days after filing the original protest with the local association. Upon receipt of such an appeal, the President of PASNAP shall designate one or more members of the PASNAP Executive Board to conduct an investigation, affording all interested parties an opportunity to be heard, and such member or members shall issue a decision within forty days after the filing of the protest. If the investigation shows that there were violations which may have affected the outcome of the election, the election or any part thereof may be set aside and a new election held. In such circumstances, the new election may be conducted under the supervision of a representative designated by the PASNAP Executive Board member(s) who conducted the investigation.
  5. Decisions made by a PASNAP Executive Board member or members may be appealed to the full Executive Board by filing written notice of such appeal within ten days after the decision is issued. Should a decision not be issued within the time limit set forth above, an appeal to the full PASNAP Executive Board may be filed within ten days after the expiration of such time limit. The PASNAP Executive Board shall hear and decide such appeal at its next meeting. The PASNAP Executive Board shall provide an opportunity for all interested parties to be heard, and shall consider all other information obtained in the investigation conducted by a member or members of the PASNAP Executive Board.
  6. No local association funds shall be used to institute legal action outside the union to challenge election rulings.

### **ARTICLE XIII.     *Rights of Members***

- A. Any member may file charges against any other individual member for actions taken while a member of PASNAP or a local association. Any and all charges must be filed solely under this Constitution and Bylaws and will be governed by the procedures set forth herein.
- B. The following and no other shall constitute the basis for filing of charges:
  1. Violation of any provision of the PASNAP Constitution and Bylaws;
  2. Misappropriation, embezzlement, or improper or illegal use of PASNAP and/or local association funds;

3. Any action by an officer or member of PASNAP or local association which results in the expenditure of PASNAP or local association funds without proper authorization;
  4. Acting in collusion with management to the detriment of the welfare of PASNAP and/or a local association to the detriment of the membership;
  5. Any action or activity which assists or is intended to assist a competing organization within the jurisdiction of PASNAP;
  6. Refusal or deliberate failure to carry out legally authorized decisions of PASNAP;
  7. Willful violation of a legally negotiated and approved collective bargaining agreement;
  8. Using the name of PASNAP and/or a local association in an unauthorized manner or for an unauthorized purpose.
  9. Obtaining membership through fraud or misrepresentation;
  10. Deliberately interfering with an official, officer or employee of PASNAP in the lawful performance of such person's lawful duties;
  11. The solicitation or acceptance of a bribe or acceptance of any gift of more than nominal value from any employer, member, group of members or employee of PASNAP and/or a local association, or from any person or entity which has or is seeking to establish a business relationship with PASNAP or any local association;
  12. Conviction of a crime, the nature of which is to bring PASNAP as an organization into disrepute;
  13. Making abusive statements or discriminatory statements demonstrating hostility on the basis of race, sex, color, national origin, religion, creed, sexual orientation or gender in the performance of one's duties as an officer of PASNAP or a local association or as a member of PASNAP at a function authorized or sponsored by PASNAP or a local association;
  14. Knowingly submitting a false report as to dues or other financial or/other audit report to PASNAP or any local association or knowingly and intentionally making any false financial report or statement to any lawfully constituted body at any level of the union.
- C. Charges shall be in writing and shall be signed by the member or members bring the charges. The charges shall be specific, citing in detail the nature, the date and the circumstances of the alleged offense and where a violation of a constitutional provision is alleged, the specific section shall be cited, along with the specific act or failure to act which constitutes the alleged violation. The charges shall be filed with the Secretary of PASNAP.

- D. Within fifteen (15) days of receipt of the charges, the Secretary or designee shall send by registered mail, return receipt requested, an exact and full copy of the charge to the accused party or parties, together with a copy of this Article of the Constitution and Bylaws and an explanation of the trial procedure. The President shall designate three (3) members in good standing of PASNAP to serve on a hearing panel.
- E. The hearing panel shall fix the date, time and place for the trial, in such manner as to afford the maximum convenience to both the accused and the accuser. Except as otherwise specifically provided in this Constitution, it shall not be necessary to maintain a verbatim record of the trial unless request for such record is made by a directly interested party to the proceedings. If such request is made, the party making it shall be responsible for the cost of such record and of three copies of the transcript, one of which will be furnished to the trial body and one to the opposing party.
- F. The accused member(s) shall be guaranteed the following rights:
1. The right to be served personally with, or to have forwarded by registered mail to the accused person's current address of record with the local union, return receipt requested, a full copy of the charges within fifteen days after they are filed and to receive a copy at least thirty days before the trial date.
  2. The right to file a written answer to the charges.
  3. The right to be tried within sixty days after having been personally served, or sixty-three calendar days after having been forwarded, a copy of the charge(s) as provided in this Article.
  4. The right to have at least fifteen days' advance notice of the date, time, and place of the trial.
  5. The right to confront the accuser.
  6. The right to cross-examine the accuser and any witnesses.
  7. The right to present witnesses in the accused person's behalf.
  8. The right to compel the production of union records pertinent to the case.
  9. The right to choose another member to act as the accused person's counsel in the case.
  10. The right to be presumed innocent unless proven guilty.
  11. The right to refuse to testify; provided, however, that this right shall not include the right to refuse to produce at the trial any papers, books, or financial or other records which are the property of the union and which are pertinent to the case.
  12. The right to appeal, in the manner hereafter provided.
  13. The right to choose either an open or closed hearing.

14. The member(s) bringing the charge shall be guaranteed the following rights:
  15. The right to receive a copy of any written answer to the charge which may be filed by the accused at the time such answer is filed.
  16. The right to have the initial trial body convened no later than seventy-eight calendar days after the charge(s) have been filed.
  17. The right to have at least fifteen days' advance notice of the date, time, and place of the trial.
  18. The right to give personal testimony.
  19. The right to present the testimony of others and to cross-examine witnesses presented by the accused.
  20. The right to compel the production of union records pertinent to the case.
  21. The right to choose another member to act as the charging party's counsel in the case.
  22. The right to appeal, in the manner hereafter provided.
- G. The member bringing the charge shall be under the following obligations:
1. To file the original charge in sufficient detail as to afford the accused person full opportunity to prepare a defense.
  2. To appear in person at the trial.
  3. To assume the burden of proof.
- H. The hearing panel may, if it finds the accused person guilty, assess any one or more of the following penalties:
1. A formal reprimand, accompanied by a formal warning against any repetition of the act or acts of which the accused is found guilty.
  2. Full or partial restitution, where the consequences of the offense can be measured in material terms.
  3. Removal from office of PASNAP or the local association.
  4. Suspension from the right to hold any elected position with PASNAP or a local association at which the charges originate for a period not to exceed four years.
  5. Suspension from the right to hold or seek any elected position with PASNAP or a local association for a period not to exceed four years.
  6. Suspension from membership for a specified period of time, not to exceed two years.
  7. Expulsion from membership.

8. Suspension from employment by PASNAP or a local association.
  9. Removal from employment by PASNAP or a local association.
  10. Any individual who has been suspended, expelled or removed as provided in paragraphs e, f, g, h, i or j, above, may not, during the period of such penalty, be employed in any capacity by PASNAP or any local association.
- I. All decisions must be rendered by the hearing panel, within thirty days following completion of the trial, except by mutual consent of the accuser and the accused.
  - J. The decision of the hearing panel body may be appealed by either party to the PASNAP Executive Board.
  - K. If the charges are not sustained, and the hearing panel or PASNAP Executive Board is convinced that the charges were not brought in good faith or were actuated by malice, either forum may impose such penalty on the charging member(s) as in its judgment is deemed proper under the circumstances. In any case, the member(s) against whom the penalty is imposed shall have the right to appeal the imposition of the penalty in the manner provided for other appeals, beginning at the level immediately above the trial or appellate level at which the penalty was imposed, and no such penalty shall take effect while an appeal of such penalty is pending.
  - L. Either party may, within thirty days following receipt of the decision, file an appeal to the PASNAP Executive Board in the same manner as is provided for the filing of original charges with such trial body. The appeal shall be in writing, and shall be accompanied by a copy of the original charge and of the decision which is being appealed. The appeal shall set forth in substance the appellant's reasons for believing the trial body was in error and the nature of the error.
  - M. Decisions of the hearing panel shall be in full force and effect from the date of the decision until and unless reversed or modified by the PASNAP Executive Board; provided, however, that except in matters subject to Section I of this Article, the PASNAP Executive Board, upon receiving a notice of appeal, may order a delay in the carrying out of any penalty which has been assessed, pending its hearing and disposition of the appeal.

*Revised and adopted 4/27/21*