

**LABOR CAUCUS  
DEMOCRATIC STATE CENTRAL COMMITTEE  
BY-LAWS**

**Article I- Definitions and Purpose**

**Section 1**

This Caucus comprises the Labor members of the State Central Committee of the Democratic Party of California.

**Section 2**

It shall be the purpose of this Caucus to promote and encourage full participation by the labor movement in the Democratic Party and its activities at all levels. It shall be the further purpose of this Caucus to initiate and support party policies and issues which reflect the interests and welfare of working people and to act as the vehicle for the implementation of these policies.

**Section 3**

This Caucus specifically recognizes its' obligations to adhere to the General Policies and Provisions of the CDP By-Laws

**Article II -Membership**

**Section 1**

Persons eligible for membership in this Caucus are all duly credentialed members of the State Central Committee of the Democratic Party who are also members of unions, retired members of unions or staff employed by unions...A union is defined as a labor organization which conducts collective bargaining.

Membership should be provided to persons of voting registration/preregistration age (as defined in the Elections Code) who meet the eligibility requirements for Caucus membership, and who are either (a) registered Democrats or (b) ineligible to register as Democrats, but who have expressed an intent to register as a Democrat upon becoming eligible and full voting rights should be extended to all such persons who meet the voting requirements of the Caucus.

**Section 2**

Associate membership is hereby created by this section. Any registered Democrat within the State of California who is also a union member, a retired union or staff employed by a union may be and become an associate member of the Labor Caucus, by application, acceptance by the Executive Committee and the payment of the prescribed dues. Associate members shall have the right to attend and participate in all meetings of the full Caucus, but shall have no vote in meetings of the Caucus or its committees

### **Section 3**

The Caucus is prohibited from discriminating on the basis of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, economic status, or disability as defined by the Americans with Disabilities Act of 1990.

### **Article III - Meetings**

#### **Section 1**

Regular meetings of the entire Labor Caucus will be held in conjunction with the regularly scheduled meetings of the State Central Committee and its Executive Board.

#### **Section 2**

Special meetings of the Labor Caucus may be called:

- (a) Upon call of the Caucus Chair, or; Upon call of the Caucus Chair, within 15 days immediately following his/her receipt of a written request for a special meeting signed by not fewer than 25 members of the Labor Caucus, or;
- (b) Upon the call of the Executive Committee.

#### **Section 3**

All meetings shall be conducted in compliance with Robert's Rules of Order except as otherwise provided in these By-Laws as interpreted by the Parliamentarian, or by the Chair in the absence of the Parliamentarian. All meetings shall be held in accordance with the CDP Open Meeting Policy.

#### **Section 4**

Meetings of the Labor Caucus shall be scheduled at a time that provides for optimum attendance.

#### **Section 5**

A statewide conference of the Labor Caucus may be called, annually in any of the methods and manners set forth in Section 2, and must be held at least once biennially, at a time and place to be determined by the Executive Committee of the Caucus.

### **Article IV - Officers**

#### **Section 1**

Officers of this Caucus shall be a Chair, a Vice-Chair, a Secretary, a Treasurer and a Parliamentarian.

#### **Section 2**

Any member of the Labor Caucus shall be eligible for any elective or appointive office in the Caucus, provided said member is a full, current dues paying member, and a member of the DSCC.

### **Section 3**

The Parliamentarian shall be appointed by the Caucus Chair, with the advice and consent of the Executive Committee. Chairpersons of all standing committees shall be appointed by the Caucus Chair, with the advice and consent of the Executive Committee.

## **Article V - Executive Committee**

### **Section 1**

The Executive Committee of the Labor Caucus shall be composed of the Chair, the Vice- Chair, the Secretary, the Treasurer, the Parliamentarian, the Chairpersons of all standing committees and no more than seven (7) at-large members.

### **Section 2**

The Caucus Chair, with the advice and consent of the Executive Committee, shall appoint the At-large members of the Executive Committee.

### **Section 3**

The duties and responsibilities of the Executive Committee are:

- (a) To exercise general supervisory and administrative authority over the Labor Caucus;
- (b) To confirm nominations made by the Chair for the office of Parliamentarian and for the Chairs of all standing committees or of any special committees which the Chair may deem necessary from time to time in the execution or implementation of his/her administrative program for the interest, betterment, improvement, growth and/or advancement of the Labor Caucus or the causes which the Caucus espouses, promotes or supports, and;
- (c) To formulate and implement the plans, programs and agenda for the operation, functioning, work and service of the Labor Caucus, both for the California Democratic Party and the labor community which the Caucus is dedicated to serve.

## **Article VI - Powers and Responsibilities of Officers**

### **Section 1**

The Caucus Chair shall be the principal executive officer and the official spokesperson of and for the Caucus. The Chair shall carry out the policies of the Caucus and shall perform the actions necessary and reasonable to effectuate the purposes of the Caucus. In the performance of said duties, the Chair shall be the representative of the Caucus to the Executive Board.

### **Section 2**

The Caucus Vice Chair shall do all things that are necessary to aid and assist the Chair in the performance of his/her duties and in the absence of the Chair, assume the responsibilities of the Chair.

### **Section 3**

The Caucus Treasurer shall take custody of all funds, raised directly or indirectly or received by the Caucus, after having the same made and entered into the records of the Secretary. The Treasurer shall deposit all funds with the State Party promptly and process according to the rules promulgated by the CDP Finance Committee and shall initiate disbursements as are ordered by the Chair and the Executive Committee. The Treasurer shall make reports at each regular or special meeting of the Caucus of all receipts and disbursements and shall, always, make the reports available to all Caucus members and/or members of the Executive Committee.

The Treasurer, when directed, shall prepare a biennial budget for approval by the Caucus and for submission to the State Chair or to the Chair of the Budget and Finance Committee of the California Democratic Party in accordance with the party By-Laws. The Treasurer shall also file quarterly financial reports with the CDP treasurer.

The Treasurer, when required, shall also prepare and submit to the Secretary of State all reports required by the Political Reform Act.

### **Section 4**

The Caucus Secretary shall maintain all records of this Caucus. They shall serve all required notices to each individual member of the Caucus at least 10 days prior to the convening of each meeting. They shall deposit the notices by U.S. Mail or any of the following forms of communication to which the member has consented: Fax, E-Mail, , phone and/or text and all available forms of communication including posting on the Labor Caucus website.

In addition, the Secretary shall discharge all such duties as pertain to the office of Secretary, including keeping minutes.

If, upon good cause, the time is shortened; the Secretary may give notice by phone, fax, e-mail and/or use all available forms of communication including posting on the Labor Caucus Website at least 7 days prior to the meeting.

E-Mail notice via email will be considered valid if:

- (1) The sender and receiver have both consented, in writing, to sending and receiving notice in this manner,
- (2) The notice was sent to or from the email address specified when giving consent, or most recent email address specified on a subsequent notice of change of address by sender or receiver,
- (3) The obligation to inform and procedure for informing of any change in email address has been specified in writing, and
- (4) There is an opportunity to opt out of such consent at an appropriate time.

### **Section 5**

The Caucus Parliamentarian shall have the duty and responsibility to ensure that all meetings are orderly run in accordance with Robert's Rules of Order and these By-Laws.

## **Article VII - Election of Officers**

### **Section 1**

All elective officers shall be elected at the first meeting of each Democratic State Central Committee, held for organizational purposes in the odd numbered years following the general elections.

### **Section 2**

- a) All Officers shall be elected by a voice vote or show of hands unless a motion for a ballot is approved by the body, Officer elections take place at the Membership Meeting of the Caucus held at the State Convention in odd numbered years. Voting will be in person only, no proxy voting. A member of the DSCC whose name does not appear on the role of the Labor Caucus may vote a provisional ballot.
- b) Balloting process shall be handled by an ad hoc committee comprised of volunteers who are not seeking to run for Labor Caucus officers. Provisional ballots shall be counted if the result of the race would differ dependent on the provisional vote The Secretary of the Caucus shall secure and preserve ballots and tallies, if any, until ten (10) days after the Executive Board meeting next succeeding the balloting or the resolution of any challenge or appeal, whichever is later.
- c) Disputes to the election process or membership shall be referred to the Rules Committee for adjudication.

- d) The Secretary of the Caucus shall provide timely notice for nominations, election date and time, and any applicable deadlines, and voting or candidate eligibility requirements. The Secretary of the caucus shall also be the person responsible for keeping the record of who has paid or has waived caucus dues and is responsible for keeping a full membership roster of current voting Caucus members. Candidates or voters can verify eligibility prior to the election with the Secretary of the Caucus.
  
- e) Those who wish to run for office must be members in good standing of the Caucus defined as meeting the criteria outlined in Article II, Section 1 of these bylaws for a minimum of thirty [30] days prior to the date of the election and must file notice of their intent to run for office in writing by email to the Labor Caucus email address on the CADEM website or by U.S. Postal Mail to the Secretary of the Labor Caucus at the address specified- on CADEM website in either case not later than thirty [30] days prior to the election.
  
- f) Late nominations, including nominations from the floor, shall be accepted only if no timely notices of intent to run for a particular office have been filed, or all those who have timely filed have either withdrawn their nominations or have failed to appear in person.
  
- g) Candidates may request a list of the Labor Caucus membership by emailing the request to the Secretary of the Caucus no later than two weeks before the Convention.

### **Section 3**

All elective officers shall be elected by a simple majority of the members present and voting at the election meeting. All members who are current in their dues and meet the criterion as specified in Article II are eligible to vote. Eligibility shall be determined by the dues list provided by the Party with the addition of those eligible and who have paid their dues prior to voting on a motion or election.

### **Article VIII -Term of Office**

The term of office for all officers shall be two years from the time of election and installation, unless otherwise provided by these By-Laws.

### **Article IX- Vacant Offices**

A vacancy in the office of Caucus Chair shall be filled by the Vice Chair ; and vacancies in all other offices shall be filled by appointment of the Executive Committee with the advice and consent of a voting majority at the next succeeding Caucus session

## **Article X -Voting**

Voting shall be in person only. No vote by secret ballot shall be taken.

## **Article XI - Removal from Office or Membership**

### **Section 1**

An officer of the Labor Caucus may be removed for cause, by the following procedure: Written charges of malfeasance, non-feasance and/or misfeasance, brought by no fewer than ten (10) members of the Caucus, shall be submitted to the Secretary, who will notify the accused officer, and all members of the Executive Committee, of the charges. The Executive Committee shall then determine whether the charges and the evidence supporting the charges are sufficient to justify proceeding against the officer.

### **Section 2**

If the Executive Committee finds, after a review, study and evaluation of evidence, that the evidence is insufficient to warrant or justify proceedings, the charges shall be dismissed by the Executive Committee.

### **Section 3**

If the Executive Committee finds, after a review, study and evaluation of evidence, that the evidence is sufficient to warrant or justify proceedings against the accused officer, the Executive Committee shall hold a hearing, after due and timely notice, or appoint a hearing committee to conduct a fact-finding hearing of the charges and the written response of the accused, and to report its findings to the Executive Committee at its next regular or special meeting. Witnesses for both the accuser and the accused may give testimony at the hearing. After submission of all the evidence and the proper deliberations thereon, the hearing committee will make its findings of fact and submit them, together with its recommendations to the Executive Committee for ultimate resolution of the dispute.

### **Section 4**

If either party to the dispute is unhappy or dissatisfied with the resolution of the dispute by the Executive Committee, he/she may appeal the decision of the Executive Committee to the full Labor Caucus at its next regular or special session.

### **Section 5**

A two-thirds vote, of those Executive Committee members present and voting shall be required to punish or to remove from office the officer charged.

## **Section 6**

If the decision of the Executive Committee is appealed to the full Caucus, a two-thirds vote of those Caucus members present and voting shall be required to overrule the decision of the Executive Committee. Any Caucus vote less than the required two-thirds will be deemed an affirmation of the decision of the Executive Committee. No further appeal can or may be made from the decision of the Caucus in such matters.

## **Article XII - Quorum**

### **Section 1**

Six fully accredited members of the Labor Caucus shall constitute a quorum when meeting in conjunction with the Executive Board of the California Democratic State Central Committee.

### **Section 2**

For any other meeting of the Caucus, a quorum shall be 25 fully accredited members.

## **Article XIII - Dues**

### **Section 1**

The annual membership dues of the Labor Caucus shall be an amount as set, from time to time, by the Executive Committee and approved by the Caucus. As approved by the Caucus at the State Convention on March 7, 2014, the Labor Caucus Dues are \$15.00 on-line and/or credit card prior to the meeting, or \$20.00 at the door.

### **Section 2**

The dues for all associate members shall be the same as those of regular members.

**Section 3**—Dues will be waived by the Executive Committee for those who seek a dues waiver by the applicable deadline and self-identify as being unable to pay dues due to either economic hardship or an objective impediment to payment of dues. There will be equal treatment for purposes of voting or seeking office in Caucus Officer elections for membership applicants who pay dues or seek membership by means of a dues waiver.

### **Section 4**

The Executive Committee may establish a sponsorship program for labor organizations in order to encourage their financial support of the activities of the Caucus.



## **Section 5**

The caucus shall neither raise nor disburse funds other than nominal dues, and standard or routine costs of regular meetings (such as postage, and other costs associated with notice, as well as the cost of meeting rooms), which shall be promptly accounted for, reflected in a quarterly financial report to the Treasurer of This Committee and processed according to rules (a) promulgated by the Finance Committee and (b) reflected in the Caucus bylaws.

## **Article XIV -Standing Committees**

### **Section 1**

There shall be a standing committee on By-Laws, which shall be known as the Laws and Revisions Committee, whose function, duty and responsibilities shall be to write and prepare proposed amendments and revisions to these By-Laws. The committee shall consist of the officers of the Caucus and/or any other members appointed by the Caucus Chair.

### **Section 2**

There shall be a standing committee on voter registration and voter education, whose responsibility shall be to design voter registration programs to increase the registration of labor Democrats. These programs shall include district and community seminars and workshops to educate union members on the importance and necessity of participating in the political process. Programs shall be approved and implemented by all members of the Caucus.

### **Section 3**

There shall be a standing committee on membership, whose responsibility shall be to promote and solicit membership of all eligible individuals in the Labor Caucus of the California Democratic Central Committee. The chairperson shall establish membership cards and maintain application forms on credentialed and associate members.

### **Section 4**

The Chair of the Labor Caucus shall be an ex-officio member of every standing committee and of any and every special committee of the Caucus. Each standing committee shall meet at the regularly scheduled Labor Caucus meetings or at the call of the chairperson.

## **Article XV - Resolutions, Proposals and Endorsements**

### **Section 1**

Only those resolutions presented in writing by members of the Labor Caucus will be considered for adoption by the Caucus.

### **Section 3**

Candidates for public office, seeking the endorsement of the Labor Caucus must be presented to the Caucus by a member of the Caucus. Candidates may be endorsed by the Caucus only upon a two-thirds vote of the Caucus members present at the meeting at which the endorsement vote is taken.

### **Section 3**

Candidates for public office may be endorsed by the Caucus only if they have previously been endorsed by the California Democratic The Caucus is not allowed to independently endorse candidates or ballot measures other than those who/which received the official endorsement of the California Democratic Party.

## **Article XVI • Amendments**

### **Section 1**

These By-Laws may be amended at any meeting of the full Labor Caucus by a two-thirds majority of the Caucus members present and voting.

### **Section 2**

Proposed amendments must be submitted to, and received by, the Secretary of the Caucus not less than one month prior to the meeting at which they are voted on.

### **Section 3**

Copies of any proposed amendments must be mailed to each member of the Caucus at least 15 days prior to the meeting at which they are to be voted on.

## **Article XVII • Effective Date of Amended By-Laws**

Amendments to these By-Laws shall become effective immediately upon their adoption by the Labor Caucus of the California Democratic State Central Committee, and a copy will be filed with the Rules Committee of the California Democratic State Central Committee.

## **Article XVIII • Code of Conduct of the CDP**

### **Expected Behavior**

The California Democratic Party (CDP) Labor Caucus is committed to providing a welcoming, respectful, friendly, safe, supportive, and harassment-free environment for members, employees, and all others associated with the CDP. The Labor Caucus expects all leaders, members, to act professionally, respecting the personal rights and dignities of all individuals involved with the party so as to create a productive, inclusive environment for all. All individuals should feel welcome and safe within the Labor Caucus, regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy, race, color, ethnicity, national origin, ancestry, religion, creed, age, physical or mental disability, medical condition, genetic information, marital status, military or veteran status, body size, domestic violence victim status, or any other legally protected classifications. The CDP's behavior standards are not limited to CDP conventions and other meetings. Harassment will not be tolerated at any and all events sponsored by or affiliated with the CDP, as well as in CDP-related calls, texts, emails, and social media like Facebook, Instagram, and SnapChat.

### **Unacceptable Harassment**

The CDP Labor Caucus will not tolerate harassment—that is, disrespectful or unprofessional conduct based on any of the protected categories listed above. Prohibited harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing based on the protected categories listed above), visual (such as the posting or distribution of offensive posters, symbols, cartoons, drawings, computer displays, or emails based on the protected categories listed above), or physical (such as physically threatening another person, blocking someone's way, touching private parts, making physical contact in an unwelcome manner, etc.).

The CDP Labor Caucus will not tolerate sexual harassment, that is, harassment based on sex or conduct of a sexual nature, which includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity or gender expression. Prohibited sexual harassment may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

The CDP Labor Caucus prohibits quid pro quo sexual harassment, such as when submission to sexual conduct is made explicitly or implicitly a term or condition of an individual's membership in the party, appointment to committee, leadership, or other role within the Labor Caucus; or submission to or rejection of sexual conduct by an individual is used as the basis for decisions affecting that individual.

The CDP Labor Caucus prohibits the creation of a hostile environment, that is, conduct that creates an intimidating, hostile or otherwise offensive environment, including but not limited to: unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails or gifts; sex, gender or sexual orientation-related comments, slurs, jokes, remarks or epithets; leering, obscene or vulgar gestures or making sexual gestures; displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items; impeding or blocking movement, unwelcome touching or assaulting others; any abusive yelling or screaming, other verbal threats, or disrespectful

language (in any form) directed at a person; any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances; and conduct or comments consistently targeted at one gender, even if the content is not sexual.

The examples above are just that—examples. In general, any conduct listed above or that is based on the protected classifications listed above that could interfere with an individual's participation in the CDP Labor Caucus or could create an offensive environment will be considered harassment in violation of this code of conduct. This is the case even if the offending individual did not mean to be offensive. It is essential that we all be sensitive to the feelings of others.

### **Retaliation Prohibited**

The CDP Labor Council takes very seriously its responsibility to provide all members with a welcoming, respectful, and safe environment and urges any member who feels uncomfortable, unwelcome, or unsafe to report harassment (of themselves or observed with respect to others) as soon as possible. Retaliation for reporting harassment or discrimination, or participating in an investigation with respect to harassment or discrimination, is prohibited.

Retaliation may include, but is not limited to, exclusion from meetings or committees, ostracism, badmouthing, or other conduct that may limit engagement with the CDP, or that would be reasonably likely to deter a reasonable CDP member from reporting harassment or participating in a harassment

Amended-June 10, 1995  
Reaffirmed-April 4, 1997  
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