

CONSTITUTION

ARTICLE I - NAME

The name of this non-profit corporation is the Minnesota Government Engineering Council (MGEC), which is a membership organization.

ARTICLE II - OBJECTIVES

1. To advance the professional and economic status of the members and associates.
2. To promote the highest standards of engineering and professional practice among its members and associates.
3. To encourage participation in engineering and related professional societies, and to provide a means of exchanging information and expressing opinions on matters pertinent to the furtherance of high engineering, professional, and technical standards.
4. To act as exclusive representative for an appropriate unit or units composed of a member group or groups as the Laws of the State of Minnesota may allow, to negotiate and administer collective bargaining contracts and to deal with public employers concerning grievances and terms and conditions of employment.
5. To assist engineering and other related professional organizations in activities which are in the best interests of the members and associates.

ARTICLE III - MEMBERS, ASSOCIATES AND VOTING RIGHTS

Membership Eligibility: Persons eligible for membership of this organization shall be all persons meeting any one of the following requirements:

1. Employees of the State of Minnesota that are included in Unit (12) "Professional Engineering Unit" as established by Minnesota Statutes. Members meeting this requirement, except those mentioned in BY-LAW 3-3 (fair share), shall have the right to run for all elected offices.
2. Members of a Chapter as authorized in ARTICLE XIV.
3. Honorary Life Members as provided in the By-Laws of this Constitution. Honorary Life Members shall not hold any elected office.

Full Members: Full members of the organization must meet the eligibility requirements for membership and provide written statement that they agree to be full members and pay dues (as set by the MGEC Executive Board).

Associates: Associates of the organization shall be all persons who are: Registered Professional Engineers or related professionals who are employed by the State of Minnesota and are not included in Unit # 12 mentioned in Section 1 above, and who voluntarily choose to associate with MGEC. Associates shall not have the right to run for MGEC office or vote.

Voluntary Fair Share Participants: Persons eligible to be members of the organization who choose to voluntarily pay an amount less than full dues (the amount is set by the Executive Board) shall be Fair Share Participants. Fair Share Participants shall not have all the rights (or rights shall be limited) of membership including but not limited to voting, holding office, or representing MGEC.

Represented Non-Members: Persons eligible to be members of the organization who choose not to pay member dues or voluntary fair share contributions. Represented Non-Members are covered by the terms and conditions negotiated by MGEC, but have no rights to MGEC organizational privileges and benefits.

Voting Rights: **Only full members of the organization** ~~All members except those mentioned in BY-LAW 3-3 (fair share) and Honorary Life Members,~~ shall have **full** voting rights on matters coming before this organization, except that, if this organization is certified as the exclusive representative of any group of its members for collective bargaining purposes, voting on said groups contractual matters shall be restricted to the **full** members of that particular group.

ARTICLE IV - FUNDS

Operating funds shall be acquired as provided in the By-Laws.

ARTICLE V - ADMINISTRATION

1. The governing body of this organization shall be the Executive Board which shall consist of the President, the Vice President, the Secretary, the Treasurer, a minimum of six Directors selected from **full** members of this organization employed by the State of Minnesota, the most recent Past President available and one Director from each chapter.
2. The Executive Board shall be custodian of all properties of this Organization.
3. All members of the Executive Board shall be notified of the date, time and place of the Executive Board meeting.
4. A majority of the voting members of the Executive Board shall constitute a quorum.
5. All administrative affairs shall be conducted by a majority vote of the attending voting members of the Executive Board providing a quorum is present.
6. There shall also be an Executive Committee, which shall consist of the President, Vice President, Secretary, Treasurer, and the Past President. The function(s) of the Executive Committee shall be described in the By-Laws. The Executive Committee shall meet as determined by the President. All members of the Executive Committee shall be notified of the date, time and place of the meeting.

7. In the event that any Officer or Director of this organization ceases to be eligible to seek office, he/she shall resign his/her position on the Executive Board within one month of when eligibility is lost.

ARTICLE VI - OFFICERS

1. The Officers of the Organization shall be a President, a Vice President, a Secretary, a Treasurer and the most recent Past President available.
2. Should the Office of President become vacant, the vacancy shall be filled by the Vice President.
3. Should a vacancy occur in any other office or directorship (with the exception of the Past President or a Chapter Director), it shall be filled for the unexpired term by appointment of the Executive Board.
4. Should the Vice President accede to the Office of President because of a vacancy in that office, he/she shall complete that term followed by his/her own term of office as set forth in ARTICLE VII, Section 2.
5. Should both the Office of the President and the Office of the Vice President become vacant at the same time, the Past President shall call a meeting of the Executive Board. The Executive Board shall fill the unexpired terms by appointment.
6. Should the Office of Vice President become vacant and that vacancy filled by appointment of the Executive Board, the Vice President so appointed shall not accede to the Office of President as stated in ARTICLE VII, Section 2, of this Constitution. The positions of President and Vice President shall, under these circumstances, be filled at the next general election.

ARTICLE VII - TERMS OF OFFICE

1. The term of office for the President and Vice President shall be one administrative year.

2. The Vice President shall serve in that office for one administrative year and at the end of that administrative year accede to the Office of President.
3. The term of office for Treasurer and Secretary shall be two administrative years.
4. The Directors elected shall serve for a term of two administrative years with the terms of half of their number expiring at the end of each administrative year.
5. Except for the President and the Vice President, any officer may be nominated to succeed himself/herself.

ARTICLE VIII - DUTIES OF OFFICERS

The duties of the officers shall be as specified in the By-Laws.

ARTICLE IX - ELECTION OF OFFICERS AND DIRECTORS

1. The President shall appoint a nominating committee of at least three **full** members approved by the Executive Board. The nominating committee shall strive to nominate at least one candidate for each officer position and at least two candidates for each director position to be filled. The nominating committee shall strive to nominate candidates from agencies other than Mn/DOT so that at least two directorships on the Executive Board will be held by **full** members not employed by Mn/DOT.
2. The names of the nominees shall be presented to ~~the members of the Organization at least thirty (30) calendar days preceding the designated~~ **preceding** election day.
3. Ballots shall be prepared with the names of the nominated candidates grouped under the heading of the office or directorship for which they are nominated. Each grouping shall contain one blank line upon which the voting member may write in the name of any member as the candidate of his/her choice and vote for such candidate.
4. The President shall appoint a teller committee of three **full** members who are not members of the nominating committee and are approved by the Executive Board.

5. Ballots shall be sent to all ~~eligible~~ full members at their last known address, or by electronic balloting, at least fifteen (15) calendar days prior to the designated election day. Ballots must be received by the teller committee by 4:30 p.m. on the designated election day.
6. After all eligible ballots have been received, they shall be tabulated by the teller committee and the tabulation submitted to the President.
7. The candidate receiving the highest number of votes cast for the particular office or directorship shall be declared elected.

ARTICLE X - REMOVAL OF OFFICERS AND DIRECTORS

The following procedure shall be used to remove an officer or director from the office or directorship held in this Organization. This Article shall not apply to a duly elected Director representing a Chapter. Removal of a Director representing a Chapter shall be the exclusive prerogative of the Chapter.

1. A statement of charges in writing shall be presented to the officer or director being charged. The statement of charges shall originate with a majority vote of the members of the Executive Board, exclusive of the officer or director being charged, or by a petition signed by ten percent of the members of the Organization.
2. The officer or director charged shall be allowed fourteen (14) calendar days to submit a rebuttal to all charges made. This time limit may be extended at the discretion of the Executive Board if in their opinion there are extenuating circumstances.
3. If the officer or director does not choose to rebut the charges made within the allotted time or any extension thereof, the officer or director shall be summarily dismissed and a successor appointed to fill the vacancy under the terms of ARTICLE VI, Section 2 or 3, of this Constitution.
4. If the officer or director submits a rebuttal to the charges, copies of the charges and rebuttal shall be prepared after text review by the Executive Board and by the officer or director

charged. Copies, along with a ballot, shall be submitted to all ~~eligible~~ full members of this organization at their last known address or e-mail address at least fifteen (15) calendar days prior to a date specified by the Executive Board.

5. Ballots shall be returned to the Executive Board and must be received by 4:30 p.m. on the date specified. Ballots shall be reviewed ~~opened and counted~~ by two full members - one appointed by the Executive Board and a second appointed by the officer or director charged. A tabulation of the votes shall be submitted to the Executive Board.
6. If two thirds of the votes cast are in favor of removal of the officer or director charged, he/she shall be summarily dismissed by the Executive Board and a successor appointed to the vacancy under the terms of ARTICLE VI, Section 2 or 3, of this Constitution.

ARTICLE XI - AMENDMENTS

1. Amendments to this Constitution may be proposed by either of the following:
 - a. A majority vote of the Executive Board.
 - b. A petition signed by not less than ten percent of the eligible full members. The amendment shall be submitted to the ~~membership~~ of this organization within ninety (90) calendar days after receipt by the Executive Board.

2. Copies of the amendments along with a ballot shall be submitted to all full ~~eligible~~ members of this organization at their last known address, or by electronic balloting, at least fifteen (15) calendar days prior to a date specified by the Executive Board.
3. Ballots shall be returned to the Executive Board and must be received by 4:30 p.m. on the date specified. Ballots shall be tabulated by a teller committee appointed by the President and the results announced to the ~~organization~~ membership.
4. Whenever feasible, a vote on amendments shall be taken at the same time and on the same ballot used in the annual election of officers and directors.
5. Amendments that received a two-thirds favorable vote of the total number of votes cast shall be considered enacted.

ARTICLE XII - AFFILIATED GROUPS

1. Affiliation with ~~o~~ Organization shall be available to any organization when such affiliation, in the opinion of the Executive Board, would be in the best interests of both organizations.
2. The eligibility of any group seeking affiliation shall be determined by a two-thirds majority vote of the Executive Board of MGEC.
3. Affiliation status may be revoked at any time by a two-thirds majority vote of the Executive Board of MGEC.

ARTICLE XIII - BY LAWS

1. Amendments to the By-Laws for the purpose of establishing rules and directions for the operation and administration of this Organization shall be adopted in the same manner as

amendments to the Constitution are adopted as stated in ARTICLE XI hereof with the exception that a simple majority of the votes cast shall be sufficient for enactment.

2. The rules contained in Robert's Rules of Order shall govern the Organization in all cases to which they are applicable and in which they are not inconsistent with the Constitution and the By-Laws of this Organization.

ARTICLE XIV - CHAPTERS

1. In furtherance of improving the goals, objectives and administration of MGEC, the Executive Board, upon request, may authorize the establishment of Chapters. The formation of the Chapter shall be in the best interests of MGEC as determined by the Executive Board.
2. The request for Chapter status shall be accompanied by a petition signed by at least two-thirds of the full Mmembers of the proposed chapter. The membership of the Chapter shall be left up to the Chapter, except that all members of the chapter shall be employed by a political subdivision of the State of Minnesota.
3. Approval of Chapter status shall be by a two-thirds majority vote of the Executive Board of MGEC.
4. The Constitution and By-Laws of the Chapter and subsequent amendments thereto shall be subject to approval by the Executive Board of MGEC. Said Constitution shall exempt MGEC from any liability for debts incurred by the Chapter.
5. Upon being granted Chapter status, the Chapter shall be entitled to designate one Director to the Executive Board of MGEC. Terms and selection of Directors representing Chapters shall be determined by the Chapter.

6. Chapter status may be revoked at any time by a two-thirds majority vote of the Executive Board of MGEC.
7. Each duly constituted Chapter may organize in a form and manner within itself that will best serve its own interests subject to the requirements of Section 4. of this Article.
8. A Chapter shall be entitled to request and receive the services of MGEC. Payment of dues by the Chapter membership as provided in the By-Laws of this Constitution shall be considered as full compensation for all regular and routine services provided by MGEC. Should circumstances require prolonged and extensive services for the sole benefit of the Chapter, the Executive Board, by a majority vote, may assess the Chapter. Prior to June 1st of every calendar year, the Chapter shall submit in writing to the Executive Board, an hourly estimate and purpose of the anticipated services of MGEC for the 12-month period commencing the following July 1st. The Executive Board shall review the estimate and advise the Chapter if an additional assessment is deemed necessary and the approximate amount thereof. In reviewing the need for an assessment the Executive Board shall consider the following factors:
 - a. The dues contributed by the Chapter.
 - b. The extent to which MGEC and the engineering profession as a whole would benefit by the purpose of the services provided to the Chapter.
 - c. The overall needs for the services of MGEC by other Chapters and MGEC affiliates.
 - d. The extent and cost of services provided to the Chapter in previous years.
 - e. Other MGEC budgetary constraints.
9. Except as provided in Section 5 above, Chapter members shall only hold office within their own Chapter.

BY-LAWS

BY-LAW 1 - CALENDAR

The administrative year of the Organization shall be from January 1 through December 31, and the fiscal year of the Organization shall be from July 1 through June 30.

BY-LAW 2 - TERMINATION OF MEMBERSHIP

~~Full M~~membership shall be automatically terminated when a ~~full~~ member not on payroll deduction is one month in arrears in dues or he/she voluntarily ceases to be employed by the State of Minnesota or any of its political subdivisions.

BY-LAW 3 - FUNDS

1. Dues ~~or contributions~~ shall be determined by the Executive Board based upon the yearly budget and payable as follows:
 - a. ~~Dues or financial contributions may be paid by payroll deduction. For those Full Mmembers and Voluntary Fair Share Participants~~ eligible for payroll deduction and who do not elect a cash method of payment, the dues shall be payable continuously on a bi-weekly basis ~~or due July 1st of each calendar year for the upcoming year.~~
 - b. ~~Dues or financial contributions may be paid by a cash form (currency, check debit or money order) on an annual basis. For those members persons not eligible for payroll deduction or those members persons~~ eligible for payroll deduction who do not elect that

~~method of payment, an equivalent yearly lump sum payment shall be paid on a bi-weekly basis or~~ due July 1st of each calendar year for the upcoming year.

- c. Dues or financial contributions may be paid by credit form (credit card, PayPal) on an annual or monthly basis.

In no event shall the amount for bi-weekly dues exceed 1/2 the equivalent of Step 1 of a State employed Senior Engineer's direct hourly wage rate of any period in effect at the time of the payment of dues.

2. Additional funds may be acquired by an assessment approved by an affirmative vote of a simple majority of the full members voting on such approval at a general meeting of the Organization, at a special meeting called for this purpose, by mail ballot, or electronic balloting. The ~~above mentioned~~ assessment shall not be construed to include the Chapter assessment provided for in ARTICLE XIV, Section 8 of the Constitution.
3. The Executive Board may ~~require set~~ a voluntary fair share contribution amount ~~fair share payment of~~ for employees who do not voluntarily join MGECA as members but who are included in an appropriate unit for which this organization is the certified representative, and who choose to make a voluntary contribution. These dues contributions shall be payable in the same manner as described for dues in Section 1.A. above.
4. Voluntary contributions from associates shall only be used for purposes of promoting the professional status of engineers and to represent the interest of professional engineers at the Legislature. No voluntary contributions from associates shall be used for labor relations purposes.

BY-LAW 4 - DUTIES OF OFFICERS AND DIRECTORS

1. The President shall preside at all meetings of this Organization and of the Executive Board and Executive Committee, and shall conduct all the business of this Organization with an affirmative vote of the Executive Board and the advice of any appointed committee. The

President shall, with the approval of the Executive Board, hire and determine the compensation for such outside assistance as may be necessary for furtherance of the objectives of the Organization. The President shall appoint all standing and special committees, including chairpersons, and all **representatives**/contact persons for the Organization subject to the approval of the Executive Board. The President shall be an ex-officio member of all committees. The President shall designate a date for a general election of officers and directors once a year at least sixty (60) calendar days preceding the close of the administrative year. The President shall have no vote on the Executive Board, except in the case of a tie vote.

2. The Vice President shall assist the President. The Vice President shall have one vote on the Executive Board, unless he/she succeeds the President upon the President's inability to perform the functions of that office. Upon succeeding the President, he/she shall have no vote on the Executive Board, except in the case of a tie vote. The Vice President shall be a member of the Negotiation Committee and a member of the Bargaining Team as described in BY-LAW 9.
3. The Secretary shall record, or cause to be recorded, the activities and business of the Executive Board and of the Organization at all meetings, shall keep a roster of all members in good standing, and shall have one vote on the Executive Board. The Secretary shall be the official custodian of all records of this Organization.
4. The Treasurer shall hold all funds and property of this Organization, shall be accountable to the Executive Board for the use and expenditure of all property and funds of this Organization, and shall have one vote on the Executive Board. The Treasurer shall be bonded for an amount determined by the Executive Board and said bonding fee shall be paid by the Organization. In the absence of the Secretary, the Treasurer will fulfill the duties of the Secretary.
5. The Past President, who is a member of the Executive Board, shall have one vote.

6. Each Director shall have one vote on the Executive Board.

BY-LAW 5 - DUTIES OF EXECUTIVE BOARD AND EXECUTIVE COMMITTEE

1. In addition to the duties of the Executive Board provided elsewhere in this Constitution and By-Laws, the Executive Board shall:
 - a. Establish authority and procedures for the processing of grievance. Any member who wishes to retain an attorney to represent him/her in any matter involving the member's work or status shall do so at his/her own expense; provided, however, that the Executive Board may, at its sole discretion, retain an attorney to represent the ~~Organization~~ or a **person member** at the expense of the ~~Organization~~.
 - b. Provide for training of contact persons.
 - c. Audit, or cause to be audited, the books of the Treasurer once each year at a time determined by the Executive Board and report the findings to the ~~Organization~~.
 - d. Establish procedures for negotiating contracts and agreements.
 - e. Determine reimbursement for organizational members for periods of time necessary for conducting organizational business.
 - f. Approve, or revise and approve, the proposed yearly budget.
 - g. Adopt such policies as may be needed for the orderly and efficient administration of this organization, consistent with this Constitution and these By-Laws.
2. The Executive Committee shall recommend policies and positions to the President and Executive Board.

BY-LAW 6 - EXECUTIVE DIRECTOR

1. The Executive Director, hired by the President as provided in BY-LAW 4, Section 1, shall sit on the Executive Board and the Executive Committee with a voice but no vote. He/she shall serve at the pleasure of the Executive Board.
2. The Executive Director shall be this organization's administrative and executive officer. He/she shall have the authority to act for this organization when the Executive Board or Executive Committee is not meeting, under direction and guidelines established by the Executive Board.
3. In advance of each fiscal year, he/she shall submit to the Executive Board a proposed budget for the coming year setting forth the anticipated income and source thereof and anticipated expenditures and their purpose.
4. The Executive Director shall perform such other work and services as the Executive Board may direct.

BY-LAW 7 - MEETINGS

1. An annual meeting of the membership of this Organization shall be called by the President or by a majority vote of the Executive Board. At least fourteen (14) calendar days' notice shall be given to the membership. A quorum for this meeting shall be 30 full members.
2. Special meetings, whose agenda shall be confined to the special purpose for which the meeting is called, may be called by:
 - a. The President.
 - b. A majority of the Executive Board.

- c. A petition signed by a least fifteen (15%) percent of the members whose dues and assessments have been paid.

Whenever possible, the **organization membership** will be notified at least fourteen (14) calendar days in advance of any special meeting.

3. Executive Board meetings shall be called by the President or by a majority of the Executive Board members.
4. The Executive Committee shall meet at the call of the President.

BY-LAW 8 - HONORARY LIFE MEMBERSHIP

Upon retirement from government service, an Honorary Life Membership will be granted to a **full** member or associate providing he or she is a **full** member or associate in good standing of this Organization for at least three (3) consecutive years immediately preceding his/her retirement. It shall be the responsibility of the Executive Director to research and verify the good standing of the member or the associate. The Executive Director shall confer with the President and/or Executive Board when good standing of a member is in question.

BY-LAW 9 - NEGOTIATION AND RATIFICATION OF LABOR CONTRACTS

1. The President shall appoint a Negotiation Committee with the advice and consent of the Executive Board. The Negotiation Committee shall study issues of concern to the membership and prepare a set of proposals for submittal to the State during contract negotiations.
2. The President shall appoint a Bargaining Team with the advice and consent of the Executive Board. The Bargaining Team shall conduct the negotiations with the State of Minnesota.

3. Once the MGEC Bargaining Team and the State team have reached tentative agreement on a new contract, the tentative agreement shall be brought before the Executive Board of Directors as soon as possible. The Executive Board shall vote to:
 - a. recommend ratification to the membership;
 - b. send the agreement to the membership with no recommendation;
 - c. reject the agreement and send it back for further negotiations;
 - d. reject the agreement and vote to go to arbitration, or;
 - e. take any other appropriate action.

Only those Executive Board members who are members of bargaining Unit #12 shall vote.

4. If the Executive Board decides to send the agreement to the membership, ballots shall be prepared and sent to all ~~eligible~~ full members at their last known address, or by electronic balloting, at least seven (7) calendar days prior to the designated election day. Ballots must be received by a teller committee, appointed by the President, by 4:30 p.m. on the designated election day.
5. After all eligible ballots have been received, they shall be tabulated by a teller committee of at least three (3) members. The tabulation shall then be sent to the President. A new contract for Unit #12 must be ratified by a majority fifty percent (50%) plus one (1) of all those ~~eligible~~ full members who vote in the election.
6. For minor changes to the contract, the Executive Committee shall have the authority to enter into supplemental agreements, (i.e. Memorandums of Agreement/Understanding) between MGEC and the State. For substantial changes to the contract, approval may be from the Executive Board, by a 2/3 vote.

POLICIES

POLICY I - REIMBURSEMENT

1. It shall be the policy of the Minnesota Government Engineering Council to reimburse its officers and members for *lost time** and expenses incurred for activities authorized by the Executive Director to conduct Council business.
*Lost Time** refers to all hours of annual leave, or leave without pay hours taken by an individual during normal work hours to conduct Council business. Leave without pay includes those individuals who take time from the normal work day to conduct Council business and who subsequently make up those hours.
2. Council officers and members will receive expense reimbursements consistent with the provisions of the collective bargaining agreement.
3. Mileage reimbursement will be consistent with the IRS mileage reimbursement rate.
4. All requests for reimbursements ~~should~~ **must** be submitted within one month of incurring the expense. Exceptions may be granted for long-term commitments such as the Negotiations Committee.

POLICY II - CONFIDENTIALITY

Confidential information supplied to members of the Executive Board shall be kept confidential and shall not be shown to or discussed with others. Any Executive Board member violating this policy may be subject to ARTICLE X.

POLICY III - REPRESENTATION

Directors are not elected to represent any constituency, but rather to represent the entire MGEC membership - including full members regular, voluntary fair shared participants, represented non-members and associates members in all agencies and in all classes.

POLICY IV - AUTHORITY TO BIND

No person, chapter or affiliate member or associate of this organization, other than the President in his/her official capacity or Executive Director, shall contract for, or incur any debt, or enter into any agreement or otherwise obligate the organization except by authorization of the Executive Board of Directors.

POLICY V - LIABILITY

No individual associate with this membership member, associate, or officer of the organization shall be personally liable for the obligations of the organization.

POLICY VI - GRIEVANCE PROCESSING

1. Grievances are the property of the Council, since the Council is the bargaining unit's legally authorized Exclusive Representative with the State of Minnesota.
2. A grievance filed as an "individual grievance" shall be initiated by the affected member person, the Executive Director, an officer, or any member delegated by the Executive Director as his/her designee. A grievance filed as a "class action grievance" shall be filed by the Executive Director, an officer, or any member delegated by the Executive Director as his/her designee.
3. Informal steps, as well as Steps 1 through 3, shall be conducted by the Executive Director, an officer, or any member delegated by the Executive Director as his/her designee. The only council representative(s) authorized to assist members at "investigations which could lead to

discipline” shall be the Executive Director or any member delegated by the Executive Director as his/her designee.

4. If a grievance is denied by management at the ~~3rd~~ 2nd Step, a grievance shall routinely be appealed to the ~~Department of Employee Relations~~ Minnesota Management and Budget to the arbitration level. The determination of whether a grievance will later be heard before a neutral arbitrator is a decision reserved for the Executive Board.
 - a. If the Executive Director recommends that a grievance should not proceed to arbitration, a letter explaining the recommendation shall be sent to the grievant, who may appeal the recommendation to the Grievance Committee. Failure to appeal within 30-days from receipt of the Executive Director’s letter will allow MGEC to withdraw the grievance. If the grievant appeals, the Grievance Committee shall convene at an appropriate time and hear the arguments of the grievant and the Executive Director. A recommendation shall then be forwarded to the Executive Board, the grievant, and the Executive Director. If the Grievance Committee recommends the case be withdrawn, the grievant will have a final opportunity at the next Executive Board meeting to convince MGEC to proceed to arbitration.
 - b. If the Executive Director recommends that a grievance is ready to be heard before a neutral arbitrator, he/she shall obtain approval to schedule an arbitration from the Executive Board.
 - c. If the Executive Director recommends that a class action grievance should not proceed to arbitration, a meeting of the ~~Grievance~~ Advocacy Committee shall be convened at an appropriate time to hear the arguments of the Executive Director. Interested members shall be invited to argue in support of proceeding to arbitration. The Advocacy Committee shall make a recommendation to the Executive Board, which will make a determination at the next scheduled Executive Board meeting.

5. A grievance may be closed in several ways: a negotiated Settlement and Release, withdrawal by the grievant, or withdrawal by the Council (see item 4, above). A Settlement and Release shall contain the signatures of the Executive Director, the MGEC President, and the grievant before the Settlement and Release is considered final (for an individual grievance). Class action grievances may be considered resolved by acceptance of a Settlement and Release by the Executive Director and the MGEC President, subject to ratification by the Executive Board; or the Executive Board may determine to withdraw a class action grievance. Acceptance of a reply by management or withdrawal by the grievant shall be sufficient to consider an individual grievance closed if a letter from the grievant is received stating that the grievance is resolved or withdrawn. If the Executive Director determines there are still issues to be resolved, he/she may keep an individual grievance open, pending confirmation from the Executive Board on the grievance's status.

POLICY VII - NOMINATIONS

Members should be asked through the MGEC newsletter **communication** if they have any interest in running for an Executive Board position. Members' names should be placed on the ballot for the position for which they have expressed interest. The nominating committee may recruit and nominate **full** members to run for positions and shall determine the pairing for the directorship positions. The nominating committee shall pair candidates on the ballot so that various agencies, classifications, and geographic areas of the state are represented on the Executive Board.

POLICY VIII - FINANCIAL PROCEDURES

1. In no event shall the amount for bi-weekly dues exceed 1/2 of Step 1 of a State employed Senior Engineer's direct hourly wage rate of any period in effect at the time of the payment of dues.

Copies of the latest credit union statements of accounts will be distributed at the monthly

Executive Board meetings **as requested**.

2. All bills, including expense reimbursement requests, lost-time reimbursement requests, and employee time sheets, except those deemed routine or emergency, will be initialed by the Executive Director or a member of the Executive Committee other than the Treasurer. The Treasurer will have the authority to consider a bill as “routine” and any signatory will have the authority to consider an expense as an “emergency.” The President and/or Vice President will review and initial all paid bills prior to the filing of the various records to the appropriate file.
3. The ~~manual~~ checking account register will be kept up-to-date on a bi-weekly basis by the MGEC office personnel.
4. The Treasurer will resolve and balance the various financial accounts on a monthly basis.
5. The procedure for the off-year Past Presidents’ financial audit will be written and maintained by the Executive Director.
6. Appropriate bonding and/or insurance requirements necessary for any of the account signatories (Treasurer and up to three persons) will be maintained.
7. ~~A “petty” cash account of approximately \$150.00 will be maintained. This fund will be used for monthly meeting supplies and other small miscellaneous expenses. It will be utilized and maintained by the MGEC office personnel.~~

POLICY IX - HARASSMENT IN THE WORK PLACE

It is the policy of MGEC to prohibit verbal and physical harassment of its employees based on race, national origin, religion, sex, or sexual orientation. This prohibition, with respect to sexual harassment, includes both serious acts as defined by Equal Employment Opportunity Commission and petty and annoying acts which create a negative work environment. Any employee subjected to such harassment should file a complaint immediately with the Board’s Executive Committee members. The Executive Committee shall investigate any allegations and take appropriate action

within a reasonable time frame (in consideration of being a voluntary organization). Any intentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action. Training will be initiated by the Executive Board for all employees to develop an understanding of issues involved with harassment.

POLICY X - AUDIT PROCEDURES

1. An Audit Committee of two Past Presidents and/or Past Treasurers who are members of MGEC shall be appointed by the Executive Board/Treasurer to conduct an audit of MGEC finances or financial records in late July or early August for those years ending with odd numbers. (Note: a professional audit will be conducted by an accounting firm in even years.)
2. Participants at the audit shall be the Treasurer, the Executive Director, and the Audit Committee.
3. Materials to be made available to the Audit Committee include at least the following:
 - a. Bank statements for the prior fiscal year (which ended on the June 30 preceding the audit),
 - b. the financial files of the applicable fiscal year, which will contain all receipts for deposit, receipts of payments, expense reports, time sheets, tax returns, etc.,
 - c. the fiscal year's check registers (~~the paper version and the computer version~~), and
 - d. the approved budget for the fiscal year and all Executive Board meeting minutes for the fiscal year.
4. The Audit Committee should select at least three months for which they will examine all deposits and disbursements from all of the Council's bank accounts. This can entail a review of the original requests for payment from vendors, time sheets and expense reimbursement requests from the staff, expense reimbursement and Lost Time reimbursement requests from the membership, etc. The Audit Committee may also wish to review one or more quarters of payroll tax returns.

5. If the Audit Committee members are satisfied as to the accuracy of the financial materials in items 3 and 4 and as to the accuracy of the summary report by the Treasurer (i.e., the year-end Statement of Account Activities), the Past Presidents will sign a letter (sample attached) addressed to the then-current MGEC President. The letter will be included in a report to the next Annual Meeting of the membership.

POLICY XI – ELECTION PROCEDURES

[See also: MGEC Constitution, Article VII, Terms of Office and Article IX, Elections of Officers and Directors]

1. An annual election shall be conducted for the Vice-President, either the Treasurer or the Secretary (alternating), and ~~one-half of the~~ **those** Directors **in the second year of their term** (alternating).
2. Two committees oversee the election process: Nominating and Tellers.
3. Names of candidates shall begin being solicited by June 1 of each calendar year. Thus, the Nominating Committee should begin meeting ~~in May~~ **four months prior to Election Day** to plan the search for the next election.
4. The Nominating Committee must, by Constitutional directive, put forth at least two names for each director position to be filled. (This has not been interpreted to include the positions of Vice-President, Treasurer, or Secretary, although this policy recommends doing so if possible). The Committee should also set aside at least one of the **D**irector positions each year so that at least one non-MnDOT member will be elected to the Executive Board each year, thus assuring there will be at least two (2) non-MnDOT Executive Board members at all times. The Nominating Committee may, subsequent to the Annual Meeting, arrange the director pairings to take into account demographic, geographic, and job classification considerations.
5. Election Day is the day ballots are due and will be tallied at a time and date arranged by the Tellers Committee, who then certify the winners to the Executive Board. The Nominating

Committee determines which day will be considered Election Day, but must be sure the following activities will occur:

- a) This Election Procedure shall be printed in the Annual Meeting book or MGEC website.
 - b) Nominations may be are-presented at Annual Meeting and nominations will be accepted from the floor of the Annual Meeting. (Presentation and acceptance of floor nominations should be conducted by the Nominating Committee's chair). The list of Director nominees shall be a non-paired listing of all candidates.
 - c) Thirty (30) days notice to the membership of the final slate of candidates is presented either by mailing of a newsletter or the ballot.
6. Ballots shall be sent by first-class mail to the last known home address or e-mail address of Full Members of MGEC (as of the date of mailing: any eligible person who has signed a membership card), but not to Fair Share, Associate, Represented Non-Members, Chapter, or Life Members. The ballots must be sent at least fifteen (15) days prior to the Election Day. The ballot mailing will contain the following items:
- a) ballot, showing names of candidates and write-in slots for each position
 - b) return envelope (return postage not pre-paid) or electronic method of voting
 - c) biography-sheetinformation, also containing "position" statements by each candidate
7. ~~In order to assure up-to-date home addresses for the election, a first-class mailing to members' homes should occur each May. This will allow time for corrections to be made. The envelope or card sent to the members should contain the phrase: "Address Correction Requested" on the face of the envelope.~~