

UNITED PHARMACISTS  
OF SOUTHERN CALIFORNIA



**CONSTITUTION  
OF  
UNITED PHARMACISTS OF SOUTHERN CALIFORNIA**

ARTICLE I - NAME

Section 101 This organization shall be known as: The United Pharmacists of Southern California (UPSC), an Affiliate of United Nurses Associations of California/Union of Health Care Professionals, National Union of Hospital and Health Care Employees, American Federation of State, County and Municipal Employees, AFL-CIO, (UNAC/UHCP, NUHHCE, AFSCME, AFL-CIO).

ARTICLE II - PURPOSE AND OBJECTIVES

Section 201 The purposes and objectives of this Affiliate shall be:

1. To protect, promote and advance the professional interests of member Pharmacists by securing the conditions essential to the best professional service.
2. To advocate for member Pharmacists to achieve and maintain the highest standards of pharmacy practice to ensure the safe and optimal health care for all patients.
3. To protect the rights and benefits of member Pharmacists under the terms of the Labor Management Partnership National Agreement and UPSC collective bargaining agreement.
4. To provide a venue by which member Pharmacists' concerns and ideas can be expressed, studied effectively, and resolutions proposed to facilitate collaboration with the Employer in developing and implementing policies and procedures to improve patient care.
5. To represent the member Pharmacists in professional negotiations for the determination of wages, hours, benefits and conditions of employment.

ARTICLE III - MEMBERSHIP AND DUES

Section 301 A member Pharmacist is defined as an Outpatient Pharmacist, Inpatient Pharmacist or Ambulatory Care Pharmacist, licensed to practice in the State of California and employed by Kaiser Foundation Hospitals (KFH) or Kaiser Foundation Health Plan (KFHP) at the following Medical Centers and their associated outlying Medical Offices and Inpatient facilities: Baldwin Park, Downey, Fontana, South Bay, Kern County, Los Angeles, Ontario, Orange County - including Anaheim and Irvine, Panorama City, Antelope Valley, Riverside, Moreno Valley, San Diego, West Los Angeles, and Woodland Hills. This will also include non-supervisory employees in the above-referenced classifications at the Regional Offices and its outlying facilities and any Pharmacists at any additional facilities who may qualify as accretions to any of the above-referenced Medical Centers. Supervisor classifications, and all other Health Care Professional employees including personnel defined in the National Labor Relations Act,

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as amended, are excluded unless expressly abridged by the current agreement between KFH, KFHP and the UPSC.

- Section 302 Only members in good standing shall have voting and membership rights, may attend meetings and/or participate in meetings.
- Section 303 All funds, property and assets of whatever kind or description or wherever located, presently possessed or hereafter acquired by UPSC, shall be held in trust for the entire membership and are the sole and separate property of UPSC. No individual member Pharmacist has or shall have any personal right, title or interest in the funds, property or assets of UPSC.
- Section 304 A member in good standing shall be:
1. One who meets the requirements of membership as specified in Section 301 of this Article.
  2. A member who is actively employed and is not delinquent in any of the financial assessments of this Affiliate, including but not limited to dues payments.
  3. A member who is actively employed and who has not resigned from or been expelled from membership.
- Section 305 Members on Leave of Absence are:
1. Obligated to notify the UNAC/UHCP Treasurer of such leaves and their duration.
  2. Obligated to meet the financial assessments as determined on an individual basis by the UNAC/UHCP Executive Council.
- Section 306 Member shall be notified by the UNAC/UHCP Treasurer when failure to meet this obligation has exceeded thirty (30) days.
- Section 307 Reinstatement to good standing status shall be made after fulfillment of all financial assessments.
- Section 308 The dues of this Affiliate shall be established in accordance with the UNAC/UHCP Constitution, Article XIII.
- Section 309 No discrimination shall ever be shown in this Affiliate or any affiliated association toward individual members or applicants for membership because of age, ancestry, color, disability, gender (including gender identity and expression), genetic information, marital status, medical condition, national origin, political affiliation, race, religion/religious creed, sex, sexual orientation, or veteran status.

#### ARTICLE IV - OFFICERS

- Section 401 The Affiliate Officer Cabinet shall be composed of the following Cabinet Members: Nine (9) Officers which will consist of a President, an Inpatient Vice President, an Outpatient Vice President, an Ambulatory Care Vice President, a Mail Order/Central Refill Vice President, a Treasurer, a Secretary, a Steward Coordinator South (Inland Empire, Coachella Valley, Orange County, San Diego) and a Steward Coordinator North (Kern County, Valleys, Western Ventura, Metro Los Angeles, Baldwin

Park, Downey, South Bay). Additionally, each Medical Center listed in Section 301 shall have a minimum of one steward.

Section 402 A member may not hold more than one Affiliate Officer Cabinet position concurrently.

Section 403 To be eligible for office, a candidate must be a member in good standing for at least 120 days immediately preceding the elections, except in the initial election.

Section 404 The duties of the elected officers shall be:

1. The President shall preside at all meetings of the Affiliate and of the Affiliate Officer Cabinet. The President shall make a report of the administration and affairs of the Affiliate to the Affiliate Officer Cabinet at regularly scheduled meetings as well as to the members at general membership meetings and may otherwise communicate with the membership electronically and/or by mail or webinar. The President shall direct the administration of the business of the Affiliate and shall perform all other duties as pertain to the office and Affiliate as a whole. The President shall be an ex-officio member of all standing committees of UPSC and shall appoint chairpersons of all standing committees, subject to the approval of the Affiliate Officer Cabinet. The President shall counter-sign all checks drawn against the funds of the Affiliate.
2. The four (4) Vice Presidents shall assist the President, and shall perform duties as assigned by the President. In the absence of the President or if he/she is unable to serve, the Vice Presidents by rotation shall assume any and all of the President's duties and may countersign checks in place of the President with the approval of the Affiliate Officer Cabinet.
3. The Treasurer shall monitor all dues collection and assessments, shall make all disbursements subject to counter-signature by the President, shall keep accurate records of receipts and disbursements of the Affiliate as directed by the Finance Committee, shall submit financial records for audit when required by the Affiliate Officer Cabinet or UNAC/UHCP and shall deliver them to the successor upon retirement from office. The Treasurer shall chair the Finance Committee. The Treasurer shall prepare a yearly operating statement of financial transactions of the Affiliate for the previous year. The Treasurer shall be custodian of all properties of the Affiliate and with the Affiliate Officer Cabinet under advisement of the Finance Committee, shall establish financial policies of the Affiliate.
4. The Secretary shall be responsible for keeping all records of the Affiliate and of the Affiliate Officer Cabinet, shall keep a record of all proceedings for all meetings, shall distribute copies of all minutes to the UNAC/UHCP Secretary and Affiliate Officers, shall keep attendance records of all meetings, shall be responsible for all official correspondence, shall provide notices of all meetings, prepare and mail the Affiliate newsletter and perform such other duties as the Affiliate Officer Cabinet may require. The Secretary shall act as Parliamentarian, to ensure all meetings of the Affiliate follow parliamentary procedure. If absent, the Affiliate Officer Cabinet shall appoint a designee. The Secretary shall relinquish all records of the Affiliate to his/her successor upon retirement from office.
5. The two (2) Steward Coordinators shall maintain liaison with and manage the Affiliate Stewards in the facilities they cover, including recruitment of members, shall maintain a current list of Stewards and coordinate their local representation/grievance activities. The Steward Coordinators shall supply Human Resources with a current list of Stewards, coordinate Steward

participation at UNAC/UHCP Steward trainings, coordinate Steward involvement in the Basic Labor class and assist in this class. Steward Coordinators shall facilitate local Steward meetings and provide monthly reports of Steward activities to the UNAC/UHCP Staff Representative assigned in their areas, as well as at the Affiliate Officer Cabinet meetings.

6. UPSC Stewards shall report to their respective Steward Coordinator. They shall be responsible for assisting in union affairs at their facility, attending New Employee Orientation, welcoming all new member Pharmacists to the Affiliate, and obtaining a completed and signed Membership Application/Voluntary Deduction Authorization. Additionally, they shall handle grievances, maintain liaison with members at their facility and make a report of their facilities' activities to the Steward Coordinator to share at the Affiliate Officer Cabinet meetings. Additional responsibilities may include coordinating and submitting topics for Affiliate meeting agendas, encouraging membership attendance at Affiliate meetings and performing all other duties that pertain to their facility and organization as a whole. Stewards must attend the UNAC/UHCP Basic Labor class. Stewards shall be a representative on their local UBT, Professional Practice Committee, and any other committee requiring the Affiliate's participation. The Stewards shall be selected after having attended Steward training(s) and by recommendation of the Affiliate Officer Cabinet.

Section 405 The Officers shall each act as Delegate to the UNAC/UHCP Executive Council by fair rotation.

1. The attending Officer shall inform the Affiliate Officer Cabinet of all updates of the State's goals, visions and any information presented at the State meetings.
2. The President shall be responsible for an officer's presence at Executive Council meetings.

Section 406 Past Officers' duties shall be to advise the Affiliate Officer Cabinet for a minimum period of one (1) month from the date new Officers take office.

Section 407 Every Affiliate Officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the AFSCME International Union Constitution.

Section 408 An Officer of the Affiliate desiring to resign shall do so by writing a letter of resignation to the Secretary with notice given at least thirty (30) days in advance to allow the Affiliate to find coverage for their responsibilities.

Section 409 The Affiliate Officer Cabinet shall within thirty (30) days of resignation of an Officer, appoint a qualified member to fill a vacated office for the remainder of the term. In no event shall a vacancy remain unfilled longer than thirty (30) days.

Section 410 The Officers of the Affiliate shall be reimbursed per the financial policy of the Affiliate.

#### ARTICLE V -NOMINATIONS AND ELECTIONS

Section 501 The President, Secretary, and Treasurer shall be elected by the entire Affiliate membership. The Inpatient Vice President, Outpatient Vice President, Ambulatory Vice President, and Mail Order/Central Refill Vice President shall be elected by members of the same job classification. The Steward Coordinators shall be elected by members located at the facilities represented by them, as specified in Section 401. Beginning in 2017, a member shall only be eligible for

nomination or election of office when he/she has been a member in good standing of this Affiliate for a period of at least one (1) year. No retired member shall be a candidate for office. An expressed consent and agreement to serve, if elected, shall be required from the nominee to be placed on the ballot.

Section 502 Elected Officers of the Affiliate shall hold office for a term of two (2) years or until their successors are elected but in no event for a period longer than one year after the end of their term; with the exception of Affiliate startup, in which the offices of President, Outpatient Vice President, Ambulatory Vice President, Secretary, and Steward Coordinator South shall hold office for a term of three (3) years.

Section 503 All regular elections shall take place in the month of November with term of office beginning immediately.

Nominations shall be made to provide alternating terms for Officers as follows:

1. Elections taking place in even numbered years: Inpatient Vice President, Mail Order/Central Refill Vice President, Treasurer, and a Steward Coordinator North.
2. Elections taking place in odd years: President, Outpatient Vice President, Ambulatory Care Vice President, Secretary, and Steward Coordinator South.

Section 504 A notice of nominations shall be mailed to each members' at the members last known address.

Section 505 Ballots shall be mailed to members' last known address according to current payroll rosters at least fifteen (15) days before election deadline.

Section 506 Completed ballots shall be returned to the UNAC/UHCP State Office, placed in locked boxes to be held until the closing date for the election.

Section 507 Ballots shall be opened and counted by the Election Committee following the close of balloting.

Section 508 A majority vote of valid votes will be used to declare elected Officers. Write-in votes shall not be permitted. Election results shall be posted for the membership by hard copy and/or email. All nomination and election records shall be kept on file for a period of one year.

Section 509 Recall of Affiliate Officer Cabinet Officers shall be effected by all of the following:

1. Notification to the UNAC/UHCP Secretary of the desire to recall with a signed petition of 30% of the membership.
2. A general membership meeting in accordance with Article VII shall be called within thirty days of receipt of a valid recall petition.
3. Recall shall be effective 30 days after approval by a majority of those voting.
4. A successful recall measure shall automatically institute the election procedures to replace the vacated office within thirty days of the majority approval.
5. A recall petition to be valid must specify only one member of the Affiliate Officer Cabinet or Officer per petition. This shall not preclude the circulation of multiple petitions at one time.

Section 510 Any act of the Affiliate Officer Cabinet except those involving admission, suspension, or expulsion of a member or members shall be subject to review by the membership, by presentation of a petition to the Affiliate Officer Cabinet, signed by fifty percent (50%) of the members, within thirty (30) days after said act has been reported. The Affiliate Officer Cabinet shall, not later than sixty (60) days after presentation of the petition, submit the matter in question to all members by mail ballot to determine whether or not the membership sustains or repeals the action.

#### ARTICLE VI - COMMITTEES

Section 601 The standing committees of UPSC shall be:

1. Affiliate Officer Cabinet
2. Election Committee
3. Finance Committee
4. Negotiation Committee

Section 602 The Affiliate Officer Cabinet shall consist of the President, four (4) Vice Presidents, Treasurer, Secretary, and two (2) Steward Coordinators.

Section 603 The Affiliate Officer Cabinet shall have the authority to assign other duties and areas of responsibilities for each Officer not otherwise described in the Constitution.

Section 604 The Affiliate Officer Cabinet shall have the power to interpret and enforce this Constitution, and to make rules not in conflict with this Constitution. An interpretation of the Constitution by the Affiliate Officer Cabinet may be appealed at any meeting of the general membership.

Section 605 The Affiliate Officer Cabinet may establish other committees, as it deems necessary, not inconsistent with the Constitution. The President, with the consent of the Affiliate Officer Cabinet, shall appoint committee chairpersons. The chairperson of each committee, with the consent of the Affiliate Officer Cabinet, shall appoint members to each committee. Committee chairpersons shall report all proceedings and recommendations to the Affiliate Officer Cabinet.

Section 606 The Election Committee shall consist of at least (3) three members. They shall have the responsibility of communicating and organizing with the State Office the nominations and administration of elections of the Affiliate. Nominees in an election cycle cannot serve on the committee.

Section 607 The Finance Committee shall be appointed by the Affiliate Officer Cabinet and the Treasurer shall act as chairperson. The Finance Committee shall consist of the Treasurer and (2) two non-officer members. The Committee shall review all financial records and all expenses paid-out to ensure there is compliance with the financial policies of the organization. Finance Committee meetings shall be held quarterly and as necessary.

- Section 608 Committee members shall be required to attend all meetings. If a member, including officers, does not attend three (3) consecutive meetings, the Affiliate Officer Cabinet may appoint a new member as replacement. Any committee member of this Affiliate desiring to resign shall do so by writing a letter of resignation to the Secretary with notice given at least 30 days in advance to allow time to find a replacement.
- Section 609 The Affiliate Officer Cabinet shall be responsible for preparation of an annual audit of all financial transactions for publication and distribution to the membership.
- Section 610 The Affiliate Officer Cabinet shall have authority to decide all of the business affairs of this Affiliate between meetings of the general membership.
- Section 611 The Affiliate Officer Cabinet shall be responsible to serve as the Negotiations Committee. Members may be appointed as additions or substitutes on the Negotiation Committee with the approval of the Affiliate Officer Cabinet.

#### ARTICLE VII – MEETINGS

- Section 701 Regular general membership meetings of the Affiliate shall be held at least twice per year, or more frequently as necessary.
1. The date, time, and location of meetings shall be determined by the Affiliate Officer Cabinet.
  2. All members shall be notified of meetings by hard copy or electronic notices.
  3. A quorum will be deemed present for the purpose of conduct of business at the general meeting of UPSC whenever 10% of the duly notified membership is present.
- Section 702 Affiliate Officer Cabinet meetings shall be held at least quarterly, or more frequently as necessary.
1. A quorum for an Affiliate Officer Cabinet Meeting shall be when a majority of the Officers are present.
  2. The Affiliate Officer Cabinet shall attend general membership meetings.
  3. The Affiliate Officer Cabinet may meet at the call of the President or of a majority of the members of the Cabinet. The Affiliate Officer Cabinet may meet at the call of the President or any Officer. A report on all actions taken at Affiliate Officer Cabinet meetings shall be made to the membership at the next general meeting.
- Section 703 No business shall be conducted without a quorum at an Affiliate Officer Cabinet Meeting or General Membership Meeting.
- Section 704 Special meetings of the general membership may be called at the request of the President, the Affiliate Officer Cabinet, or by a written petition signed by ten percent (10%) of the membership in good standing. Membership shall receive at least 48 hours advance notice of any special meeting.

Section 705 Committee meetings may be held electronically, telephonically or by video conference. Resolutions made and/or actions taken as a result of such meetings shall have full force and effect.

#### ARTICLE VIII - PARLIAMENTARY PROCEDURE

Section 801 The current edition of The Standard Code of Parliamentary Procedure shall govern and guide UPSC in all parliamentary situations that are not provided for in the law or in its constitution, bylaws, or adopted rules.

#### ARTICLE IX - FINANCES

Section 901 The funds of the Affiliate shall be used only for such purposes as are specified in the Affiliate Financial Policy.

Section 902 This Affiliate shall initiate and maintain affiliation with UNAC/UHCP by payment to UNAC/UHCP of monthly per capita tax for each member of this Affiliate. Nothing in this Constitution shall conflict with the Constitution or Bylaws of UNAC/UHCP.

Section 903 Fiscal year — the fiscal year of the Affiliate shall be in alignment with UNAC/UHCP.

#### ARTICLE X - PROVISION OF BYLAWS

Section 1001 The Bylaws shall provide for the management and government of the Affiliate except as provided in the Constitution.

Section 1002 The Affiliate Officer Cabinet shall be the governing body of UPSC. All matters affecting the policies, aims and means of accomplishing the purposes of the Affiliate not specifically provided for in the Constitution shall be decided by the Affiliate Officer Cabinet.

#### ARTICLE XI - STATE ASSOCIATION CONVENTION DELEGATES

Section 1101 The number of delegates to the State Association (UNAC/UHCP) Convention shall be determined in accordance with the United Nurses Associations of California/Union of Health Care Professionals Constitution and By-laws.

Section 1102 All Officers of the Affiliate shall be delegates to the State Association (UNAC/UHCP) Convention during their term of office.



## ARTICLE XII - MISCELLANEOUS PROVISIONS

Section 1201 UPSC shall at all times be subject to the provisions of the Constitution of AFSCME.

Except to the extent specified in this Constitution, no officer of UPSC shall have the power to act as agent for or otherwise bind UPSC in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the Affiliate except to the extent specifically authorized in writing by the President of the Affiliate or by the Affiliate Officer Cabinet.

## ARTICLE XIII - AMENDMENTS

Section 1301 The UPSC Constitution or Standing Rules may be revised or amended whenever 10% of the general membership casts a vote, subject to the following procedure:

1. Proposed amendments to the Constitution must be submitted in writing to the State Secretary at least three (3) weeks prior to a regular or special general membership meeting.
2. Proposals must be read at the next regular or special general membership meeting.
3. Proposed amendments and mail ballot shall be mailed to every eligible voter at least fifteen (15) days prior to ballot deadline.
4. A two-thirds (2/3) majority of the ballots received in favor of the proposed amendment is achieved.
5. Notice of adopted changes in the Constitution shall be published within ninety (90) days by mailed and/or email notice to all members.

Final Draft Constitution – October 28, 2015

Amended 9/16/16

Amended 9/11/19

Amended and ratified 7/28/2020