



# NATIONAL VETERINARY PROFESSIONALS UNION (NVPU) CONSTITUTION AND BY-LAWS

## ARTICLE I NAME AND OBJECT

**Section 1.** This organization shall be known as the “National Veterinary Professionals Union (NVPU).”

**Section 2.** The specific and primary purpose of this Union shall be to unite veterinary team members in organizing and collective bargaining. This Union is a nonprofit organization and is not organized for the private gain of any individual person.

**Section 3.** The property of this Union is irrevocably dedicated to the purposes of social welfare, organizing, and collective bargaining and no part of the net income or assets of this Union shall ever inure to the benefit of any officer, committee member, or private person. This Union shall not dissolve, disperse its funds in any manner, or change its affiliations, except by majority vote of the membership by a referendum election, conducted in accordance with the rules laid down for elections. Upon the dissolution of this Union, its assets remaining after payment, or provision for payment, of all debts and liabilities of this Union shall be distributed to a nonprofit fund, foundation, or corporation, which is organized and operated exclusively for social welfare purposes and which has established its tax-exempt status under Internal Revenue Code Section 501(c)(4).

## ARTICLE II OFFICES AND COMMITTEES

**Section 1.** The elective officers of the Union shall be:

- President
- Vice-President
- Two (2) Directors of Collective Bargaining
- Secretary-Treasurer
- Up to four (4) Trustees

The Union shall have an Executive Board consisting of at most eight (8) members in good standing, plus the President, Vice-President, Directors of Collective Bargaining and Secretary-Treasurer.

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**Section 2.** All offices and committees shall be non-salaried. The Executive Board may, within its discretion, authorize payment in an amount not to exceed the average wage rate of the Organized Membership.

**Section 3.** The terms of each elective position shall be as follows:

- a. President: three (3) years
- b. Vice President: three (3) years
- c. Directors of Collective Bargaining: two (2) years
  - In 2024 only, one (1) Director of Collective Bargaining will be elected to a three (3) year term
- d. Secretary-Treasurer: three (3) years
- e. Trustee: one (1) year

**Section 4.** The President, Vice President, Directors of Collective Bargaining, and Secretary-Treasurer may serve up to two (2) consecutive terms. Trustees may serve up to three (3) consecutive terms.

## **ARTICLE III OFFICERS**

### **Section 1. President**

The President shall:

- a. Be the Executive Officer and Business Manager of this Union.
- b. Preside at all meetings of the Union and Executive Board and conduct same in accordance with rules adopted and this Constitution.
- c. Enforce due observance of this Constitution.
- d. See that all resolutions and motions are enforced.
- e. Sign all checks jointly with the Secretary-Treasurer for the withdrawal of necessary monies from the bank in accordance with this Constitution and the financial rules and policies adopted by the membership.
- f. Sign all official papers and documents ordered by the Union.
- g. Act as business agent to administer and enforce collective bargaining agreements and perform such other duties as the Union assigns them.
- h. Hold virtual office hours from time to time for the membership as designated by the Union.
- i. Be bonded in the sum designated by the Union and required by law.
- j. Be ex-officio member of all committees.
- k. At the expiration of their term, recall, removal, or resignation, turn over to the Union all properties in their possession that belong to this Union.
- l. Serve as chief negotiator of collective bargaining agreements in the absence of elected Directors of Collective Bargaining.

## **Section 2. Vice-President**

The Vice-President shall:

- a. Act as the President and presiding officer in the absence of the President.
- b. Exercise all powers and privileges belonging to the President, in their absence.
- c. Perform such other duties as the Union may assign to them, and at the expiration of their term, recall, removal or resignation, turn over to the Union, all property in their possession belonging to the Union.
- d. Be bonded in the sum designated by the Union and required by law.
- e. Act as business agent to administer and enforce collective bargaining agreements and perform such other duties as the Union assigns them.
- f. Serve as a negotiator of collective bargaining agreements in the absence of elected Directors of Collective Bargaining.

## **Section 3. Directors of Collective Bargaining (2)**

The two (2) Directors of Collective Bargaining shall:

- a. Be the chief negotiators of collective bargaining agreements.
- b. Together with the President and Vice President, administer and enforce all collective bargaining agreements.
- c. Be elected by a majority vote of the Bargaining Unit Membership.
- d. Perform all such other duties as the Union may assign to them, and at the expiration of their term, recall, removal or resignation, turn over to the Union, all property in their possession belonging to the Union.
- e. Hold virtual office hours from time to time for the membership as designated by the Union.
- f. Be bonded in the sum designated by the Union and required by law.

## **Section 4. Secretary-Treasurer**

The Secretary-Treasurer shall:

- a. Be the custodian of all monies, seals, books, files, records, and all other property belonging to this Union, and shall, together with the Trustees, take proper steps to safeguard same.
- b. Sign all checks jointly with the President for withdrawal of necessary monies from the bank in accordance with this Constitution and the financial rules and policies adopted by the membership.
- c. Be bonded in the sum designated by the Union and required by law.
- d. Be the Recording Secretary and keep a correct report of all meetings of the Union and Executive Board.
- e. Post the minutes of the Executive Board and Regular Business meetings on the Union's members-only website not later than thirty-six (36) hours after meetings are adjourned.
- f. Conduct all correspondence and sign and affix the seal to all official documents.

- g. Keep a statute book to record resolutions, motions, policies, and extracts of positive proceedings taken from the membership, Executive Board, and all committees. If in digital form, secure backups must be maintained at a frequency determined by the Executive Board.
- h. Keep a true and just account between the members, and all other accounts of the Union.
- i. Present to the Union at the end of each month and at each regular membership meeting a financial statement showing the financial and general condition of the Union.
- j. Maintain and monitor the dues records and good standing status of all members.
- k. Present to the Union a list of the members who are delinquent in dues according to the rules adopted by the Union.
- l. Have their financial records audited by a Certified Public Accountant at a minimum of once every three years, or on written request from any Union member.
- m. Submit their financial records and bills, and prepare a financial report to the Trustees, the Executive Board, and at membership meetings whenever they so request.
- n. Order no disbursements under the Seal of the Union unless authorized by the Union pursuant to this Constitution and the financial rules and policies adopted by the membership.
- o. Not retain more than one thousand dollars (\$1,000.00) in the cash drawer at any time unless a greater amount of cash is authorized by the Union for specific and short-term occasions, and shall deposit all money received for the Union in the bank or banks designated by the Union at least twice a month.
- p. Hold virtual office hours from time to time for the membership as designated by the Union.
- q. Perform such other duties as the Union may assign to them, and at the expiration of their term, recall, removal or resignation, shall turn over to the Union all monies, books, records, seals and other property belonging to the Union.

## **Section 5. Trustees**

- a. The Board of Trustees shall consist of up to four (4) members in good standing.
- b. They shall, together with the Secretary-Treasurer, be the custodians of all monies, seals, books, files, and all other property belonging to the Union and shall take proper steps to safeguard same.
- c. Trustees may attend and participate in the discussions of all committees.
- d. At least one (1) Trustee shall attend all Executive Board meetings.
- e. No officer or salaried employee shall be a member of the Board of Trustees.
- f. The Trustees shall hold no official position, nor act as a delegate to conventions or caucuses.
- g. They shall be bonded in the sum designated by the Union and required by law.

## **Section 6. The Executive Board**

- a. The Executive Board shall consist of up to eight (8) NVPU members in good standing, plus the President, Vice-President, the Directors of Collective Bargaining (2), and the Secretary-Treasurer.
- b. The Executive Board shall be the highest-governing, policy-making body of the Union after the general membership. The Executive Board shall have the power to adopt such measures as are deemed necessary, from time to time, for the good and welfare of the Union, subject to the approval, disapproval, or modification of the membership at a membership meeting.

- c. The Executive Board shall attend to all matters pertaining to the Union, occurring between meetings if not otherwise provided for in this Constitution and By-Laws.
- d. The Executive Board shall hold a regular meeting on the second Wednesday of every odd-numbered month (e.g., January, March, May, etc.) at locations and through means of attendance designated by the Executive Board with at least fourteen (14) days advance notice to the membership.
- e. The Executive Board shall have the authority to call Special meetings when they deem necessary.
- f. All meetings of the Executive Board shall be open to observance by all members in good standing and others as determined by the membership at each membership meeting, subject to reasonable rules as to room size and technology. The Executive Board may go into executive session when it deems appropriate for the limited purpose of discussing legal and personnel matters, which would require the temporary removal from the room of all but Executive Board members.
- g. The Executive Board shall be the Grievance and Rules Committee.
- h. A majority of the Executive Board shall constitute a quorum.

## **Section 6. Election Board**

- a. The Election Board shall be selected by the Executive Board and consist of three (3) to five (5) members in good standing, who are not candidates for any office.
- b. The duties of the Election Board shall be to conduct, observe, and monitor the Union's elections, and to cooperate and assist with any third-party election firm that may possibly be retained by the Union to conduct elections in accordance with the rules of the Union.
- c. All elections shall be conducted by either secure electronic voting method or a mail ballot.
- d. The Election Board shall have charge of the online voting system, Ballot Box(es) and Ballots or machines (if voting machines are used), until completion of their tally, which shall also be done by the Election Board. The Election Board shall ensure that, after the ballots have been tallied, all used, unused, challenged, and voided ballots, along with all other election documents, be returned to the Ballot Box, sealed, and placed in the care of the Secretary-Treasurer for keeping for two (2) years.
- e. The Election Board shall submit the results of their tally to the Secretary-Treasurer, who shall distribute to the membership the written report of the tally. Election results shall be presented at the next regular meeting of the membership following the election.
- f. The Election Board shall allow no one to vote unless said member is in good standing at the time of voting.
- g. The Election Board shall allow any member found not to be in good standing to vote by way of a challenged, secret electronic ballot, or sealed ballot envelope. Challenged ballots will be tallied only if their number affects the outcome of any race after the initial tally is issued; otherwise, the challenged ballot(s) shall remain secure and secret inside the electronic voting system or sealed challenged ballot envelope. All challenged ballot envelopes shall be included among the materials the Election Board shall maintain for safe keeping.

**Section 7. Other Committees**

- a. The Union may establish Committees and select members to serve at a regular or special membership meeting when needed.
- b. Such Committees shall perform assigned duties under the terms and conditions designated by the Union.

**ARTICLE IV NOMINATIONS OF OFFICERS.**

**Section 1.**

- a. Nominations for President, Vice-President, Secretary-Treasurer, Directors of Collective Bargaining, Trustees, Standing Committees, and all other elective positions as the Union designates, shall be open throughout the year, beginning in January and closing in August.
- b. A member desiring to have their name placed on the ballot may simply email the designated email address of the Union or send via US mail to the Union’s mailing address of record, a written and signed statement stating the name of the candidate and the office or offices sought.
- c. In order to have their name placed on the ballot and to hold any office, each candidate must have been a member in good standing in the Union continuously, without interruption, for the previous twelve (12) months. This is not applicable to members off work in the industry due to injury or other extenuating circumstances during the previous twelve (12) months.
- d. Eligibility of nominees will be determined by the Executive Board per membership-approved qualifications.

**ARTICLE V ELECTION OF OFFICERS AND COMMITTEES**

**Section 1.**

- a. The Election of Officers and committees shall take place as needed as determined by the terms of office outlined in Article III. The election shall be conducted in August and September of an election year.
- b. The following shall be elected by a majority of all votes cast for that position: President, Vice-President, Secretary-Treasurer, and Directors of Collective Bargaining.
- c. In the event that no candidate receives a majority of the votes cast, a “run off” election shall be held as soon as practicable and the candidate receiving the highest number of votes shall be elected.
- d. The candidates for all committees shall be elected by those receiving the highest number of votes cast for them.
- e. This article shall become effective on January 1, 2024, and shall remain in effect thereafter unless amended. Prior to that date, all offices and committees shall be filled on a volunteer basis, to be affirmed by the Executive Board.

**ARTICLE VI           INSTALLATION OF OFFICERS AND COMMITTEES**

**Section 1.**

- a. The Installation of Officers, Committee Members, and Employees shall take place at the next regular meeting following the election.
- b. Oath of Office: I (name) do solemnly promise, on my honor, that I will perform the duties of my office faithfully and impartially to the best of my ability until my successor is duly elected and installed.

**ARTICLE VII           VACANCY OF OFFICE**

**Section 1.**

- a. When a vacancy in office arises by any cause, the Executive Board shall appoint a person who meets membership-approved qualifications established by the Executive Board to fill such vacancy.
- b. Members in good standing will receive priority consideration in appointments to vacant offices.

**Section 2.**

- a. Any officer, employee, or committee member who absents himself/herself three (3) consecutive times without sufficient cause (as determined by a majority of the Executive Board) from duties and meetings assigned to them, or whose conduct is detrimental to the organization, shall have their position declared vacant by the President and shall not hold any position in the Union for one (1) year.
- b. Upon a signed petition of twenty percent (20%) of the members in good standing, any elective position shall be subject to a recall election.

**ARTICLE VIII           DUES, FINES, AND ASSESSMENTS**

**Section 1.**

- a. Dues (as specified in the By-Laws) are due and payable before the first (1<sup>st</sup>) day of each month. A member is in good standing only when their dues, assessments, or other indebtedness are paid on or before the delinquent date, or as determined by the Union.
- b. All fines, assessments, or other indebtedness must be paid before dues will be accepted.
- c. Members six (6) months or more in arrears shall be suspended from the Union at the first regular meeting following such delinquency.
- d. Any member who has permitted their dues, fines, assessments, or any other indebtedness to run for more than one (1) month, but less than six (6) months, can be re- instated in good standing upon payment of all back dues, fines, assessments, or other indebtedness.

- e. Members using the dues check-off system shall never be delinquent in their dues.
- f. All members fifteen (15) days delinquent in any fine or assessment shall be cited before the Executive Board.

## **ARTICLE IX            MEMBERSHIP**

### **Section 1.**

- a. The Bargaining Unit Membership of the Union shall be comprised of any persons working for an Employer in a Bargaining Unit for which the Union is the Exclusive or Joint Bargaining Unit Representative.
- b. The Affiliated Membership of the Union shall be comprised of any persons working in the veterinary industry who are employed by a company or organization of which the Union is not the Exclusive or Joint Bargaining Unit Representative, but who is within the jurisdiction of this local, have submitted an application for membership to the Executive Board, have had their application accepted by the Executive Board, and whose financial obligations to the Union have been met. All Affiliated Members will sign a membership card and take the Oath of Membership at a General Membership meeting.
- c. All members in good standing shall have equal rights and privileges to run for elective offices, nominate candidates for the Executive Board, vote in elections, assemble freely with other members, attend Membership meetings, and to express their views, arguments, and/or opinions at these meetings.
- d. The terms of any tentative collective bargaining agreement negotiated by the Union and an Employer must be ratified by majority vote of the members in the affected bargaining unit.
- e. A strike must be authorized by at least two-thirds of the members of an affected bargaining unit after giving at least two (2) days' notice to the Executive Board.

## **ARTICLE X.            CHARGES AND PENALTIES**

### **Section 1.**

- a. Charges against members must be limited to offenses against the Union or Unionism in general.
- b. Charges against a member must be filed in writing with the President or Secretary- Treasurer who shall read same at the next Executive Board or general meeting of the Union (whichever is sooner), and there a Trial Committee will be elected.
- c. The Trial Committee shall notify the involved parties in writing as to the date and place of the hearing. The hearing shall be scheduled no less than 30 days from the date of notice and no more than 50 days from the date of the notice and shall be held in a secure online forum or a physical location within 150 miles of the residence or worksite of the accused member.
- d. If an accusation is brought by one (1) member against another member, the Trial Committee shall investigate the charges and after due trial, present their findings to the Union with a recommendation for the punishment for the offense.
- e. The accused member shall have a copy of the written charges, an adequate time to prepare their



defense of no less than 30 days, the right to present material witnesses, and to cross-examine all witnesses against them.

## **ARTICLE XI. METHOD OF AMENDING CONSTITUTION**

### **Section 1.**

- a. In order to amend the Constitution or By-Laws in any manner said amendment shall be published on the members-only section of the Union's website and sent via either electronic mail or US mail to all members in good standing.
- b. The amendment shall be incorporated in the Constitution or By-Laws only after receiving a majority vote by referendum election, conducted in accordance with the rules laid down for elections.

### **Section 2.**

- a. A comprehensive review of the Constitution and By-Laws will be performed by the Executive Board or a Special Committee appointed for the purpose of review on a biannual basis.
- b. The review will include (but not be limited to): Officers of the Union (including role descriptions and terms), election practices, and any other issues identified at the time of review.
- c. A member in good standing may request a review in writing either via electronic or US mail.
- d. Any amendments will be conducted pursuant to the amendment process outlined in Section 1 of this Article.

## **ARTICLE XII. CLARIFICATION**

### **Section 1.**

- a. The President shall make interpretations of this Constitution and any rules and policies of the Union, whenever any such question arises. Any member aggrieved by the President's interpretation may appeal to the Union's Executive Board, which may adopt, reverse, or modify the interpretation by a majority vote. In the case of a tie, the Secretary-Treasurer will cast the deciding vote. Pending any appeal, the interpretation of the President shall govern.



# NVPU BY-LAWS

## ARTICLE I MEETINGS

**Section 1.** The regular meetings (Business) of this Union shall be held the second (2nd) Wednesday of all odd-numbered months, or as designated by the Membership.

**Section 2.** Ten (10) percent of the total members in good standing shall constitute a quorum at all general membership meetings.

**Section 3.** Special meetings may be held upon twenty-one (21) days written advance notice to membership and any action is limited to what is listed in the notice.

## ARTICLE II DUES, ASSESSMENTS, AND DISBURSEMENTS

### Section 1. Bargaining Unit Members

- a. The monthly dues of the Union shall be set at no less than 1.5% and no more than 2% of the straight time base rate of the member's pay.
- b. The monthly dues of the Union shall be adjusted only by a secret ballot referendum vote to the membership in good standing, conducted in accordance with the rules laid down for elections.
- c. Whenever a change is to be made in the rules and procedures for payment of monthly dues or assessments, it shall first be presented in writing and posted on the Union's members-only website, and at work sites and read at two (2) regular membership meetings before any action can be taken.

### Section 2. Affiliate Members

- a. The annual dues of the Union will be \$60 for Affiliate membership.
- b. The annual dues of the Union shall be adjusted on an as-needed basis by a vote to the membership in good standing, conducted with the rules laid down for elections.

### Section 3.

- a. All dues shall be placed in the General Fund.

### **ARTICLE III            COPY OF CONSTITUTION AND BY-LAWS**

Every member of the Union shall receive a printed or electronic copy of the Constitution and By- Laws at the time of their initiation. They shall carefully read them over, so that they will be prepared to perform the duties that may be passed on to them.

### **ARTICLE IV            ORDER OF BUSINESS**

#### **Section 1.**

- a. Meeting called to order.
- b. Moment of silence for members, active or retired, who have passed away.
- c. Reading of the minutes of the previous General Membership meeting.
- d. Reading of the minutes of the Executive Board meeting.
- e. Initiation of new members.
- f. Report of officers.
- g. Report of special committees.
- h. Unfinished business.
- i. New business.
- j. Financial report.
- k. Good and welfare of the Union.
- l. Adjournment.

**Section 2.**      All resolutions shall be submitted in writing and must be sponsored by three (3) members in good standing.

**Section 3.**      Any conversation by whispering or boisterous language, which disturbs a member while speaking, or hinders the transaction of business, shall be deemed a violation of order and shall be stopped immediately.

**Section 4.**      In all parliamentary procedures of the Union, Robert's Rules of Order shall prevail.