# Asian American and Pacific Islanders Caucus of the North Carolina Democratic Party (AAPI-NCDP)



# **BY-LAWS**

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# **Article 1: Organization**

#### Section 1: Name

The name of the Organization shall be "Asian American and Pacific Islanders Caucus of the North Carolina Democratic Party" ("AAPI-NCDP"). Each County Caucus shall be known as the "Asian American and Pacific Islanders Caucus of the (County's Name) County Democratic Party".

## Section 2: Affiliations

The AAPI-NCDP, chartered by the North Carolina Democratic Party State Executive Committee (SEC), is an integral part of the North Carolina Democratic Party and shall be guided by the NCDP Plan of Organization. AAPI-NCDP shall not take any action which is in conflict with these Bylaws.

#### Section 3: Purpose & Objectives

The Mission of the AAPI-NCDP is to promote political participation and education within the Asian American and Pacific Islander ("AAPI") community, encourage AAPIs to seek public office, represent issues and concerns of its membership to Democratic Party Leadership, and work towards strengthening the Democratic Party.

The purpose and objectives of the AAPI-NCDP shall be to seek full representation of AAPIs at all levels and in all activities of the Democratic Party. This shall include, but not be limited to, the following objectives:

- 1. To inform the Principles, Goals, and Objectives at all levels of the Democratic Party;
- 2. To increase the visibility and influence of AAPIs in the Democratic Party;
- 3. To ensure that issues of concern to the AAPI community are made known to the Democratic Party and the Party's position on these issues is communicated to the AAPI-NCDP Membership;
- 4. To take appropriate public stands on issues relevant to the AAPI community;
- To encourage AAPIs to seek elective office and participate in delegate selection and committee assignments at all levels of the Democratic Party, its Conventions and Organizations;
- 6. To work with the North Carolina State Executive Committee (SEC) to empower the Democratic Party of North Carolina;
- 7. To assist in the organization and maintenance of active AAPI Caucuses at the County and State Levels;
- 8. To communicate public policy, concerns, and issues to AAPIs and provide a platform for public discourse;

- 9. To advise and endorse candidates and policies to the AAPI community where not prohibited by these By-Laws and the Democratic Party Rules and Regulations;
- 10. To organize County AAPI-NCDP Chapters in North Carolina where feasible;
- 11. To work for the election of Democratic Party Candidates that support the AAPI community;
- 12. To coordinate and seek cooperation with local and state organizations, community organizations, and academic institutions whose vision is to improve, strengthen, encourage, and motivate the AAPI community.

## **Article 2: Membership**

#### **Section 1: Voting Members**

Any AAPI Citizen of the United States of America who is a registered member of the North Carolina Democratic Party, shall be eligible and qualified for membership in the Asian American Pacific Islander Caucus of the North Carolina Democratic Party. In order to remain an voting member, each member must pay an annual membership fee of \$15.00. Any interested students shall be eligible to pay a discounted membership fee of \$5.

#### Section 2: Associate Members

Any non-AAPI Member of the North Carolina Democratic Party who otherwise meets all the requirements for membership in the AAPI-NCDP may become an Associate Member. AAPI-NCDP also welcomes Unaffiliated voters and non-citizens that espouse the values of the Democratic Party. Associate Members cannot vote in any AAPI-NCDP Meeting. Associate Members may participate when recognized by the Chair.

#### Section 2.1: Green Card Holders

AAPIs with permanent green cards hoping to become citizens and register as Democrats are welcome to join as Associate members.

#### Section 2.2: At-Large Member

Any other individuals who live outside of the State of North Carolina who wish to be associated with the membership of the AAPI-NCDP will have the same rights and obligations of an Associate Member.

#### **Section 3: Honorary Membership**

Honorary Membership is an honor reserved for special recognition of non-AAPI Democrats who have made sufficient contributions to the AAPI-NCDP.

# **Article 3: Officers**

The Elected Officers of the AAPI-NCDP shall be known as the Executive Board as follows:

- 1. President Chair
- 2. First Vice President Chair
- 3. Second Vice President Chair
- 4. Third Vice President Chair
- 5. Secretary
- 6. Treasurer

No Elected Officer of the AAPI-NCDP can simultaneously hold more than one (1) voting position in the Caucus. AAPI-NCDP highly encourages ethnic diversity among its Executive Board. At least one (1) of the Elected Officers shall be thirty-six (36) years of age or under at the time of their election. Under no circumstances can Elected Officers or any other member of the AAPI-NCDP cast more than one (1) vote.

The order of succession for Elected Officer vacancies is as follows:

- 1. The Chair is succeeded by the First Vice Chair
- 2. The First Vice Chair is succeeded by the Second Vice Chair
- 3. The Second Vice Chair is succeeded by the Third Vice Chair
- 4. The Secretary is succeeded by the Third Vice Chair until new elections
- 5. The Treasurer shall be replaced by a vote of the General Body at the next meeting of the AAPI-NCDP.

If three (3) or more vacancies of the Executive Board have been filled by appointment or succession, a General Body Meeting must be called within sixty (60) days to hold new elections.

The Executive Board may conduct candidate endorsements on behalf of AAPI-NCDP in both, primary and general elections. All endorsements require majority approval from the Board. The Executive Board retains the power to endorse multiple candidates for the same seat in nonpartisan and primary elections. The Officers may also choose not to endorse any candidate in a race.

Any member of the Executive Board shall recuse themselves from the endorsement process for a particular race if they themselves are a candidate.

#### Section 1: Chair

The Chair shall call and preside at all meetings of the AAPI-NCDP. Only the Chair or Elected Officers following the order of succession in the office of the Chair may call a meeting of the AAPI-NCDP.

The Chair presiding at a meeting of the Elected Officers will create the agenda for all AAPI-NCDP General Body Meetings. This meeting will follow normal rules of decorum.

The Chair can attend any meeting of any group or committee held under the banner of the AAPI-NCDP. No meetings are authorized or to be held without the advice and consent of the Office of Chair. To call an official meeting of the AAPI-NCDP Executive Board, the Chair must notify the Officers seven (7) days in advance. A business meeting may not take place unless it has been properly noticed.

The Chair is the chief spokesperson for all AAPI-NCDP Public Communications. All correspondence (not limited to emails, telephone calls, and faxes and meeting minutes, etc.) shared with the public, will be coordinated through the Chair. No Elected Officer may correspond with members of the press regarding AAPI-NCDP matters without express permission from the Chair.

## Section 2: The First Vice Chair

The First Vice Chair shall serve as an advisor to the Chair. The First Vice Chair shall preside at all meetings in the absence of the Chair or upon request of the Chair. If there is a permanent vacancy in the Office of Chair, the First Vice Chair shall assume the office until the next scheduled elections.

The First Vice Chair shall be of the opposite gender from the Chair if at all possible.

#### Section 3: The Second Vice Chair

The Second Vice Chair shall serve as an advisor to the Chair and First Vice Chair. The Second Vice Chair shall preside at all meetings in the absence of the Chair and First Vice Chair or upon request of the Chair. If there is a permanent vacancy in the Office of First Vice Chair, the Second Vice Chair shall assume the office until the next scheduled elections.

The Second Vice Chair shall act as Secretary in all meetings where the Secretary is absent.

#### Section 4: The Third Vice Chair

The Third Vice Chair shall follow the order of succession and preside at all meetings where the Chair and higher ranked Vice Chairs are absent. If there is a permanent vacancy in the Office of Second Vice Chair, the Third Vice Chair shall assume the office until the next scheduled elections.

#### **Section 5: Secretary**

The Secretary shall be responsible for taking all minutes, and recording all documentation at all AAPI-NCDP Executive Board & General Body Meetings.

The Secretary shall maintain the caucus membership list and certify memberships in the AAPI-NCDP for Individuals, Counties, Associate and Honorary Members. The Secretary shall prepare and distribute all meetings notices and other communications. The Secretary shall be the receiver, recorder and distributor of all correspondence sent by the AAPI-NCDP. The Secretary shall be prepared to produce any and all AAPI-NCDP documentation upon request with reasonable preparation and lead time.

#### **Section 6: Treasurer**

There will be only one (1) Treasurer of the AAPI-NCDP. The Treasurer shall be responsible for receipts and disbursements of all funds and shall make a full and complete Financial Report at each meeting of the Caucus. The Chair may appoint an Assistant Treasurer who shall not be a Voting member of the Executive Board.

The Treasurer will not sign for expenditures of more than one hundred (\$100.00) dollars without the previous approval of the Executive Board, where a vote of the Elected Officers is required. The Treasurer will ensure there are no cash withdrawals from the AAPI-NCDP Banking Accounts. All withdrawals will be made by check only. The Treasurer will work with all the elected officers and Committee Chairs to prepare an annual budget for presentation to the General Body in the 4<sup>th</sup> Quarter of the current year for the coming year. The Treasurer shall produce the Financial Records of any AAPI-NCDP business transactions for inspection (both the Federal and State Accounts) at the request of the General Body at all official meetings.

The Treasurer shall take and complete the training for all Treasurers required by the State of North Carolina. The Treasurer shall file a copy of the documentation proving completion of the training with the Secretary of the AAPI-NCDP.

The Treasurer shall file in a timely manner, all reports required by Federal and State Authorities. The Treasurer shall provide a Financial Year-Ending Report to the AAPI-NCDP. The Treasurer is responsible for all Financial Records from previous administrations of the AAPI-NCDP, this means keeping a file and copies of all historical financial information.

The Treasurer shall make available all bank account login information and financial records in their possession to the Chair and 1st Vice Chair within thirty (30) days of assuming office.

An Outgoing Treasurer must hand over all financial records and transfer bank account access within fourteen (14) calendar days of vacating office.

# **Article 4: General Body Meeting**

## Section 1: Meeting

A General Body Meeting must be held annually in the month of July. The Secretary must notify the General Membership fourteen (14) calendar days in advance of holding a General Body Meeting. The Chair may call a General Body Meeting.

## Section 2: Quorum

Collectively, all voting members registered with AAPI-NCDP shall be known as the General Body.

A General Body Meeting of the AAPI-NCDP must have a quorum of one-tenth of all voting members. The AAPI-NCDP Secretary will certify that a quorum exists according to the most recent membership list of the AAPI-NCDP. The Secretary's membership list is the only official source for membership in the AAPI-NCDP. If a quorum does not exist, an information-only meeting can be held. The Secretary shall take minutes and nothing done at this meeting is binding on the AAPI-NCDP. This meeting is only for informational purposes in the absence of a quorum and makes the best use of member's' time, travel, and expense.

## **Section 3: Elections**

Elections for the AAPI-NCDP Executive Board will be held in July of odd-numbered years during the General Body Meeting. All Candidates for AAPI-NCDP Elective Office must be members in good standing with the State Caucus.

Elected Officers will take office one (1) week after their election and will serve for two (2) years. Gender Diversity is encouraged, but not required. At least one (1) of the Elected Officers should be thirty-six (36) years of age or younger, if at all possible.

#### Section 3.1: Grievance Council Elections

Elections for Grievance Council Members shall be held at the General Body meeting in July of every even-numbered year. The term of office shall be no longer than two years.

#### Section 4: Voting

Any registered, certified member of the AAPI-NCDP, as recorded with the Secretary, is entitled to run for elective office, vote for candidates for elective office, and participate in all official and unofficial Caucus Meetings and Events.

Voting in any and all AAPI-NCDP Meetings shall be as follows:

- 1. Each voting member gets a vote of one (1).
- 2. No proxy voting is allowed.
- 3. Candidates may appoint observers for the counting of the ballots. Vote counting is the responsibility of the Secretary of the AAPI-NCDP.
- 4. The results of voting will be certified and reported by the Secretary

# **Article 5: County Chapters**

#### Section 1: Scope

Local units of this organization shall be known as 'Chapters'. Chapters may be organized in any county. A Multi-County Chapter may be organized from two or more adjacent counties except that no Multi-County Chapter shall include a county that already has an organized Chapter. All Chapters shall operate under the umbrella of the Caucus. Chapters must follow the rules and responsibilities of the Caucus.

#### **Section 2: Membership**

All Chapter members and officers must be registered to vote within the county or counties of which the chapter represents. All Voting Members and officers of the Chapter must be registered as Democrats and members of AAPI-NCDP.

#### Section 3. Minimum Membership

A Chapter must have at least five (5) Voting Members to charter. Members shall be required to pay any local chapter dues as required by the local chapter bylaws in addition to Caucus dues on an annual basis. Caucus dues will be determined by the Caucus Executive Board and local chapter dues, if any, will be determined by the chapter executive board.

#### Section 4: Name

The official name of each chapter shall be the AAPI Caucus of the county or counties in which the chapter exists, such as the "AAPI Caucus of Wake County Democratic Party" or the "AAPI Caucus of Mecklenburg and Harrisburg County Democratic Parties", unless otherwise approved by the Caucus Executive Board.

#### **Section 5: Chartering Authority**

The Caucus Executive Board shall have the authority to approve and issue charters.

#### Section 6: Formation and Chartering of Chapters

- A. Calling an Organizing Meeting: Any voting member(s) of this Caucus who is registered to vote in a county or region that has no organized Chapter may call for the establishment of a Chapter. An organizing meeting on a date, time and place within the county or region upon notification to the Chair. The Secretary shall provide a list of the Caucus members and their contact information in the county or region the Chapter is being organized.
- B. Notice of Organizing Meeting: The organizer(s) are required to give notice of the meeting to all Caucus's current membership in the county or region the Chapter is being formed at least fourteen (14) days prior to the meeting.
- C. Quorum for Organizing Meeting: Quorum for the meeting shall be five (5) Caucus Voting Members registered to vote within the county or region.
- D. Organizing Meeting Business: Upon convening, the meeting shall accomplish the following:
  - a. Adopt Chapter bylaws.
  - b. Elect officers per the adopted bylaws.
  - c. The Chapter's elected Secretary must submit a certification of the meeting, minutes of the meeting, bylaws, a list of elected officers, and a list of attendees at the meeting with contact information to the Secretary of the Caucus with a request for approval of the Charter within fourteen (14) days of the Chapter organizing meeting.
- E. Approval of Charter: The Executive Board shall consider a charter for a prospective Chapter upon receipt of a request for charter with a meeting certification, meeting minutes, bylaws, list of officers of the prospective Chapter and a list of attendees at the organizing meeting. The Executive Board must review the prospective Chapter's bylaws for conformance to the bylaws of the Caucus and the North Carolina Democratic Party Plan of Organization. The prospective Chapter shall be granted a charter upon a majority vote of the Executive Board. If the Executive Board votes to disapprove a charter, it shall provide the organizer(s) with reasons for that disapproval as well as suggestions for remedies that can lead to approval.

#### **Section 7: Chapter Officers**

- Elected Officers: The officers of the chapter shall be a Chair, a Vice Chair(s) up to two

   additional Vice Chairs, and a Secretary who shall be elected at an annual meeting of
   the chapter in the fall of each odd-numbered year. No more than one officer of a chapter
   shall come from the same family residing in the same household. No more than two (2)
   of the Elected Officers shall be from the same national origin of Asia (e.g. Indian,
   Pakistani, Korean, etc).
- 2. Chapter Treasurer: The Chapter Treasurer may be appointed by the County Caucus Chair with majority approval of the County Caucus Executive Board or directly elected by the Chapter members. If a Chapter has a treasury, or collects dues or contributions, the Chapter Treasurer shall be required to:
  - 1. Fulfill the State Board of Elections Campaign Finance Training prior to, or within 30 days of taking office;
  - 2. Maintain the chapter's treasury at an insured commercial bank;
  - 3. Maintain all records and file all reports required by law (including for the NC State Board of Election), and by the Caucus of dues and/or contributions received and disbursements made;
- 3. Resignation of Officers: Chapter officers may resign by submitting their resignation to the Chapter's Chair. A Chapter Chair shall submit their resignation to the Chapter's Vice Chair. The Caucus Secretary shall be informed of all resignations within fifteen (15) days of when they take effect.
- 4. Removal of Officers: Officers may be removed upon petition to the Caucus's Grievances Council for:
  - 1. Failure to perform the duties of the elected office.
  - 2. Failure to meet any of the membership requirements of the Caucus.
- 5. Vacancies: Vacancies that shall occur due to resignation, incapacitation, or removal shall be filled within thirty (30) days by majority vote at a meeting of the chapter. Pending filling a vacancy of the Chapter Chair, the Chapter First Vice Chair shall perform the duties of the Chair as well as their current duties. Pending filling a vacancy of the Vice Chair, the duties shall be performed by the next Vice Chair in line of seniority and finally to the Secretary as well as performing their current duties. Pending filling a vacancy of the Chapter Secretary, the Chapter Vice Chair immediately above in line of seniority shall perform the duties of Secretary as well as their current duties.

#### **Section 8: Chapter Meeting**

- A. Number of Meeting Annually: Chapters shall meet at least quarterly (four (4) times a year).
- B. Call of Meetings: Chapter Meeting may be called by the Chapter Chair or by a petition of forty percent (40%) of the voting members of the Chapter after notifying the Chapter Chair of the meeting.
- C. Notice: Notice of all Chapter meetings shall be given by text, email, or US mail at least fourteen (14) days before the meeting.
- D. Quorum: Quorum for Chapter meetings shall be the greater of 5 or twenty-five percent (25%) of Caucus Voting Members registered to vote within the county or region.
   Associate Members shall not count towards quorum.
- E. Voting: Voting in Chapter meetings shall be by members present and voting, and only during the existence of a quorum. Only Voting Members may vote at Chapter meetings.
- F. All decisions requiring a vote shall be taken by a majority vote unless otherwise provided in these Bylaws.

## Section 9: Disbanding of Chapters

The Caucus Executive Board shall have the authority to censure or disband any Caucus chapter for violating any Caucus rules. A chapter may be disbanded for any of the following reasons:

- Having fewer than five (5) Voting Members of the Caucus in the county or region.
- Failure to hold required election of officers.
- Failure to fill officer vacancies due to lack of members or interest from chapter membership to take on the roles.
- Failure to hold required number of meetings per year.
- Failure to file all reports required by law with the NC State Board of Election.
- Accumulating excessive fines by the NC State Board of Election.
- Violating any laws that bring disrepute to the Caucus.
- Any other reasons not outlined above.

# Article 6: Committees

## **Section 1: Formation**

The Chair shall have the authority to form any Committees of the AAPI-NCDP, which shall be approved by a simple majority vote of the Executive Board.

Each Committee shall have a maximum of six (6) members.

#### **Section 2: Standing Committees**

The standing committees of this organization shall be the following: Bylaws, Field Operations, Fundraising, and Platforms & Resolutions. Chairpersons of this committee shall be appointed by the Chair and shall serve at the Chair's discretion. Executive Board Members may nominate any AAPI-NCDP member to fill vacancies and nominations shall be approved by a simple-majority of the Executive Board.

The annual goals of each committee shall be set by the Chair with approval of the Executive Board. Each committee member shall serve in their capacity to accomplish the established annual goals of their respective committee. The annual goals are subject to amendments made by the Executive Board.

**Bylaws Committee:** The Bylaws Committee shall consider and report on all proposed bylaws amendments.

**Field Operations Committee:** The Field Operations Committee shall plan, in conjunction with the Executive Board, GOTV efforts, including, but not limited to, phonebanking and canvassing.

**Fundraising Committee:** The Fundraising Committee shall be responsible for planning events and initiatives to raise funds for the Treasury of AAPI-NCDP.

**Platform & Resolutions Committee:** The Platform & Resolutions Committee shall propose resolutions and amendments to the NCDP Platform for consideration by the NCDP Resolutions & Platform Committee. The proposals issued by this Committee must be submitted to the Chair for approval prior to submitting the package to the NCDP Platforms & Resolutions Committee.

#### **Section 3: Select Committees**

The Chair shall have the power to call select committees to order with majority approval of the AAPI-NCDP Executive Board.

## **Article 7: Advisory Commission**

#### **Section 1: Purpose**

The purpose of the Advisory Commission of AAPI-NCDP shall be to advise, assist, and support AAPI-NCDP on the following topics: community outreach, local events and concerns and fundraising, and any issues deemed necessary by the Executive Board.

#### Section 2: Scope

The Advisory Commission shall serve at the Chair's discretion. The body does not have the power to approve or deny proposals made by the Executive Board and are solely restricted to making recommendations. Any power or responsibility not explicitly stated within this document is not considered within the Advisory Commission's purview. With a two-thirds (2/3) approval from the Executive Board, the Chair of the Executive Board shall grant temporary exceptions on a case-by-case basis. Any exceptions may not contradict existing guidelines.

## **Article 8: Grievance Council**

#### **Section 1: Purpose**

The Grievances Council exists for the purpose of hearing and rendering fair and impartial decisions on such disputes and controversies that may arise within the Caucus when these are made known, in writing, to the Grievances Council by the Chair, the Executive Board, or by an aggrieved Caucus member.

#### Section 2: Selection and Tenure

The Grievances Council will consist of active members of the Caucus and shall consist of 5 voting Grievances Council Members, and one non-voting Grievances Council secretary, who is appointed by the Chair. Five (5) of the Grievance Council Members shall be elected by the General Body. The voting members include one (1) Grievances Council Chair elected by the Grievances Council members. Caucus officers at any level are not eligible to be on the Grievances Council.

Elections shall be held at the General Body meeting, held in July every even-numbered year. The term of office shall be no longer than two years.

The Grievances Council Secretary is responsible for documenting the decisions of the Grievances Council and generating reports to the Executive Board. In the case that the Grievances Council Secretary is absent, the Council Chair may appoint a temporary Secretary.

#### **Section 3: Rules and Decisions**

Before conducting any official business, the Council must establish quorum, which is at least two-thirds  $(\frac{2}{3})$  or four(4) of the Council members being present.

The Grievances Council Chair may assign a case to mediation if it is deemed appropriate. All agreements coming through mediation shall be reviewed by the Executive Board.

Any Grievances Council member who is a party to a dispute or a complaint shall be recused. If this results in a tied decision by the Grievances Council, the decision will be automatically appealed to the Executive Board which may overrule the decision by a two-thirds  $(^{2}/_{3})$  vote of the Board members present and voting during a quorum of the Board. Any member of the Board who is a direct party to the case, as determined by the Grievances Council, shall recuse themselves.

All decisions concurred in by a majority of the Grievances Council present and voting shall be final and binding upon all Caucus meetings and officials, except that any decision of the Grievances Council may be appealed to the Executive Board. The Executive Board may reverse the decision made by the Grievances Council by a two-thirds (<sup>2</sup>/<sub>3</sub>) vote of Officers present and voting.

The Council must notify the aggrieved parties and the Executive Board within fourteen (14) days of voting on a decision.

The Caucus Chair is hereby directed and empowered to issue such further and supplementary directives as may be necessary and proper to implement the decisions of the Grievances Council. The directives of both the Grievances Council and of the Caucus Chair shall be clear, direct and unambiguous.

The Grievances Council is empowered to order three levels of remedies: Censure, Suspension from the Caucus, and Expulsion from the Caucus, along with mandating mediation and sensitivity training. Any decision to remove an AAPI-NCDP member from the Caucus must be approved by two-thirds  $(\frac{2}{3})$  of the Grievance Council, present and voting.

The Grievances Council is further empowered and directed to adopt necessary and appropriate rules to assure that each dispute and grievance is settled impartially, equitably and according to rules of justice and fairness.

## Section 4: Removal of Members

The Executive Board shall have the right to remove from office any member of the Grievances Council upon two-thirds  $(\frac{2}{3})$  vote of the Executive Board present and voting being satisfied that the Grievances Council member has refused or failed to perform their duties, has missed more than two meetings in a row or three meetings in their term of office, or is guilty of any misconduct in the Caucus.

#### **Section 5: Vacancies**

A vacancy in the membership of the Grievances Council shall be filled by the Chair.

# **Article 9: Amendments**

Bylaws may be adopted or amended by a two-thirds vote of the Caucus general membership, present and voting at a meeting where quorum is met, provided that fourteen (14) days written notice of any proposed bylaws or amendment has been given to all members of the Caucus.