

RESOLUTION
CAL FIRE LOCAL 2881 58th ANNUAL CONVENTION
SACRAMENTO, CA
JANUARY 9 - JANUARY 12, 2025

SUBJECT: Voting Procedures for Supervisory and Rank-and-File Member

SUBMITTED BY: District IX

INTENT: To amend the CAL FIRE Local 2881 Constitution and Operating Procedures

FINANCIAL IMPACT: (To be assigned by fiscal steering committee/state finance director)

Sunset Date: _____ Continues Indefinitely _____

Estimated Annual Revenue: _____

WHEREAS, (1) CAL FIRE Local 2881 currently allows both supervisory and rank-and-file members to participate in each other's elections, despite their distinct responsibilities and interests within the union; and; and

WHEREAS, (2) The Dills Act (California Government Code §3512-3524) establishes a legal framework for public employee labor relations, recognizing that supervisors and rank-and-file employees have separate bargaining roles and limiting supervisors from participating in decisions affecting rank-and-file bargaining; and

WHEREAS, (3) Supervisors are already excluded from voting on MOU ratifications and representing rank-and-file members in disciplinary or grievance matters, reinforcing the need for clear boundaries in union governance; and

WHEREAS, (4) State-level positions such as President, General Vice President, and Finance Director serve the entire membership and should remain open to election and voting by all members, regardless of classification; and

WHEREAS, (5) This amendment will promote fair representation while maintaining opportunities for supervisors and rank-and-file members to hold leadership positions at the chapter, district, and state levels; therefore be it

RESOLVED, (A) Amend Article IX, Section 3 of the CAL FIRE Local 2881 Constitution to state: *“Supervisors may only vote for positions within the supervisory classification, and rank-and-file members may only vote for positions within the rank-and-file classification. Elections for the offices of*

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President, General Vice President, and Finance Director shall remain open to all members, regardless of classification.”; and be it further

- RESOLVED, (B) Amend Article IV, Section 8 to clarify:
“Any and all active or retired members may participate within CAL FIRE Local 2881 and serve as an officer, representative, and/or delegate at their respective classification, consistent with the Dills Act and state law. Eligible members in good standing, regardless of classification, may also hold state officer positions, including President, General Vice President, and Finance Director.”: and be it further
- RESOLVED, (C) Add Article IX, Section 7 to read:
*“Section 7. Election of State Rank & File Director
Nominations may be made by any active rank and file member in good standing.

When only one candidate exists, no balloting shall occur, and he/she will be considered elected by acclamation. (Any candidate elected by “acclamation” shall be notified of his/her election by October 20.)”; and be it further*
- RESOLVED, (D) Add Article IX, Section 8 to read:
*“Section 8. Election of State Supervisor Director
Nominations may be made by any active Supervisor member in good standing.

The names of all nominees, following a determination of willingness to serve and their being an active member in good standing, will be included in a ballot to be sent to each active Supervisor member of record on September 1.

When only one candidate exists, no balloting shall occur, and he/she will be considered elected by acclamation. Ballots, when required, are to be mailed no later than October 25 and must include the statement, “Vote will not be valid unless received in the CAL FIRE Local 2881 headquarters by the close of business on the last Friday in November.” Self-addressed envelopes shall be provided. Within 10 days after the ballot return date, the ballots shall be counted by three CAL FIRE Local 2881 members, and the results made known to the executive board and all candidates for election as State Supervisor Director no later than seven (7) days after the ballot counting. (Any candidate elected by “acclamation” shall be notified of his/her election by October 20.) All ballots received shall be turned over to the convention ballot committee to*

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allow for resolution of any challenge to the reported election results.

Travel expenses for both the incumbent and newly elected retiree director will be reimbursed for their expenses in accordance with the rates established for the convention.

The individual receiving the greatest number of votes from the ballots received shall be elected as the State Supervisor Director. In the event of a tie for the most votes, the convention, utilizing convention voting procedures, shall vote the second and succeeding ballots. In the event of a tie, both candidates will be authorized to attend and be reimbursed as prescribed for their expenses.”; and be it further

RESOLVED, (E) If adopted, this amendment will take effect immediately and apply to the next election cycle following the ratification of this resolution.; and be it further

RESOLVED, (F) The Executive Board and Constitution & Operating Procedures Chairperson will review all related sections of the Constitution to ensure consistency with this amendment and propose further updates, if necessary, at the next general convention.

ACTION:

To Executive Board of Directors _____ Adopt in Original Form _____

Adopt as Amended _____ Adopt as a Consolidation of Resolutions _____

Withdrawn by Author _____ Reject _____