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Sent: Mon Nov 19 15:26:23 2007
Subject: Ca State Council Ruling

I am issuing this determination in accordance with Article VIII, Section 1(h) and Article XVIII of the SEIU Constitution and Bylaws.

1. I am appointing Walt Hamilton, Executive Director of Local 620, to the Executive Board of the new California State Council.
2. Per the request of Simon Ahtarides, President of Local 1957 – CIR, I am appointing Amy Hall to substitute for Brother Ahtarides as a member of the Executive Board of the new State Council.
3. Per the IEB decision on California decision issued in June 2006, the charter of the former state council was revoked, and a new State Council was chartered. A new State Council constitution and bylaws was imposed.
These actions were taken effective October 15, 2007.

There are no hold-over officers or executive board members from the old state council. That is why I have appointed interim Executive Board members for the new State Council.

It will be up to the new State Council Executive Board to elect initial officers of the new State Council.

4. Under Article XVIII, Section 3 of the SEIU Constitution, all local unions within the jurisdiction of the new State Council must affiliate with the new State Council. All local unions must pay per capita tax to the new State Council, and all local unions are entitled to participate in the activities and decisions of the new State Council, irrespective of their status under or payments to the revoked state council, unless a local union has been suspended from the new State Council for failure to pay per capita tax to the new State Council.

5. As noted in Brother Freeman's request for a waiver of the per capita tax voting procedures under the new State Council constitution, those procedures cannot be put into effect yet since no local union has six months of experience making per capita tax payments to the new State Council. Payments to the old State Council are not determinative because, as noted above, we are starting over with a newly chartered State Council as specified by the IEB. Accordingly, pursuant to Article XVIII, Section 4 of the SEIU Constitution, I grant the waiver request, subject to the following alternate per capita voting procedure, which I now approve:

The principles herein shall govern voting strength of per capita votes of the new State Council Executive Board, except for local unions that have been suspended from the new State Council for failure to pay per capita tax to the new State Council.

For per capita votes taken this month (November 2007), each local's voting strength shall be calculated based on its average full per capita equivalent (excluding associate members, life members and agency fee payers when electing officers) paid to the International Union for the six month period beginning with the month in which operations of the newly-chartered California public services local unions commenced, i.e., March 2007, through August 2007. For per capita votes taken in subsequent months, voting strength shall be calculated based on the average full per capita equivalent (excluding associate members, life members and agency fee payers when electing officers) paid to the International Union for the six month period ending three months prior to the month in which the vote is taken. The

voting strength of Local 1957 – CIR shall be limited to full per capita tax equivalents paid for local union members with worksites in California.

This waiver shall be in effect until May 1, 2008.

6. I am designating Deputy General Counsel Norm Gleichman to provide assistance and oversight to the new State Council with respect to per capita voting, and to obtain and transmit to the new State Council voting strength calculations for affected local unions.

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