

# **Bylaws of the Long Beach Democratic Club (Approved April 13, 2022)**

## **PREAMBLE**

In order to fulfill our responsibilities in a democratic society, to stimulate active participation at all levels of government, and to perpetuate the ideals of the Democratic Party, we do hereby associate ourselves together to establish the Long Beach Democratic Club

## **ARTICLE I – Policy**

By all of our endeavors, we shall seek to enhance the growth of the Democratic Party, to develop Party leadership, and to advance the principles of the Democratic Party in the service of the people of the City of Long Beach.

## **ARTICLE II – Membership**

Section 1 – All members of the Long Beach Democratic Club shall be registered Democrats, except that a person who indicates to register as a Democrat, upon becoming eligible to register, may be a member. The minimum age for membership shall be 16 years.

Section 2 – A “member in good standing” is one who has affirmatively applied for membership and has paid dues for the current year or had them waived due to economic hardship. A grace period of 60 days following expiration of membership shall be granted, during which a person may exercise all privileges of membership, provided dues are paid or been waived before exercising the right to vote.

Section 3 – Annual dues shall be proposed by the Executive Board of the Club and adopted by the membership at a regular or special meeting. Membership shall be for the calendar year.

## **ARTICLE III – Meetings**

Section 1 – The President and the Executive Board shall schedule at least six regular meetings per year.

Section 2 – The President may call a special meeting should need arise. Notice of special meetings must include the limited purpose for which the meeting is being called, and no other business may be discussed or voted on at that meeting.

Section 3 – A quorum shall exist at any regular or special meeting of this club for which written notice has been sent to all qualified members at least one week in advance of the meeting. A quorum of any meeting of the Executive Board shall be a majority of the members of the Executive Board.

Section 5 – Proxies shall not be valid at any meeting of this club or its executive board.

#### **ARTICLE IV – Officers and Committees**

Section 1 – The elected officers of this club shall be President, Vice President of Programs, Vice President of Membership, Vice President of Fundraising, Community & Political Engagement Secretary, Recording Secretary, Correspondence Secretary, Treasurer,

Section 2 – The President may appoint a Parliamentarian to advise on matters of procedure.

Section 3 - In the case of a vacant position, an individual may be appointed to a position, for a term not to exceed the present calendar year, by a majority of the current board at a special meeting.

#### **ARTICLE V – The Executive Board**

Section 1 – The Executive Board shall consist of the elected and appointed officers listed in Article IV.

Section 2 – Meetings of the Executive Board shall be open to all members of this club, but only members of the Executive Board shall have a vote.

Section 3 – All requirements pertaining to the length of time one must be a member in good standing to be eligible for election shall be waived for the first year that the club is in existence.

#### **ARTICLE VI – Elections**

Section 1 – The President shall appoint a nominating committee of five club members no later than the September meeting. This committee shall make its report at the October meeting, at which time nominations may be made from the floor. A list of all nominees shall be sent to the qualified members in the notice of the November meeting. The election of officers shall take place at the November meeting. The new officers shall be installed at the December meeting of this club and begin their tenure of office in January. They shall serve for at least one year, or until successors are installed.

Section 2 – A nominee to any office of this club must have agreed to serve in that capacity (either orally at the time of nomination or in writing after the October meeting of this club) in order to be included in the published list on nominees.

Section 3 – At the request of any member, election of officers shall be by secret ballot, those ballots to be counted in the presence of the membership.

#### **ARTICLE VII– Endorsement**

This club may consider the endorsement of candidates for any elective office, or its position on any ballot measure only according to the following procedures.

Section 1 – Only candidates who are registered Democrats may be considered for endorsement.

Section 2 – This article, along with the offices and measures to be considered, shall be published in the notice of the meeting at which endorsements are to be considered.

Section 3 – All candidates eligible for the endorsement of this club shall be afforded the opportunity to address this club or have this club addressed on their behalf at the meeting at which endorsement for that office is to be considered.

Section 4 – A single vote will be taken on each office or ballot measure to be considered for endorsement.

Section 5 – The option of “No Endorsement” shall be available for every office or ballot measure.

Section 6 – Endorsement of a candidate or position on a ballot measure requires a 60% vote of those present and voting at the meeting at which the endorsement is considered. Blank ballots shall be ruled as abstentions and shall not count as part of the total number of vote cast. Votes for “No Endorsement” shall be counted as part of the total number of votes cast.

Section 7 – This club may reconsider its endorsement in the run-off election for an office, in the event its endorsed candidate is no longer a candidate.

Section 8 – At the request of any member, voting on endorsement shall be by secret ballot, those ballots to be counted in the presence of membership.

Section 9 – No financial support may be provided to any candidate or ballot measure position who has not received the endorsement of the club.

#### **ARTICLE IX – Amendments**

Section 1 – After a reading of the proposed amendment at the immediately preceding regular meeting of this club, these by-laws may be amended by a 2/3 vote of those present and voting at any regular meeting of this club, due notice of the meeting having been given, and that notice having included the text of the proposed amendment.

Section 2 – An amendment passed as a described in Section 1 of this article shall become effective at the next regular meeting of this club after the one at which it is considered.

#### **ARTICLE X – Parliamentary Authority**

In matters of procedure not otherwise provided for in this constitution and by-laws, the most recent edition of Robert’s Rules of Order – Newly Revised, shall govern.

## **ARTICLE XII – Anti Harassment**

Section 1 - All members shall agree to abide by the Long Beach Democratic Club Harassment Policy.

Section 2 - This Anti Harassment policy shall be made publicly available on the board website or upon request of the membership.

Section 3 - If the requirements set in Section 1 are not met, a member is eligible for expulsion from the club by vote of a majority of the current board to be conducted as a special meeting.

## **ARTICLE XIII - Grievance Procedure**

A. Grievance Procedure: Long Beach Democratic Club seeks to initially employ the principles of Restorative Justice in handling grievances. Prior to processing a complaint, the Grievance Committee shall, if it determines the matter to be amenable to these principles, make attempts to bring the parties together in a safe space to address situations face-to face in order to repair harm, promote healing and learning, and build community.

If such efforts are determined to be inappropriate to the situation presented, or if such efforts are unsuccessful, the Grievance Procedures described below shall be undertaken.

The timelines described below shall be tolled until engagement in the Restorative Justice Process is concluded or determined to be inappropriate or unsuccessful.

### **1. Grievance Committee:**

a. A Grievance Committee consisting of 5 members appointed by the President of the Club and approved by a majority vote by the Executive Board shall be appointed within twenty-eight (28) days of the adoption of this procedure and thereafter 28 days after the election of This Club's officers, in the December election meeting, any position not so appointed shall be elected by the membership at its next regularly scheduled meeting for which due notice can be given.

b. The President of the Club will appoint the members of the Grievance Committee and with approval by a majority vote by the Executive Board. None of these appointments/elected members can be an active member of the Executive Board. Alternate members will be chosen to serve by lot in the

event a regular member of the Grievance Committee is unable to serve or has a conflict of interest.

c. Persons appointed to the Grievance Committee need not be members of This Club, provided they are either members of the Policy Committee of the Los Angeles County Democratic Party or Members of the Executive Board of the California Democratic Party.

d. The Grievance Committee may meet in person. Video conference, or by telephone, but may only interview witnesses in person or by video conference.

e. Meetings of the Grievance Committee fall under the “Member Disciplinary and Other Proceedings Involving the Right to Privacy” exception to the “Policy Statement By the Rules Committee of the California Democratic Party on the Open Meeting Rule” and therefore need not be public.

f. The Grievance Committee shall meet and elect its own chair within fourteen (14) days of the appointment of its full membership.

g. Once a member is appointed, in the event a vacancy occurs, it shall be filled within twenty-eight (28) days of the notice of vacancy by the person holding the same position as the original appointor. In the event the vacancy is not so filled, a member shall be elected by the membership at its next regularly scheduled meeting for which due notice can be given.

**2. Grounds and Jurisdiction: The sole grounds for a member filing a grievance, and the jurisdiction of the Grievance Committee shall be an alleged:**

a. Violation of Local, State, or Federal laws or regulations having a direct impact on:

- 1) This Club, or,
- 2) the complainant

b. Violation of these bylaws, including the Code of Conduct and/or the Policy Against Harassment and Workplace Violence attached as appendices hereto.

**3. Standing: A complainant must be a member of This Club, in good standing, and be directly and adversely affected by the actions or conduct of another member of This Club, in order to file a grievance.**

**4. Remedy: If a grievance is found to have merit, it may lead to any of the following:**

- a. Private Admonishment,
- b. Public Admonishment,
- c. Suspension of Rights for a time certain not to exceed 60 days,
- d. Removal from Office, and/or,
- e. Removal from membership.

**5. Initiating a Grievance: A grievance may be initiated by filing a timely Written Statement with the Secretary of This Club (or President, if the Secretary is the accused) and the Chair of the Grievance Committee:**

- a. Setting forth, with specificity, the text of the Code of Conduct, Policy Against Harassment and Workplace Violence, regulation, and/or law alleged to have been violated,
- b. A statement of facts supporting the allegation, and,
- c. The requested remedy.

**6. Initial Determinations and Actions:**

- a. Within fourteen (14) days of receipt of the Written Statement, the Grievance Committee shall make an initial determination, based solely upon the Written Statement, subject to change after rebuttal evidence is received, of standing, jurisdiction, and actionable allegations.
- b. If it is initially determined that standing, jurisdiction, and actionable allegations are present, the Chair of the Grievance Committee shall contact the accused within seven (7) days of the determination and advise as to the allegation(s), without disclosure of the identity of the complainant, and make an offer of the remedy requested by the complainant.
- c. If rejected by the accused, the Grievance Committee shall provide the accused with a copy of the complaint, and the identity of the complainant, and

request a written response, after instructing the accused not to contact the complainant, during the duration of this process.

d. If, in the determination of the Grievance Committee, the accusation involves a potential violation of criminal law, the complainant shall be advised to contact the appropriate Law Enforcement Agency. This process will continue parallel to any Law Enforcement action at the discretion of the Grievance Committee.

e. The Grievance Committee may, by a two-thirds vote, also make an initial determination, based upon the Written Statement, that the situation warrants temporarily suspending the membership rights of the accused, pending further action.

**7. Confidentiality: The identity of all persons involved in the process, and all information regarding the allegation(s), shall be treated with confidentiality, and protected to the extent possible and will, except as otherwise specified herein.**

**8. Hearings:**

a. Hearings are not required for the issuance of Admonishments, or Suspensions of Rights, but must be held if the remedy sought is removal from office, and/or removal from membership in This Club.

b. Despite the above, after review of the Written Response, any two (2) members of the Grievance Committee may determine that a hearing shall be held, regardless of the remedy sought.

c. The determination of whether or not to hold a hearing shall be made within seven (7) days of receipt of the Written Response.

d. If a hearing is determined to be required due to the remedy sought, or by four members of the Grievance Committee, it shall be held within fourteen (14) days of that determination.

**9. Orders:**

a. Orders of the Grievance Committee shall be made within fourteen (14) days of the determination that no Hearing is required, or, fourteen (14) days of the conclusion of any Hearing.

b. The Grievance Committee may, by majority vote, issue any admonishment, temporary suspension of rights, or dismissal of the Complaint.

- c. The Grievance Committee may by a two-thirds (2/3rds) vote, concurred in by a majority vote of the Steering Committee, remove an accused from office, and/or membership in This Club.
- d. If the matter did not proceed to hearing, the Grievance Committee may only impose a remedy equal to, or lesser than, the remedy sought by the complainant.
- e. If the matter proceeded to hearing, the Grievance Committee may impose any remedy set forth herein.
- f. At any stage of this process the Grievance Committee may issue an Order Extending Time.
- g. If no remedy is imposed within fourteen (14) days of the determination that no Hearing is required, or, fourteen (14) days of the conclusion of any Hearing, the complaint shall be deemed dismissed, unless time has been extended.
- h. All Orders shall be sent to the accused by first class mail, and, if an email is on file with This Club, by email.
- i. A written decision shall be rendered at the conclusion of the Process, setting forth the allegations made, facts determined, and remedy imposed, if any, and shall be sent to the complainant, and the member who is the subject of the Written Statement.
- j. Proof of the date and manner of delivery of any notices required under this Article shall be maintained.

## **10. Appeals:**

- a. The accused may, within fourteen (14) days of the mailing of the Order(s), appeal any Suspension of Rights, or Removal from office or membership, to the Steering Committee, which shall hear the matter at its next regularly scheduled meeting for which due notice can be given.
- b. Admonishments and Dismissals of Complaints are not subject to appeal.