

BOARD OF DIRECTORS MINUTES

October 16, 2020

8:30am – 4:30pm

Virtual

Meeting called to order at 8:31 a.m.

# Roll Call

Present: Region 1 Darci Wing; Region 2 Randall Shimpach (after roll); Region 3 Shanna Schmitt; Region 4 Chris Smith; Region 5 LP Robert Johnson (vacant); Region 6 Katey Kinley (alternate); Region 7 Ellena Schoop; Region 8 Ken Rodgers; Region 10 Jacki Blagsvedt; Region 11 Jessica Raptis ; Region 12 Tess Flom; Region 13 Lois Tucke; Region 14 Ann Adkisson; Region Region 16 Darren Hage; Region 17 Mike Terhune; Region 18 Tim Beske; Region 19 Jerry Jeffries (after roll); Region 20 Angela Christle; Region 21 Sarah Sinderbrand; Statewide (SW) President Megan Dayton; SW Vice President Thu Phan; SW Treasurer Todd Maki; SW Secretary Lynn Butcher; Organizing Council (OC) Chair Sarah Evans (after roll); Political Council (PC) Chair Cathleen Cotter; Speaker of the Meet & Confer Committees (Speaker) Whitney Terrill

Staff: Executive Director (ED) Lina Jamoul

Not Present: Region 9 Steph Meyer; 15 Bryan Kotta

Guests: Joan Treichel; Paul Schweizer; Caitlin Reid; Pete Marincel; Brenden Cummins; Pat Reymann; Kay Pedretti; Elizabeth Stephens, Marcia Beukelman, Beth Brostrom, Jerry Schmitt, Kirsten Peterson

PC Chair Cotter requested a point of personal privilege to announce that former Regional Director Kassie Church had delivered a baby girl.

# Approve consent agenda

**M**(Rodgers)**SP** to approve consent agenda - **consensus**

# Adopt Agenda

**M**(Cotter)**SP** to adopt agenda - **consensus**

# Delegate Assembly debrief & recommendations with planning committee Chair Treichel

2021 DA recommendations

by: DA 2020 Planning Committee 10/16/2020

DA 2020 Committee…

Members: Joan Treichel, Chair, Jessica Raptis, Co-Chair, Lois Tucke, Darci Wing, Ken Jackson, Jerry Schmitt

Staff:Paul Schweizer, Davia Curran, Sierra Plunkett, Cynthia Isaacson, Leah Solo

1. Timeline of Communication
	1. Announce DATE of event – ADD deadline of registration (to top of registration)
	2. Series of emails to appoint Delegate – worked well/continue
	3. When Local President needs to appoint a delegate/alternate
		1. MUST notify MAPE Central!
		2. email: swelect@mape.org
		3. Local President meet third Tuesday of every month
		4. ADD: Local President committee member to be on DA Planning committee
2. Mandatory training – Local President w/Regional Director
	1. For Delegates and Alternates
		1. Overview of DA
		2. Robert’s Rules
		3. Members comments from survey:
* there simply seem to be too many delegates that really don't know what is going on.
* There was also a complete lack of understanding the rules and not listening once they were explained. The number of point of orders that were actually point of information was demonstrative of this.
* People also didn't have good understanding of "Robert's Rules", so that didn't help.
* Pre-DA training would be beneficial on what a MAPE DA is and what it is not.
* Provide training to new delegates about what to expect and how to prepare.
* Hold Regional Directors accountable for their locals to ensure their delegates are prepared.
1. Resolutions Forums
	1. Discussion at forums – request any amendments
	2. ASK for amendments prior to DA – C&R / Parliamentarian
	3. Send evaluations out right after event
2. DA Budget Forums
	1. Host early for input from membership
	2. Same as Resolutions Forums
	3. Member survey results:
		1. if offered would you attend two day – Yes:66.7%, Maybe:25.4%
3. Time management during DA
	1. Limit time on 3 for and 3 against
4. Question & Answer/ Chat box on Zoom
	1. Needs to be better monitored
5. Electronic materials should be provided
	1. BOTH PDF and Word
6. Voting process – Davia will check into this
	1. Display timer on polling screen/ count down feature
7. Accessibility – CART/interpreter
	1. Captions were awful – not charged for event
		1. Captioners had technologic difficulties
	2. Used the agency of ASLIS for CART – ASLIS is better for interpreters
	3. Paradigm Reporting & Captioning – should be used for CART
8. If DA could in person, we would recommend two day
	1. Friday – Saturday (finish by 1 pm)
	2. Member comments survey:
		1. survey results – Yes:75.4%
9. Recommendation of trainings:
	1. Robert’s Rule – quarterly throughout the year
	2. Resolutions Writings – twice throughout the year
		1. Have the C & R Committee present resolutions proper order
	3. Governing documents training done at BOD, afterwards to delegates
	4. State budget process
	5. Anti-Racism/diversity/leadership
	6. Steward training – should be done by Chief Steward or Summit
10. Send recording meeting of Member Award/Political to delegate and alternate
	1. Political Speakers
	2. Membership awards
11. Recommend that survey be sent out via SurveyMonkey, not MailChimp
	1. For more usable % data
12. Recommend DA 2021 Planning Committee members to be…
	1. Ken Jackson – member at large
	2. Jerry Schmitt – liaison to Local President Committee
13. Hotel contract pending
	1. Fees have been paid w/50% applying to 2021 contract
	2. BOD approval for DA 2021 date(s)
		1. One or two days in person
	3. If potentially to have DA 2021 virtual – don’t sign contract

# Delegate Assembly resolutions remaining (Statewide Secretary Butcher)

* 1. Resolution 3 – Establishing a procedure for resolving disputes of MAPE’s governing documents and policies

**M**(Shimpach)**S**P to move this to executive committee for review and recommendation to the board. **Consensus**

* 1. Resolution 8 – Speaker of Employee Rights Committee
	2. Resolution 9 – Replacing “Regional Chief Steward” with “Regional Lead Steward”

**M**(Rodgers)**SP** to move all three resolutions to the executive committee for discussion and resolution. **Consensus**.

# Appointments

**M**(Beske)**SP** Ratify appointments of the members included in the Board packet- **consensus**

Suggestions for accessibility (Rodgers) – anything with color or visual does not show up; actual stuff can be in regular print and proposals can be designated physically: parenthesis, brackets, asterisks, etc.

Director Raptis – asked process for PC replacement – was it advertised? Not advertised, reviewed previous applicants from when position was filled with Whitney.

Question about MMB M&C from Jerry; (Jamoul) clarified that the MMB M&C is for the agency and its issues, and she and Dayton were working to get regular meetings with MMB Commissioners to bring forward larger issues.

# DHS anti-privatization work

(Reid & Marincel) – walked through the 1-pager

(Jamoul) – tied to tactical goals (mental health; find and work with partners to find resources to invest in public services and build a resilient public sector)

# Relationship building proposal (August 2020)

**M**(Evans)**S**(Flom) to approve Board Relationship Building Initiative, whereby Board members commit to 30 minute 1:1 conversations—using a discussion guide—with all fellow Directors and Executive Committee members over the next 13 weeks, and report out on conversation highlights at subsequent Board meetings.

**M**(Schmitt)**S** to amend the motion to gather in groups of three, one time per week.

**M**(Sinderbrand)**SP** to split the amendment – **consensus**

First part **P**: one meeting per week – **Consensus**

Second part **F**: switch to 3-person meetings. **Failed 2/22**

Voting Yes: Region 3, Region 18

Voting No: Region 1, Region 2, Region 4, Region 5, Region 7, Region 8, Region 10, Region 11, Region 12, Region 13, Region 14, Region 16, Region 17, Region 19, Region 20, Region 21, SW VP, SW Treasurer, SW Secretary, OC Chair, PC Chair, Speaker

Abstaining: Region 6

Amended motion **P**: Meet 1:1 one time per week. **Consensus**

Director Flom will send an updated schedule.

# TAG AV expansion (August 2020)

**M**(Kotta) **SP** to move forward with all of the IT improvements outlined for all three rooms as proposed with the money coming from the Capital Improvement Fund up to $100K. **Consensus**

Director Rodgers asked if a looping system was considered for the rooms and whether that needed to be a separate proposal. Director Terhune asked Operations Director Schweizer to reach out to the vendor.

Director Terhune confirmed that they were Zoom room compatible, and they tried to technology proof it as much as possible.

# Member comments

Elizabeth Stephens – wants to make sure there is full transparency in contractual work; asked again about the 3 bids and asked for the bids that were submitted. President Dayton asked member Stephens to follow up with either Director Terhune or herself.

Kay Pedretti – would like to formally request BOD remove Thu Phan from the chair of the Judicial Committee; filed a complaint in April, and there has not been movement on the complaint. The Judicial procedure requires resolution within 90 days of the complaint being filed. Added to the end of the agenda for further discussion

# Board Governance (Emil Angelica)

Emil walked through MAPE’s governance model and the role of the board and individual directors within that model, as well as the relationship between the board and the executive director. He then walked through the policies that had been recommended by the Board Development Workgroup

## Proposed policies:

**MS** (Board Development Workgroup)**P** to approve and adopt the Board-Executive Director Relationship Policy #1 – Delegation to the Executive Director **Consensus**

**M**(Schoop)**SF** to table the discussion and move Board-Executive Director Relationship policies 2 & 3 to the November BOD meeting for further discussion and resolution. **Motion fails 6/18 with 1 abstention**

Voting yes: Region 5, Region 6, Region 7, Region 12, Region 18, SW VP,

Voting no: Region 1, Region 2, Region 3, Region 4, Region 8, Region 10, Region 11, Region 13, Region 14, Region 16, Region 17, Region 19, Region 21, SW Treasurer, SW Secretary, OC Chair, PC Chair, Speaker

Abstaining: Region 20

**MS**(Board Development Workgroup)**P** to approve and adopt the Board-Executive Director Relationship Policy 2 – Executive Director role  **Motion passes 16/9**

Voting yes: Region 1, Region 2, Region 3, Region 4, Region 8, Region 10, Region 14, Region 16, Region 17, Region 21, SW VP, SW Treasurer, SW Secretary, OC Chair, PC Chair, Speaker

Voting no: Region 5, Region 6, Region 7, Region 11, Region 12, Region 13, Region 18, Region 19, Region 20

**MS**(Board Development Workgroup)**P** to approve and adopt the Board-Executive Director Relationship Policy #3 – Monitoring Executive Director Performance **Consensus**

**MS**(Board Development Workgroup)**P** to approve and adopt the Executive Limitations Policy #1 – General Executive Constraint **Consensus**

**MS**(Board Development Workgroup)**P** to approve and adopt the Executive Limitations Policy #2 – Compensation and Benefits **Consensus**

**MS**(Board Development Workgroup)**P** to approve and adopt the Executive Limitations Policy #3 – Financial Condition **Consensus**

**MS**(Board Development Workgroup)**P** to approve and adopt the Executive Limitations Policy #4 – Asset Protection **Consensus**

**MS**(Board Development Workgroup)**P** to approve and adopt the Executive Limitations Policy #5 – Communication and Counsel to the Board **Consensus**

Director Beske requested development of an additional policy regarding data security and privacy be developed for board review.

## ED Contract

Emil walked the board through the review process that had been developed to ensure a review was conducted prior to the ED contract extension; SW President Dayton clarified for the board that this was a single-time process that was necessary because no performance review had been conducted since 2018.

# Vice President’s report

Arbitration team policy

**M**(Phan)**SP**: Approve and adopt the Arbitration Team Policy **Consensus**

Steward affirmation, revocation, and reinstatement policy

**M**(Phan)**SP**: Approve and adopt the Steward Affirmation, Revocation, and Reinstatement Policy **Consensus**

# Electronic union bulletin boards

Director Schmitt shared an image of the electronic bulletin board from the Attorney General’s office – wanted to know if other agencies had something similar. The board discussed how regions/locals are using email and other electronic sources more with increased telework and shared concerns about access – some agencies can’t access google docs or drop box; several board members expressed interest in further exploration either to replace physical bulletin boards or supplement them; others shared they use local Facebook page; all agreed that with the bulk of folks working from home, an electronic communication solution would be beneficial to have; BOD asked if this could be done through the portal.

# Executive Order on combating race and sex stereotyping

Director Schmitt shared the executive order and asked if there should be a response. Several directors shared that they or their work units were looking at the impact of the order. Director Rodgers shared that his office and agency have looked at this extensively and agency chief council opinion is that even if it stayed in effect past November, it would be a year at least prior to trickle down. SW President asked Director Schmitt to follow up with her so she can bring to the weekly MMB meetings.

# Board of Directors – 9 July 2020 minutes

Attorney Brendan Cummins and Parliamentarian Pat Reymann joined the board for discussion of these minutes.

Attorney Cummins provided reasoning for his legal opinion that the motion be changed to remove the complainant’s name from the minutes, specifically that the risks of leaving the name in the minutes outweighed any benefits of doing so: Regarding concerns about transparency or allegations of corruption, Attorney Cummins advised that the majority vote of the BOD demonstrated a lack of corruption, and that vote is included in the minutes. He further encouraged the BOD to acknowledge that they are people making decisions they feel are in the best interest of MAPE and that they should assume good intent in each other and learn from their mistakes. Regarding direction to staff, he agreed with Parliamentarian Reymann that a confidential memo directing staff to act would satisfy audit requirements. Regarding this decision established precedent, he did not think a precedent had been set and advised against a similar decision in the future. Rather, he suggested the board take steps to improve the process to eliminate a similar outcome.

Parliamentarian Reymann confirmed that entering into executive session for the discussion was the correct thing to do, and that those minutes could be shared with staff for direction; she confirmed for the board that decisions could be made in executive session, and that if they are, MAPE should keep a second set of confidential minutes for any decisions made, and then reference the general issue in the regular board minutes. Since it has not been MAPE’s practice to take minutes or make decisions in executive session, she suggested a confidential memo directing staff to act on the motion after removal of the complainant’s name. A question was asked regarding alternates and whether they could share with the Regional Director what is said in executive session. Parliamentarian Reymann advised that since the Regional Director would have been at the meeting otherwise, it is acceptable for the information to be shared. She suggested developing a policy regarding executive session that included provision for alternates.

The BOD discussed potential issues with executive session, including materials provided for review as part of the board packet, alternates and violations of confidentiality.

**M**(Butcher)**SP** to approve the 9 July 2020 minutes of the Board of Directors. **Consensus.**

# Region 6 communication

**M**(Shimpach)**S** to approve and adopt the document as the official Board position on issues raised by former Region 6 Director. **Second was withdrawn; motion was withdrawn.**

**M**(Beske)**SP** to extend the meeting 30 minutes. **Motion requires a 2/3 vote -Consensus**

The BOD discussed that the proposed document was not reflective of all of the board members, and revisited the previous discussion about assuming good intent of each other and then learn from the consequences of our actions. The BOD discussed the need to take action that reiterates the need for every member and member-leader to assume positive intent in the actions that are taken at every level of the organization; that when those actions result in real or perceived harm, we evaluate our system to identify problems in our structure that would allow those actions to occur; and that we take steps to fix those problems, as well as to restore our relationships and trust. The

Local President Kinley provided context to the BOD that Region 6 Local Leadership had requested a response, but that she was withdrawing that request based on the amount of time that had passed and the BOD discussion on the topic.

# Kay Pedretti’s request to remove Thu Phan from Judicial Committee

**M**(Beske)**SF** to extend the meeting by 30 minutes. **Motion requires 2/3 vote; motion fails 13/9**

Voting yes: Region 1, Region 3, Region 5, Region 6, Region 7, Region 8, Region 11, Region 12, Region 18, Region 19, Region 20, Region 21, SW Secretary

Voting no: Region 2, Region 4, Region 10, region 14, Region 16, Region 17, SW VP, SW Treasurer, PC Chair

Abstaining: OC Chair, Speaker

Not voting: Region 13

Meeting adjourned at 5:03.

**BOARD-EXECUTIVE DIRECTOR RELATIONSHIP**

**POLICY #1: DELEGATION TO THE EXECUTIVE DIRECTOR**

The board job is generally confined to establishing topmost priorities, leaving implementation and subsidiary policy development to the Executive Director. The Strategic Plan and related goals direct the Executive Director to achieve certain results; *Executive Limitations* policies constrain the Executive Director to act within acceptable boundaries of prudence and ethics. All board authority delegated to staff is delegated through the Executive Director, so that all authority and accountability of staff can be phrased as authority and accountability of the Executive Director.

1. The Executive Director is authorized to establish all staff procedures, make all staff decisions, take all staff action and develop all staff activities which are true to the board's policies and employment contracts. The board may, by revising its policies, "undelegate" areas of the Executive Director’s authority. This does not prevent the board from obtaining information about activities in the delegated areas.
2. Only the board has authority over the Executive Director. No MAPE board member, officer, or committee or member acting as an individual has authority over the Executive Director. Information may be requested, but if such a request, in the Executive Director’s judgment, requires a material amount of staff time, it may be refused and/or brought to the board for a decision. The primary exception to this is the Data Practices Policy which gives individuals access to certain MAPE information.
3. The Executive Director may not perform, knowingly allow or cause to be performed any act which is contrary to explicit board constraints (see *Executive limitations* policies) on executive authority.
4. Should the Executive Director deem it necessary to violate board policy, the Executive Director shall inform the President and an officer of the board. Informing is simply to guarantee no violation may be intentionally kept from the board, not to request approval. Officer response, either approving or disapproving, does not exempt the Executive Director from subsequent board judgment of the action nor does it impede any executive decision.

**POLICY #2: EXECUTIVE DIRECTOR ROLE**

As the board’s official link to MAPE’s operations, the Executive Director is accountable for all organizational performance and manages the assets of the organization in accordance with the strategic plan and board policies. Executive Director performance will be considered to be synonymous with organizational performance in total.

Consequently, the Executive Director’s role can be defined as performance in only two areas:

1. Organizational accomplishment of the provision of board policies on *Ends (mission, strategic plan, goals & outcomes).*
2. Organization operation within the boundaries of prudence and ethics established in board policies on *Executive Limitations.*

**POLICY #3: MONITORING EXECUTIVE DIRECTOR PERFORMANCE**

The Executive Committee will monitor the performance of the Executive Director. Monitoring Executive performance is synonymous with monitoring organizational performance against board policies on *Ends* and on *Executive Limitations.*

Monitoring policies will be as automatic as possible, using a minimum of board time so that meetings can be used to create the future rather than review the past.

The purpose of monitoring is simply to determine the degree to which board policies are being fulfilled. Information, which does not do this, will not be considered for monitoring.

A given policy may be monitored in one or more of three ways:

1. Internal report ‑ Disclosure of compliance information to the Board from the Executive Director.
2. External report ‑ Discovery of compliance information by a disinterested party who is selected by and reports to the board. Such reports must assess executive performance only against policies of the Board, not the external party unless the board has previously indicated the party's opinion to be the standard.
3. Direct board inquiry - Discovery of compliance information by a Board member, a committee or the board as a whole. This is a board inspection of documents, activities, or circumstances directed by the board, which allows a "prudent person" test of quality compliance.

The MAPE Monitoring Schedule:

**Policy** **Method** **Frequency**

*All Ends/Goals Internal Report Quarterly*

 *Direct Inspection Annually*

*Governance Process Direct Inspection Annually*

*Staff Treatment Direct Inspection Annually*

*Compensation and Benefits Internal Report Annual*

*Financial Condition Direct Inspection (FC) Quarterly*

 External Report (audit) Annually

**EXECUTIVE LIMITATIONS**

**POLICY #1: GENERAL EXECUTIVE CONSTRAINT**

The Executive Director shall not cause or allow any practice, activity, decision, or organizational circumstance which is in violation of commonly accepted business and professional ethics and the MAPE Code of Conduct. Dealings with staff and volunteers shall not be inhumane, unfair, or undignified and shall not violate employment contracts.

1. Budgeting for any fiscal period or the remaining part of any fiscal period shall not:

⇒ Deviate materially from Board Ends Statements,

⇒ Fail to follow the Board approved budgeting process,

⇒ Risk fiscal jeopardy, nor

⇒ Fail to show a generally acceptable level of foresight given projections.

2. Actual financial conditions at any time shall not risk fiscal jeopardy, compromise board Ends Statements, nor compromise future financial stability.

3. Information and advice to the board will not jeopardize board understanding and decision-making due to timeliness, completeness, or accuracy.

4. Assets may not be unprotected, inadequately maintained, or unnecessarily risked.

5. Compensation and benefits shall not deviate materially from the market.

6. At least the President and another officer of the board will be informed by the Executive Director of any violation of any board policies and procedures as soon as possible after noncompliance and the issue will be presented as part of the next board meeting.

7. There shall be no conflict of interest in awarding purchases or other contracts.

**EXECUTIVE LIMITATIONS**

**POLICY #2: COMPENSATION AND BENEFITS**

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the Executive Director may not cause or allow jeopardy to fiscal integrity or public image.

Accordingly, the Executive Director may not:

1. change the Executive Director’s compensation and benefits as established by the Board of Directors;

2. promise or imply permanent or guaranteed employment;

3. establish current compensation and benefits which:

A. deviate materially from the geographic or professional market for the skills employed or

B. create obgligations greater than revenues can safely be projected and in no event greater than budgeted expenses; nor

4. establish deferred or long-term compensation and benefits which:

A. cause any liabilities to occur or in any way commit the organization to benefits which incur unpredictable future costs;

B. provide less than some basic level of benefits to all full-time employees
(differential benefits to encourage longevity in key employees are not
prohibited);

C. knowingly allow any employee to lose benefits already accrued from any MAPE benefit
plan; nor

D. treat the Executive Director differently from other comparable key employees.

**EXECUTIVE LIMITATIONS**

**POLICY #3: FINANCIAL CONDITION**

With respect to the actual, ongoing condition of the organization's financial health, the Executive Director may not causeor knowingly allow the development of fiscal or programatic jeopardy.

Accordingly, the Executive Director may not:

1. expend more funds than have been received or are reasonably expected to be received within 90 days;

2. use any Long-Term Reserves or assets or Board of Directors restricted funds outside their intended purpose;

3. allow cash to drop below the amount needed to settle payroll and debts in a timely manner; nor

4. allow actual expenditures to deviate from funder guidelines or materially deviate from Board of Directors’ priorities set in the strategic plan.

**EXECUTIVE LIMITATIONS**

**POLICY #4: ASSET PROTECTION**

With respect to proper stewardship of the corporation's assets, the Executive Director may not risk losses beyond what is necessary in the normal course of business.

Accordingly, the Executive Director may not:

1. fail to insure against theft, casualty losses to at least 80 percent replacement value, and liability losses to Board of Directors members, staff, or the organization itself beyond the minimally acceptable prudent level;

2. allow unbonded personnel access to material amounts of funds;

3. subject MAPE property and equipment to improper wear and tear or insufficient maintenance;

4. unnecessarily expose the organization, its Board of Directors, or staff to claims of liability;

5. make any purchase that does not comply with MAPE’s Purchasing Policy;

6. receive, process, or disburse funds under controls insufficient to meet the Board of Directors’ appointed auditor's standards;

7. invest operating capital in insecure instruments, including uninsured checking accounts and CD’s;

8. allow for any conflict of interest in awarding purchases or other contracts; nor

9. fail to institute practices in compliance with MAPE’s Crisis Fund Investment Policy.

**EXECUTIVE LIMITATIONS**

**POLICY #5: COMMUNICATION AND COUNSEL TO THE BOARD**

With respect to providing information and counsel to the Board of Directors, the Executive Director may not cause or allow the Board of Directors to be uninformed or misinformed.

Accordingly, the Executive Director may not:

1. let the board be unaware of relevant trends, events that affect the public image of the organization, material external and internal changes, any threats to the organization's 501(c)(5) status, particularly changes in the assumptions upon which any board policy, and/or long term impacts or the strategic plan has previously established;

2. fail to submit the monitoring data required by the Board of Directors’ policy "Monitoring Executive Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of the Board of Directors’ policies;

3. fail to gather as many staff and external points of view, issues, and options as needed for fully informed Board of Directors choices; nor

4. present information in unnecessarily complex or lengthy form.

**Arbitration Team Policy**

**Board of Directors Revision Date:** 1/3/1995, 3/24/2006, 10/10/2008

**Summary:** To identify the composition of the MAPE Arbitration Team and the responsibilities of the MAPE Vice President in the Arbitration Team process.

**Related Information:**

**Policy:**

1. The Arbitration Team will consist of the, Enforcement Business Agents, the MAPE Statewide Vice President and steward of record.
2. The MAPE Statewide Vice President, as chair of the Employee Rights Committee or its designee, shall serve as a voting member of the Arbitration Team.
3. The MAPE Statewide Vice President should make every effort to appoint the most appropriate steward (steward of record if available or most knowledgeable) to serve as a voting member of the Arbitration Team when grievances or class action grievances of their concern are being considered by the Arbitration Team. If no steward from the grievant’s region is available, a steward from another region may be appointed.
4. As feasible, every arbitration will have at least one steward present. The steward present should be the steward of record if possible.

**Steward Affirmation, Revocation,**

**and Reinstatement Policy**

**Board of Directors Revision Date:** July 2010

**Delegate Assembly Revision Date:** 9/23-24/2016

**Summary:** Procedures to affirm MAPE stewards, , track changes in steward status, and revocation of steward designation.

**Policy:**

**Steward Affirmation Form:**The Steward Affirmation Form allows for the designation of a MAPE steward after completing basic steward training. Stewards shall make the recommitment of their representational role by signing Affirmation Forms in each region bi-annually.

Affirmation Forms and steward status updates will be sent by the Chief Steward to the MAPE office to include change in steward status and steward contact information.

**Revocation of Steward Designation:**

* All complaints, filed against a steward and relating to a breach of the MAPE Steward Code of Conduct, shall be submitted in writing. Such complaints will be investigated by the MAPE Statewide Vice President, a member of the Judicial Committee (Article 12) and the chief steward of that region. If the chief steward is the subject of the complaint or the person lodging the complaint, the MAPE Statewide Vice President along with the MAPE Statewide President will determine if the charges are founded and if the violation warrants action. Results of findings shall be documented.
	+ A statement of charges;
	+ A summary of the evidence in support of the charges;
	+ A summary of the evidence in refutation of the charges;
	+ A finding of facts;
	+ A conclusion of proceedings;
	+ The assessment of a penalty, if any; or an order setting aside or modifying a previously imposed penalty.
* The named steward shall be notified by the MAPE Statewide Vice President of the complaint in writing. If the MAPE Statewide Vice President, in consultation with the chief steward of the region and/or MAPE Statewide President, find no merit to the complaint, it shall be dismissed.
* The MAPE Statewide Vice President will determine if complaints will be resolved informally unless the seriousness of the complaint could lead to removal of the steward’s designation. An example of an informal resolution includes training. Individuals are encouraged to informally resolve concerns whenever possible. Possible resolutions may be reached through facilitated discussions, or agreements reached, including but not limited to counseling and mentoring.
* The MAPE Statewide Vice President, in consultation with the chief steward of the region, or the MAPE Statewide President, may (if appropriate) suspend the activities of the steward before, during or after the investigation depending on the severity of the charges. The MAPE Statewide Vice President, chief steward of the affected region and member of Judiciary Committee must vote on actions to be taken as a result of findings. The MAPE Statewide Vice President will inform the accused steward, in writing, of the suspension and the reason(s). The steward shall be advised they must immediately stop the performance of all steward duties pending the outcome of the investigation. The chief steward of the affected region will be informed that the steward is not active.
* The MAPE Statewide Vice President will present the results of the investigation to a decision team comprised of three Employee Rights Committee (ERC) members and two ERC alternates appointed by the MAPE Statewide Vice President. This decision team will vote on a majority basis whether the charges warrant loss of steward designation.
* If the decision is to revoke the steward’s designation, the MAPE Statewide Vice President will inform the steward, in writing, of the revocation and the reason(s). The steward shall be advised they must immediately stop the performance of all steward duties. The chief steward of the affected region and the State of Minnesota will be informed that the steward designation is revoked. The letter will also advise the steward that they have 30 days from the date of the letter to appeal the revocation decision to the ERC. The request for appeal must be in writing to the MAPE Statewide Vice President at the MAPE office.
* If there is not a majority vote to revoke designation, the steward shall be informed immediately and in writing that their suspension is lifted.
* If a written request is not received in the MAPE office within the allotted 30 days, the steward’s revocation of designation will be final. The chief steward of the revoked steward’s region will be immediately informed of the revocation by mail or e-mail. All revocations will be reported to the ERC at the next ERC meeting.

**Appeal to Employee Rights Committee (ERC)**
If a steward who has had their designation revoked files a written appeal to the MAPE Statewide Vice President at the MAPE office within 30 days of the date on the notice of revocation, the ERC will hear the appeal at its next scheduled meeting (if possible). The ERC will hear the appeal under the same rules as apply to an arbitration appeal, with the decision team presenting their findings. If the ERC votes (by majority exclusive of the decision team) to uphold the decision to revoke the steward’s designation, the steward's designation will be revoked. If the ERC votes (by majority exclusive of the decision team) to not uphold the decision team’s revocation, the steward will be.

**Appeal to MAPE Board of Directors**

If the ERC upholds the decision to revoke the steward’s designation, the steward may appeal the decision to the MAPE Board of Directors at the next scheduled meeting (if possible).

**Reinstatement:**

1. On an annual basis, a member who has had their steward designation revoked may make a request in writing to the Statewide Vice President for reinstatement.
2. The MAPE Statewide Vice President may reinstate a steward’s designation with majority approval of the ERC.