

Retired Public Employees' Association

RPEA



POLICY FILE

PREAMBLE

The policy file is designed to help guide RPEA Chapter Officers, members of the Board and Delegates to maintain and improve the quality of the lives of members by protecting and improving their CalPERS retirement pension and medical health benefits.

Rev. 03/2023

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RPEA POLICY FILE

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**STATE OFFICERS NOMINATION &
CONSENT STATEMENT**

State Officers Nomination & Consent
Statement (Rev. 01-2009)

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APPENDIX IV

CODE OF ETHICS

Code of Ethics

PF AP IV-1

APPENDIX V

CONTRACT ADDENDUM

Contract Addendum

PF AP V-1



6 RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA

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RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA

POLICY FILE

SECTION A POLICY

A.1.0 Policy

- 1.1 The Association's Policy File shall reflect statements/goals adopted by the Board and/or referred by General Assembly within the framework of the Bylaws. An adopted policy statement shall be Association policy/goals, and therefore binding on all members.

A.2.0 Establishment of Policy

- 2.1 Policies shall be reviewed and revised by the Board when necessary.
- 2.2 Additions, deletions or revisions shall be identified by section and subsection to which they apply. Revised policy statements shall be furnished to Administrative Manual holders by Headquarters staff within 45 days after adoption.

A.3.0 Code of Ethics

- 3.1 The Association shall ascribe to a Code of Ethics (Appendix IV).

A.4.0 Networking With Other Organizations

- 4.1 The Association may participate with other like senior coalitions and organizations to maintain, improve, and protect retirement pensions and benefits, including but not limited to the following:

- State Coalition of Retired Employees (SCORE)

- 4.2 The Board of Directors shall annually review the goals and objectives of the various networking organizations to assure that the involvement continues to meet the goals and objectives of RPEA.

A.5.0 Meeting Locations

- 5.1 Hotels used for General Assembly and Board meetings shall exclude those involved in a labor dispute. The AFL/CIO Do Not Patronize List may be used as a basis for determining which hotels shall be excluded.

It is recommended that a “Contract Addendum” (Appendix V) be included with language to protect RPEA in case a labor dispute develops after the contract is signed.

A.6.0 Electronic Meetings

- 6.1 Electronic meetings may be conducted in lieu of face-to-face meetings. A quorum of the voting body is required.
 - a. An electronic meeting may be called only by the Association President or appropriate Committee Chair.
 - b. Agenda and supporting documentation must be provided to each meeting participant a minimum of seven (7) days prior to the meeting.
- 6.2 Electronic meeting methods shall include, but not be limited to, teleconference and video conference.
- 6.3 Electronic meetings shall be conducted using Roberts Rules of Order.
- 6.4 Decisions made pursuant to A.6.0, Electronic Meetings, must be ratified at the ensuing regular board meeting.

SECTION B FINANCIAL MANAGEMENT

B.1.0 Expenditure Authorization

1.1 Board's Authority

- a. Expenditures over \$5,000 shall require prior Board authorization except as provided below.

1.2 President's Authority

- a. Expenditures up to \$5,000 may be authorized by the President.
- b. The President has the authority to approve the expenditure of up to \$5,000 for emergency repairs at the Headquarters building without Board approval.
- c. Expenditures made under Section B.1.2 (b) must be reported to the Board at the ensuing regular Board meeting.

B.2.0 Unrestricted Reserves

2.1 Unrestricted Reserves are monies not earmarked for specific expenditure; e.g.: General Assembly, death benefits, accrued vacation, deferred maintenance.

2.2 The target for Unrestricted Reserves shall be equal to 50% of the operating budget.

2.3 Deficit spending by the Board should be avoided until the target amount of unrestricted reserves has been met.

B.3.0 Contract Renewal

3.1 The Board shall review and approve, if appropriate, all contracts on an annual basis at the first meeting following the beginning of the fiscal year.

B.4.0 Gifts and Agreements for Support

4.1 Gifts

- (a) Gifts are defined as cash, or its equivalent asset value, which are presented voluntarily to members, without financial compensation, and without reciprocal expectation of return action to the donor.
- (b) Any such gift received by any RPEA member or entity, must be used in accordance with RPEA established Bylaws. Incidental gifts of an amount not exceeding \$25.00 asset value are exempted from reporting.

- (c) All gifts shall be acknowledged in writing and reported to the RPEA Secretary/Treasurer within thirty (30) days of receipt and reported in a separate category in the Annual Chapter Financial Report. Such report shall specifically state the gift, and as appropriate, its cash equivalent value, the date of receipt, the purpose to which it will be put, and any written acknowledgment provided to the donor.

4.2 Acceptable Agreements for Support

- (a) RPEA Chapter Officers and RPEA Board members may encounter contacts with commercial and non-profit organizations presenting opportunities for support in exchange for opportunities whereby RPEA may be offered support in exchange for visibility with or access to communication with RPEA members.

Before an Agreement for such support is reached, the Agreement must:

1. be in writing,
2. identify all individuals and entities involved, and
3. specify the details of the support offer and any access sought by the individual or entity.

- (b) Upon completion of the Agreements for Support, they must be recorded in chapter records with a copy to the appropriate Area Director. Any value of the Agreement must be included as a separate line item in the annual Chapter Financial Report. If Agreements for Support are initiated and overseen by a statewide RPEA Officer, that person must make a written report, setting forth the details to the Secretary/Treasurer.

SECTION C AREAS

C.1.0 Boundaries

- 1.1 Areas are made up of chapters in a geographic location, generally along county lines, as follows:
- AREA I: Del Norte, Humboldt, Mendocino, Lake, Napa, Sonoma and Marin Counties and Southwest Oregon.
- AREA II: Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Glenn, Colusa, Butte, Plumas, Sierra Counties; and South Central Oregon.
- AREA III: San Francisco, Contra Costa, Alameda, San Mateo, Santa Cruz, Santa Clara, San Benito and Monterey Counties.
- AREA IV: Tuolumne, Stanislaus, Madera, Mariposa, Merced, Fresno, Kings, Tulare, San Luis Obispo, Kern Counties, and a portion of Calaveras and Santa Barbara Counties.
- AREA V: Ventura County and the greatest portion of Los Angeles County and a portion of Santa Barbara County.
- AREA VI: San Bernardino and Riverside, Mono, Inyo and Imperial Counties
- AREA VII: Solano, Yolo, Sutter, Nevada, Placer, Sacramento, San Joaquin, Amador, a portion of Calaveras, El Dorado, Alpine and Yuba Counties; and Northern Nevada.
- AREA VIII: San Diego and Orange Counties and the South-Eastern portion of Los Angeles County.
- AREA IX: Arizona, New Mexico and Southern Nevada, including potential additional chapters located in adjoining areas.
- 1.2 Out-of-state chapters may be organized when sufficient membership and interest have been determined by the Board and shall be assigned to the appropriate area by the Board.
- 1.3 Realignment of Areas may be accomplished by the Board, with agreement of the Area Directors and chapter(s) involved.

C.2.0 Area Directors

- 2.1 Each area is administered by an Area Director elected by delegates within the Area. Area Directors may recommend Assistant Area Directors for Board approval to assist in the administration of the Area.
- 2.2 Area Directors must reside within 25 miles of the nearest chapter in their area.
- 2.3 Area Directors are authorized to meet at the same location where the Board meets on a day prior to any regular meeting of the Board and annually shall elect a Chair.
- 2.3 An Assistant Area Director may be seated if the Area Director cannot attend a called Board meeting.

C.3.0 Security of Mail Ballots – Area Directors

- 3.1 Following certification, ballots for the election of Area Directors shall be secured and retained by the Secretary/Treasurer until after installation at General Assembly in even-numbered years or after installation at the Board meeting in odd-numbered years, at which time the ballots shall be destroyed.

SECTION D STANDING COMMITTEES

D.1.0 Appointments

- 1.1. Committees are appointed by the President, subject to approval by the Board. Approval by the Board shall be made at a regularly scheduled Board meeting or a teleconference, whichever is most timely. Such action if not taken at a regularly scheduled Board meeting shall be reported at the next regularly scheduled Board meeting and become part a part of the minutes of that meeting. Committees shall add members to their committee as necessary to accomplish their goals. Additional committee members may be appointed as warranted.
- 1.2. Current committee members shall continue on an interim basis after General Assembly until new committee members have been appointed.
- 1.3. Committee meetings are open to any RPEA member in good standing with the following exceptions:
 - a. Meetings regarding personnel compensation, including wages, salaries and benefits, shall be closed to anyone not on the committee except the President or designee.
 - b. Meetings regarding personnel hiring, termination or evaluation shall be closed to anyone not on the committee except the President or designee.
 - c. Meetings regarding negotiations of contracts shall be closed to anyone not designated by the President.
 - d. Meetings regarding litigation shall be closed to anyone not designated by the President.
- 1.4. Notwithstanding the above restrictions, the results of these meetings shall be reported to the State Board of Directors in closed session, followed by a report to the membership to the extent allowed by personnel and labor laws.

D.2.0 Budget Committee

- 2.1. For continuity this committee shall include members who have been appointed to serve one-year, two-year and three-year terms.
- 2.2. Every year, the committee shall present a preliminary descriptive line-item annual budget for review at the April Board meeting.

- (a) The final budget shall be adopted at the Board meeting held immediately preceding the close of the fiscal year.
 - (b) The committee shall include in each annual budget a separate line item of 2% of the total anticipated revenue to reimburse the various chapters for their actual expenses in member recruitment.
- 2.3 The committee shall review all resolutions received from the Resolutions Screening Committee that require expenditure of funds and shall make recommendations to the General Assembly.
- 2.4 After the final audit, a financial status report shall be published in the Newsletter.

D.3.0 Bylaws Committee

- 3.1 The committee shall:
- (a) recommend amendments to the Bylaws when necessary;
 - (b) review Bylaws resolutions submitted to General Assembly and make recommendations to the General Assembly;
 - (c) review Policy File amendments and make recommendations to the Board;
 - (d) review items referred by the Board or President and make recommendations to the proponent;
 - (e) approve Chapter Bylaws and/or amendments thereto for ratification by the Board;
 - (f) review actions of General Assembly and the Board for conformance with the Association Articles of Incorporation, Bylaws and Policy File; and
 - (g) annually review and recommend updates to the Administrative Manual.

D.4.0 Public Relations Committee

The committee shall be chaired by the Director of Public Relations. The Committee should include State, Classified School and Public Agency members.

- 4.1 The committee shall:
- (a) be responsible for preparation and publication of the state newsletter and any other publications as directed by the RPEA Board of Directors;

- (b) provide assistance and advice to chapters in preparation of chapter newsletters and chapter websites by;
 - (i) participating in area workshops in coordination with the Area Director, and
 - (ii) providing individual, non-financial chapter assistance upon request; (*See N.I.2*)
- (c) be responsible for communications to the membership by mail, e-mail and website as directed by the Board of Directors in compliance with the RPEA Bylaws; and,
- (d) assist other RPEA committees disseminate current information to the membership.
- (e) publicize the election of Area Directors in the newsletter and other appropriate media in a timely manner.

4.2 The committee will be responsible for updating and maintaining the RPEA website and will coordinate this activity with the appropriate member of Headquarters staff.

Website Submission Procedures:

- (a) No material will be placed on the website if detrimental to or in opposition to the mission and/or goals of the Association as stated in the RPEA Bylaws and Policy File.
- (b) Recurring information (e.g., monthly legislative reports, calendars, etc.) shall be sent directly to the webmaster.
- (c) Persons choosing to place material on the website will submit their material to the Director of Public Relations with a courtesy copy to assigned Headquarters staff. The Director of Public Relations will forward to the Association webmaster all approved material.
- (d) The webmaster shall, upon completion of a page update or new placement, notify the Director of Public Relations with a courtesy copy to Headquarters.
- (e) The Director of Public Relations shall be responsible for the periodic review of the basic website content.

4.3 The committee is responsible for administering the public relations program. |

D.5.0 Health Benefits Committee

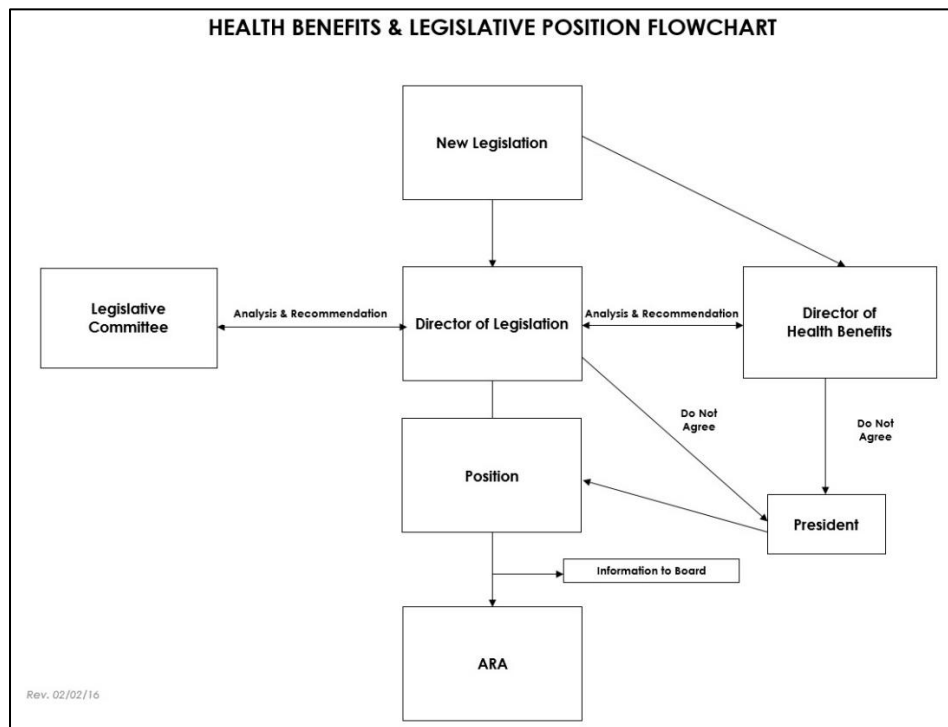
- 5.1 The committee shall be comprised of State, Classified School and Public Agency members.
- 5.2 The committee shall be responsible for establishing guidelines, for Board approval, that set forth specific requirements for endorsements of health insurance programs.
- 5.3 The committee shall:
 - (a) strive to achieve the long-range objective of obtaining equality in health insurance for all members and dependents;
 - (b) provide educational and informational materials about wellness and health insurance to Area Directors and Chapters;
 - (c) recommend endorsement of any health insurance program that provides significant benefits or cost reduction not otherwise available for RPEA members;
 - (d) advise the Legislative Committee on matters pertaining to health and insurance; and
 - (e) support the continuance and improvement of Long Term Care programs as a major objective.
- 5.4 The Director or a designated committee member shall attend meetings of the CalPERS Health Benefits Committee and the Constituent Task Force when possible.

NOTE: Refer to the flowchart under Section D.6.5

D.6.0 Legislative Committee

- 6.1 The committee shall be comprised of State, Classified School and Public Agency members and shall recommend a position to the Board on State and Federal legislation affecting the Association and/or the membership.
- 6.2 The goal of the committee is to protect current benefits and to support the improvement of retirement pension and health benefits for retirees and employees of the State, Classified Schools and Public Agencies contracting with CalPERS.

- 6.3 The committee shall work with the Legislative Advocate on legislative bills and CalPERS matters in support and furtherance of the Association goals and objectives.
- 6.4 The committee and the Legislative Advocate shall keep the President and Board apprised of the impact of pending State and Federal legislation or CalPERS matters deemed favorable or detrimental to the best interest of the Association membership and annuitants.
- 6.5 The committee shall implement procedural guidelines, established by the Board, for evaluating candidates for the CalPERS Board of Administration and make recommendations to the Board.



D.7.0 Membership Committee

- 7.1 The committee shall:
 - (a) plan and direct the Association’s membership recruitment activities;
 - (b) develop programs concerning membership drives and recruitment;
 - (c) develop brochures and recruitment materials for chapter use in conducting local membership recruitment programs;
 - (d) provide direct assistance to chapters in recruitment programs when requested;

- (e) coordinate with the Area Directors and Assistant Area Directors the recruitment activities on an Area basis; and
- (f) periodically evaluate and report to the Board on the progress and effectiveness of ongoing recruitment activities.
- (g) make available peripheral social benefits that may be obtained at a savings and/or provide participation in community of interest programs.
- (h) review, update and publicize the existing programs;
- (i) endeavor to enlist additional programs, review proposals submitted by providers and make recommendations to the Board for approval;
- (j) provide that any administrative allowance and/or other reimbursement for the development and maintenance of such programs shall be referred to the Association; and
- (k) recommend termination of any program that is no longer a benefit to our members.

D.8.0 Member Services Committee

- 8.1 The goal of this Committee is to make available peripheral social benefits that may be obtained at a savings and/or provide participation in community of interest programs.
- 8.2 The Committee shall:
 - (a) review, update and publicize the existing programs;
 - (b) endeavor to enlist additional programs, review proposals submitted by providers and make recommendations to the Board for approval;
 - (c) provide that any administrative allowance and/or other reimbursement for the development and maintenance of such programs shall be referred to the Association; and
 - (d) recommend termination of any program that is no longer a benefit to our members.
- 8.3 Consumer affairs issues that impact RPEA members shall be communicated to the members through bimonthly newsletter articles or special alert systems whenever urgent matters are identified.

D.9.0 Personnel Related Benefits Committee

- 9.1 The committee shall be comprised of three or more members. A member of the Board shall be Advisor.
- 9.2 The committee shall annually:
- (a) meet with the Office Manager;
 - (b) review staffing requirements and recommend changes to the Board;
 - (c) review the Employee Handbook for needed changes;
 - (d) review employees' salaries and benefits and recommend changes as needed; and
 - (e) recommend compensation based on performance evaluation of all employees and/or recommendation from the Office Manager.

D.10.0 Asset Management Committee

The committee shall be comprised of three (3) members. A Board member shall be advisor to the committee.

10.1 Real Property Management

- (a) The committee is charged with the overall maintenance, upkeep and improvements to the Association's real property.
- (b) The committee shall prepare an annual budget for the maintenance and upkeep of the property.
- (c) Ordinary maintenance and repair costing up to and including \$5,000 may be authorized by the President. Expenditures in excess of \$5,000 must be recommended by the committee and be approved by the Board.
- (d) Emergency repairs to the Headquarters building approved by the President are limited to \$5,000 without approval by the Board.
- (e) Expenditures made under 10.1.(c) and 10.1.(d) must be reported to the Board at the ensuing regular Board meeting.
- (f) The committee shall inventory on an annual basis all assets of the association including those that are depreciated over time and budgeted for replacement. The committee shall confer with the President or designee, the Office Manager and the association's auditor prior to the annual audit.

10.2 Investment Management

- (a) RPEA funds in excess of those needed for current expenses shall be deposited in one or more accounts insured by the U. S. Government in depository institutions chartered by the U. S. Government or by the State of California, or invested in securities issued by, and backed by the full faith and credit of the U. S. Government or the State of California.
- (i) When prudent, funds in excess of those needed for current expenses shall be deposited in one or more accounts insured by the Federal Deposit Insurance Corporation (FDIC), the Securities Investor Protection Corporation (SIPC), and/or the National Credit Union Administration (NCUA).
- (b) Deposits shall not exceed the level of insurance in a particular depository institution.
- (c) A member of the Committee shall attend the CalPERS Investment Committee meetings when appropriate.

D.11.0 Strategic Planning Committee

- 11.1 The Committee shall annually review and analyze RPEA's organizational structure and administration.
- 11.2 The Committee shall project five (5) year goals to benefit the Association.
- 11.3 The Committee shall prepare appropriate recommendations to implement these goals for presentation to the Board and/or General Assembly.

**SECTION E
TRAVEL**

E.1.0 RPEA Business Expenses

1.1 Expenses incurred by State RPEA Officers, Area Directors, Assistant Area Directors, members of Standing and Ad Hoc Committees, persons assigned by the President to perform specific duties relative to RPEA business, Office Manager and Headquarters' staff, under circumstances approved by the President, and members of the General Assembly then attending General Assembly.

1.2 Authorized expenses:

(a) Meals

Breakfast_____	\$15.00
Lunch_____	\$17.50
Dinner_____	\$30.00

(Includes tax & tip)

Meals including incidentals are limited to \$77.50 per day on any day. Receipts must be provided for each expense claimed over the daily maximum.

(b) Lodging

Up to \$150.00 per night, including tax, supported by receipts. Lodging in excess of \$150.00 requires prior approval by the President.

(c) Transportation

Reimbursement, such as airfare, train fare etc. must be supported by receipts. It is suggested that the lowest possible fare, such as Southwest's "Wanna Get Away" fares be used whenever possible. The preferred lower amount (mileage or airfare) is paid. Transportation costs which do not meet these guidelines must be pre-approved by the Area Director or the Chair of the Committee.

Auto mileage as authorized by IRS. Parking fees as required.

(d) Incidentals

\$15.00 per day. Receipts are required for all meals and incidentals if meals and incidentals together exceed \$77.50 per day. (~~see Section 1.2(a)~~)

Names of persons included in the expense claim shall be listed on the Claim Form.

- 1.3 No reimbursement for alcoholic beverage(s) is authorized, unless on special occasion(s), when approved by the President or Vice President.
- 1.4 Claim Form No. HQE/15-91 “Expenses Incurred on RPEA Business” containing detailed instructions shall be used to claim reimbursement of expenses. Supplies are available from Headquarters.
- 1.5 Board members who use an Association credit card for RPEA business are required to detail credit card charges on a separate expense claim.

E.2.0 Board Travel Policy

- 2.1 Board members shall be mindful of their obligations to all members of RPEA to administer the Association in a cost-effective manner, minimizing costs wherever possible. The Board's travel policy is intended to prohibit any actual occurrence of conflict of interest by the Board or its individual members and to avoid the appearance of conflict of interest or behavior.
- 2.2 Sound management imposes a continuing need for all members of the Board to attend official Association related business meetings, professional and educational conferences, seminars, and other events that may occur within or outside of California but within the United States.

E.3.0 Board Responsibility and Delegation

- 3.1 Establishing standards of accountability for Board members relative to official travel is vested with the Board. Approval of official travel by Board members likewise is vested with the Board but is delegated to the President or if not available the Vice President for approval or denial. In the case of Board member travel within California, the President or if not available, the Vice President is the decision-making authority.

E.4.0 Board Travel Requests and Approval

- 4.1 Travel by Board members to attend all noticed meetings or workshops of the Board and Standing Committees does not require approval. Travel to and from RPEA office location for Association related business does not require approval. Travel to speak at chapter meetings does not require approval. All other travel by Board members requires the approval of the President or if not available the Vice President.

- 4.2 Board members shall submit a written request to the President or if not available to the Vice President to attend any other event requiring travel approval. The President shall submit a written request to the Vice President to attend any other event requiring travel approval.
- 4.3 All such requests shall be made and responded to in a timely manner. The President shall report on the approved travel of Board members at the Board's next quarterly meeting.
- 4.4 "Official travel" refers to all travel away from the Board member's place of residence. All references to travel in this Policy File are intended to refer to official travel unless specifically defined otherwise.
- 4.5 The President shall, at least quarterly, provide all members of the Board a listing of upcoming business meetings, professional and educational conferences, seminars and other events that might be required to conduct the business of RPEA or that might better prepare Board members to perform their duties.
- 4.6 Advances to or reimbursement of Board members for travel expenses will not be made unless the travel has been approved.

E.5.0 Travel Guidelines

- 5.1 Approval of Board member travel will normally be granted to attend any business meeting, professional and educational conference, seminar, and any other event that will better prepare Board members to perform their duties.
- 5.2 Board member travel shall be approved only when the requesting member substantiates that such travel is required to improve the conduct of the Association's business.

E.6.0 Travel Reporting Procedure

- 6.1 Upon completing attendance at any event requiring travel approval, Board members shall complete an expense claim form and submit it to Headquarters within 30 days of the event.
- 6.2 Board members shall complete a summary report to the President on any event requiring travel approval for the subsequent Board meeting.
- 6.3 Failure to submit timely claims and summary reports may be cause to deny future travel requests.

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SECTION F MEMBERSHIP

F.1.0 Recruitment

- 1.1 The Director of Membership shall be responsible for the recruitment program.
- 1.2 The ability to achieve the goals of the Association depends primarily on the success of the chapters in recruiting and retaining members from the growing ranks of persons retiring with and/or receiving CalPERS benefits.
 - (a) Chapter recruiting can take many forms; mailings to prospective members, appearances at employer/employee/community events, etc. that would attract eligible public employees and/or public employee retirees. Many other forms of recruiting may be identified. Chapters with large checkbook balances should use their own funds to support these activities.
 - (b) If the chapter is requesting funding from Headquarters for any of these events, the Area Director must pre-approve the planned chapter event and submit the plan for approval by the Director of Membership if it exceeds \$300. These requests will be scrutinized for appropriateness, and the payment will be denied if it does not conform to the following rules:
 - (i) If the plan involves a mailing to the prospect list for that chapter, Headquarters will develop the cover letter, in coordination with the chapter's leaders, and complete the mailing process at Headquarters. This accomplishes many goals that promote a good quality product and cost-saving in printing and postage. Headquarters can personalize the cover letter, ensure that the letter contains the right information and be certain that appropriate brochures, a postage-paid envelope and an application to join RPEA is enclosed.
 - (ii) Newsletters, meeting announcements and other material mailed to members by chapters are not considered recruiting efforts and cannot be funded by Headquarters.
 - (iii) If a chapter meets during breakfast, brunch or lunch time and other members buy their meals (partially or wholly), a new chapter member may receive a meal reimbursed by Headquarters up to the amount of RPEA per diem. No other meals will be reimbursed.
 - (iv) In the event that one Area is using a disproportionate amount of funds during a fiscal year, it will be asked to scale back its efforts in favor of other Areas. All Areas should use these funds for the purpose intended. If the Headquarters budget for chapter recruiting becomes exhausted at any point during the fiscal year,

the program will be terminated for the remainder of that fiscal year. In the event of a special circumstance, the Director of Membership may suspend the use of these funds and divert the money to the fund that will support a statewide recruiting campaign.

- 1.3 Headquarters will aid the chapters by furnishing brochures, applications and other recruitment material promoting the interests of the Association.
- 1.4 The Association shall seek and encourage the cooperation of the CalPERS Board to make available Association recruitment literature to new and prospective retirees.
- 1.5 New Members shall be assigned to a chapter of their choice; if no choice is specified they will be assigned by Headquarters staff to a chapter near their place of residence or to the agency from which they retired.
- 1.6 Chapters are encouraged to make every effort to recruit and retain surviving spouses as members.
- 1.7 Headquarters shall send letters of sympathy with explanation on status of membership.
 - (a) If the deceased member was a cash dues payer and dues have already been paid for the year, no additional dues are necessary from the surviving spouse until the beginning of the new year. Headquarters will send the renewal notice to the spouse.
 - (b) If the deceased member was on dues deduction, Headquarters sends a sympathy letter with an application to invite the spouse to join our Association in their name.

F.2.0 Dues

- 2.1 Membership dues for Active, State Associate and Affiliate members are established by General Assembly. Chapter Associate member dues are established, collected annually and retained by the chapter. Any amount of Chapter Associate dues in excess of \$10.00 must be approved by the State Association Board.
- 2.2 Effective January 1, 2017, annual dues shall be \$60 or \$5.00 per month for each full calendar month. Dues for members who choose to pay their \$60.00 annual Association dues in full should be remitted to RPEA Headquarters by the first day of the renewal month.
 - (a) Affiliate member dues are 50% of the normal membership rate.

- 2.3 Chapters shall receive 19% per month for members on dues deduction, and 19% for members who pay their RPEA dues in full annually.
- 2.4 A “Voluntary Payroll Deduction Authorization” form is available from Headquarters for use by active/beneficiary members who choose to authorize dues deduction and/or additional deductions for the RPEA Legislative Action Organization (LAO) or the RPEA Independent Expenditure Committee (IEC).
- 2.5 Those members choosing “Cash Pay” or payment by credit card who wish to cancel their membership note – no refunds for a discontinued membership will be issued after 30 days from date of payment. Exceptions to this policy will be considered on an individual basis, depending upon the circumstances. Members wishing to cancel a dues deduction membership must send a written request to Headquarters office. Such request will be forwarded to CalPERS and the date of such cancelation will be noted in the member’s record.

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SECTION G CHAPTERS

G.1.0 Use of Chapter Funds

- 1.1 Sources of chapter funds are:
 - (a) Membership dues money paid to chapters by the Association and Chapter Associate dues
 - (b) Chapter fundraising revenue
 - (c) Interest
 - (d) Other, e.g. voluntary contributions

- 1.2 Dues income shall only be spent on the furtherance of RPEA goals and activities directly benefiting members.
 - (a) These expenditures may include newsletters, bulletins, advertising, correspondence, approved travel expenses, recruitment of new members, membership renewal, supplies, meals, etc.
 - (b) RPEA chapters shall be encouraged to share their assets with less fortunate chapters to enable them to fully participate in all RPEA activities, such as but not limited to funding expenses of alternates to General Assembly and members to Board and Committee meetings. Upon approval of the membership of the Chapter, a grant/scholarship may be awarded to another Chapter to help fund their activities.

- 1.3 Raffles

Any raffle that requires the purchase of a ticket, entrance fee, or other token purchased for prize eligibility is prohibited by RPEA. California Penal Code 320.5 requires very strict documentation for raffles that require a purchase. 50/50 raffles are illegal in all circumstances within RPEA. Door prize drawings when no purchase is required are allowed.

- 1.4 Failure to follow this policy may lead to forfeiture of RPEA's tax exemption.

G.2.0 Chartering a New Chapter

- 2.1 The appropriate Area Director shall investigate and determine the feasibility of a new chapter.

- (a) The cost of an organizational meeting shall be funded by the State Membership Recruiting Budget upon request of the Area Director.
 - (b) A chapter being chartered in any geographical area may request assignment of a name. The number will be assigned by the Secretary/Treasurer and cannot be a number formerly used. The old numbers can only be used by reinstated chapters.
- 2.2 Active, affiliate or state associate members may petition the Board for issuance of a charter. A minimum of twenty-five (25) members is required to function as a lawful unit of the Association.
- 2.3 After obtaining the minimum number of eligible members, an Application to Establish an RPEA Chapter and the completed petition will be presented for approval of a charter at the next Board meeting.
- 2.4 When an application has been approved
 - (a) The Secretary/Treasurer shall assign a chapter number, and then
 - (b) The newly-formed chapter shall receive one-time operational funds in the amount of \$500 from the Association's budget.
- 2.5 The RPEA Secretary/Treasurer shall assign a chapter number after the charter has been approved.



RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA

300 T Street, Sacramento, California, 95811-6912
(916) 441-7732 • Fax: (916) 441-7413 • (800) 443-7732
www.rpea.com • rpeahq@rpea.com

Application to Establish an RPEA Chapter

1. **Proposed Name of Chapter:** _____ **Area:** _____

2. **The Chapter will meet:**

- Monthly
- Bi-Monthly – Starting Month of _____
- Quarterly – Starting Month of _____

Time of Day: _____ **Lunch:** Yes No

Meeting Location: _____
PLACE

STREET ADDRESS CITY ZIP

3. **Officers:** *(Please print name, address and phone number for each officer.)*

President: _____ (_____) _____
NAME PHONE
NUMBER

STREET ADDRESS CITY ZIP

Vice President: _____ (_____) _____
NAME PHONE
NUMBER

STREET ADDRESS CITY ZIP

Secretary: _____ (_____) _____
NAME PHONE
NUMBER

STREET ADDRESS CITY ZIP

Treasurer: _____ (____) _____
NAME PHONE
NUMBER

STREET ADDRESS CITY ZIP

**Membership
Chair:** _____ (____) _____
NAME PHONE
NUMBER

STREET ADDRESS CITY ZIP

**Legislative
Chair:** _____ (____) _____
NAME PHONE
NUMBER

STREET ADDRESS CITY ZIP

4. **Charter Members:** *(attach a separate sheet listing names, addresses, telephone numbers and e-mail addresses).*

APPROVED by Board of Directors:

PRESIDENT'S SIGNATURE

DATE

cc: State President
Director of Membership
Director of Public Relations
File

G.3.0 Guidelines for Satellites

Many members of RPEA reside in locations that are not conducive to attend regularly scheduled chapter meetings. This program will provide the means to allow smaller clusters of RPEA members to form a Satellite enabling them to participate in regular meetings geographically closer to their residences.

The parent chapter shall use the following guidelines when establishing a Satellite.

- 3.1. The Satellite is an organizational part of the parent chapter and is not recognized as an individual entity.
- 3.2. The parent chapter shall assign a member of its Board of Directors to act as a liaison to the Satellite.
- 3.3. At least one member of the Satellite shall act as a liaison to the parent chapter, and arrange for a meeting venue and program, when appropriate.
- 3.4. The Satellite shall have regularly scheduled meetings, not less than quarterly.
- 3.5. The appropriate Area Director and Assistant Area Director will assist in the development of the Satellite and will attend scheduled meetings whenever possible.
- 3.6. The parent chapter is responsible for the incidental expenses of the Satellite. If the Area Director determines that this is a financial burden for the Chapter, he/she may apply to the State Board of Directors for relief.
- 3.7. All meeting notices of the Satellite shall be included in the parent chapter newsletter and/or other mailing.
- 3.8. Members of the Satellite are encouraged to participate in as many of the parent chapter functions as possible.

G.4.0 Dissolution of a Chapter When Necessary

- 4.1. Prior to recommending dissolution, the Area Director shall
 - (a) assist a chapter in retaining leadership
 - (b) continually encourage potential officers
 - (c) request assistance from the Revitalization Committee.
- 4.2. If dissolution is necessary, the following steps shall be taken:

- (a) The Association Board shall direct the Area Director to pursue dissolution of the chapter.
 - (b) The Area Director shall send a letter to each chapter member notifying him or her of imminent dissolution. This notice shall include the date and location of final meeting. Dissolution of the chapter will be voted on at that time.
 - (c) Members attending this final meeting shall adopt a resolution to dissolve the chapter.
 - (d) Following an audit by the Area Director and Assistant Area Director all existing chapter funds and other assets shall be immediately transferred to Headquarters.
 - (e) Headquarters staff shall send a letter to each chapter member advising of their options. Members may designate:
 - (i) their chapter of choice; or,
 - (ii) allow Headquarters to assign an appropriate chapter
 - (f) Headquarters staff shall notify the chapter(s) of the transferred members; and,
 - (g) Headquarters staff shall prorate and transfer remaining chapter funds to the appropriate chapter(s).
- 4.3 Each receiving chapter shall acknowledge the transfer of member(s) as soon as possible with notice of meeting dates and locations, etc., encouraging participation.

G.5.0 Reinstatement of a Chapter

The Area Director will consult with the Board of the existing chapter and the leadership of the chapter being proposed for reinstatement in order to determine the process to be followed; to provide for choice of chapter membership; and to equitably divide the chapter funds, giving consideration to the amount transferred when the chapters merged.

- 5.1 Proposed process to determine equitable transfer of members and funds to the reinstated chapter.
- (a) The Area Director or Assistant Area Director will canvass the current chapter membership to determine the number of members choosing to be transferred back to the reinstated chapter.

- (b) The Area Director will obtain from Headquarters the amount transferred to the current chapter when the chapters merged.
 - (c) A monetary amount will be assigned to each transferring member to be determined by negotiation between the current chapter Board, the leadership of the chapter to be reinstated and the Area Director, using the figures identified in 5.1(a) and 5.1(b) above. The number of years since the merger must be taken into consideration.
 - (d) In the event the distribution of funds cannot be agreed upon by the chapters, the State Board shall make that determination.
- 5.2 Upon completion of this process the Area Director will present the reinstatement of the chapter to the State Board for approval by a two-thirds vote of the State Board.

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SECTION H GENERAL ASSEMBLY

H.1.0 Purpose

- 1.1 General Assembly is held biennially in even-numbered years at a location, time and place designated by the Board for:
 - (a) election of officers;
 - (b) adoption of amendments to the Bylaws;
 - (c) consideration of resolutions and/or business that may come before the body; and,
 - (d) consideration of any emergency resolutions proposed by the Board or by twenty (20) members.

H.2.0 Resolutions

- 2.1 A resolution at RPEA's General Assembly is a means to determine, consult and deliberate the will or intent of a member or group of members to make a legal change in the Bylaws or to promote Board action by a vote of the assembled delegates.
- 2.2 One hundred fifty (150) days prior to General Assembly, Headquarters will send a copy of Policy File Sections H.2.0, H.3.0 and H.4.0 in their entirety to every chapter president, Assistant Area Director and Board member to guide those members who wish to present a resolution at the following General Assembly.
- 2.3 All matters presented to General Assembly for action shall be submitted in the form of a resolution, consisting of whereas and resolved clauses. Whereas clauses state the need for action and resolved clauses state the action requested.
- 2.4 A resolution must be received by headquarters at least ninety (90) days prior to the convening of General Assembly.
- 2.5 Emergency resolutions proposed by the Board or by 20 members may be accepted for consideration by majority vote of the General Assembly and referred to an appropriate Resolution Screening Committee.
- 2.6 Guidelines for submitting resolutions are listed below.
 - (a) Prepare, sign and submit the original to Headquarters at least ninety (90) days before General Assembly, using plain white bond paper, 8½" x 11".

- (b) Use headings, paragraphing, punctuation and capitalization as illustrated in Policy File Section H 3.0 Sample Resolution, adding or reducing the number of clauses as necessary.
- (c) Resolutions should be as brief as possible, omitting all unnecessary words or phrases. "Retired Public Employees' Association" when used in the text, should be abbreviated "RPEA."
- (d) Resolved clauses should be clear and full statements of the entire action desired, capable of standing completely independent of the "WHEREAS" clauses. For example, "RESOLVED that the above matter be taken under consideration by the Board" does not state the desired action.
- (e) Nothing should appear on the page containing the resolution, which is not to be printed in the folder for members of General Assembly.
- (f) Resolutions may be authorized and submitted by any member or members in good standing, a chapter, area, General Assembly subject committee, or the Board.
- (g) Resolutions to be offered from the floor of the General Assembly requiring expenditure of funds must be reviewed by the Secretary/Treasurer to identify the source of funding to be eligible for consideration.
- (h) Resolutions to amend the Bylaws should show words to be deleted by ~~strikeout~~ and words to be added by underlining. New sections should be assigned appropriate numbers

H.3.0 Sample Resolution Form

RESOLUTION NUMBER	Leave blank; assigned by the Resolutions Screening Committee
SUBJECT:	As few words as possible describing contents
SUBMITTED BY:	Name of author
WHEREAS, (1)	All resolutions must be submitted to Headquarters ninety (90) days prior to convening of General Assembly, and
WHEREAS, (2)	Much time and effort on the part of Headquarters staff and the Resolution Screening Committee will be saved if all resolutions are submitted in a uniform manner, and
WHEREAS, (3)	Each "WHEREAS" clause must be numbered consecutively and each "RESOLVED" clause lettered consecutively, NOW THEREFORE BE IT
RESOLVED, (a)	That diligent care be exercised in submitting resolutions in a uniform manner, AND BE IT FURTHER
RESOLVED, (b)	That resolutions state the action desired.
Estimated RPEA Cost \$	Author's estimate of probable cost, if any, to the Association
Principal Proponents	List those who support submittal of the resolution
Signatures	All resolutions must be signed

NOTE: *Headquarters will indicate on each resolution the date received.*

H.4.0 Resolution Screening Committee

- 4.1 The President shall appoint the chair and up to four (4) additional members at least one-hundred fifty (150) days prior to General Assembly.
- 4.2 All resolutions submitted for consideration by the General Assembly shall be reviewed by the committee.
 - (a) The Committee shall determine whether resolutions are in acceptable format. Minor format variations shall be corrected by the committee.
 - (b) Major variations shall be resolved between the author of the resolution and a committee member assigned by the committee chair in sufficient time for submission forty-five (45) days prior to General Assembly.
 - (c) Resolutions that do not meet the definition in H.2.1 above shall be returned to the author with a written explanation by the chair or co-chair.
- 4.3 The committee may combine similar resolutions into a single resolution to General Assembly. The chair or co-chair shall communicate this change to the author(s) of the resolutions.

H.5.0 Resolution Hearing Process

- 5.1 The author of the resolution or their designee must chair their resolution hearing at General Assembly to explain to the delegates the purpose of the resolution and to enable the delegates to suggest changes to the resolution.
 - (a) If prior to General Assembly, a chapter or the Board endorses a resolution, that body will become the “author” of that resolution. A representative from that body shall chair the hearing.
- 5.2 After delegates are appointed by their chapter, Headquarters shall give delegates copies of all available resolutions at least 30 days prior to General Assembly.
- 5.3 The author of a resolution may submit to the General Assembly a resolution in amended form resulting from one of the above actions.
- 5.4 The author of a resolution may notify the General Assembly of a decision to withdraw the resolution from discussion. The General Assembly minutes shall contain a statement of the reason for the withdrawal.

H.6.0 Other Committees

- 6.1 Courtesy Committee
 - (a) The committee shall be comprised of members in attendance at General Assembly.
 - (b) The committee shall prepare and present to the General Assembly any courtesy resolution(s) which express appreciation for the variety of services rendered during the General Assembly.
- 6.2 Credentials Committee
 - (a) The committee shall be comprised of members in attendance at General Assembly.
 - (b) The committee shall:
 - (i) prepare the list of delegates and alternates who have registered, after verifying their eligibility;
 - (ii) report to the General Assembly so that a quorum can be determined; and,
 - (iii) thereafter make subsequent reports based on additional registrations and seating of alternate delegates.

6.3 Elections Committee

- (a) The committee shall:
 - (i) establish procedures for the conduct of the election;
 - (ii) count the ballots; and,
 - (iii) report to the General Assembly as soon as results are available.

6.4 Nominations Committee

- (a) The committee shall:
 - (i) carry out the duties as assigned in the Bylaws Article VIII, Section 2;
 - (ii) establish required deadlines and guidelines for submission of candidacy; and,
 - (iii) publicize such requirements after informing the Board.

6.5 Budget Committee

- (a) The committee shall be comprised of the Secretary/Treasurer and at least two members of the Budget Committee
- (b) The committee shall:
 - (i) Report to the General Assembly Delegates on the latest financial audit; and
 - (ii) Report on the financial status of RPEA

6.6 General Assembly Planning Committee

- (a) The President may appoint a Chair plus three (3) to five (5) members to plan General Assembly.
- (b) Planning includes, but is not limited to:
 - (i) Visiting venues to determine if appropriate
 - (ii) Negotiating a contract to accommodate General Assembly. The final contract must be approved by the Board of Directors.
 - (iii) Determining a theme.

- (iv) Arranging check-in process
- (v) Coordinating volunteers to work at General Assembly.

H.7.0 Special Appointees

- 7.1 The President may appoint not more than two active members to General Assembly for special assignment(s), and such appointee(s) are entitled to "seat and voice" privileges with reimbursement for authorized expenses. Such appointment does not include voting privileges.
- 7.2 The President will appoint a member to act as Master Sergeant at Arms for the duration of open sessions of General Assembly. This appointment does not include voting privileges.
 - (a) The Master Sergeant at Arms will be the officer responsible for ensuring that only registered delegates, or their alternates when appropriate, are seated in the delegate area of General Assembly and will be responsible for maintaining order and maintaining a record of attendance at open sessions of General Assembly.
 - (b) The Master Sergeant at Arms will be supported by Assistants, one from each area, assigned by their Area Director.
 - (i) The Assistants will take attendance, lay ballots, collect said ballots and monitor the comings and goings of delegates and alternates from the session, reporting same to the Master Sergeant at Arms.
 - (c) The Master Sergeant at arms will provide the Secretary/Treasurer with the results of attendance at each session to establish the quorum necessary to conduct the business of the Assembly.
 - (d) The Master Sergeant at Arms will secure the ballots collected from the Assistants for the election of officers and deliver them to the Chair of the Elections Committee for counting.
 - (e) The Master Sergeant at Arms and the Assistants will be volunteers who are RPEA members in good standing.

H.8.0 Elections of State Officers (Bylaws Article VIII)

- 8.1 State Officers, except the Immediate Past President, are elected by delegates of General Assembly for a two-year term. Any active member is eligible for any office provided no conflict of interest exists.

- 8.2 Re-balloting for contested offices will be held on the last day of General Assembly.

H.9.0 Nominations and Consent Statement (APPENDIX III)

- 9.1 Prospective candidates may obtain the “Nomination and Consent Statement and Information Guidelines for Candidates,” no later than 90 days prior to General Assembly, from Headquarters. When completed mail form to:

Retired Public Employees’ Association
c/o The Nomination Committee Chair
300 T Street
Sacramento, CA 95811-6912

- 9.2 Nominations can be made from the floor at General Assembly (see H.12.3).

H.10.0 Candidate Statement and Publicity

- 10.1 The State Officer Nomination and Consent Statement must be received by the Nominating Committee Chair, in care of Headquarters, no later than 75 days prior to General Assembly.
- 10.2 A statement of candidacy not to exceed 200 words will be published in the State Newsletter immediately preceding General Assembly. This statement must be received by Headquarters not less than 60 days prior to General Assembly.
- 10.3 Headquarters will acknowledge receipt of both statements (the State Officer Nomination & Consent Statement and Statement of Candidacy) so the candidate is assured they have been received.
- 10.4 Headquarters will publicize campaign procedures in a timely fashion.
- 10.5 If a candidate chooses to submit a flyer for inclusion in the Delegate packet, it must be limited to both sides of an 8½” x 11” sheet of bond paper, in final form. The flyer must be received at Headquarters 75 days prior to General Assembly.
- 10.6 RPEA will not be responsible for any expenses pertaining to a candidate’s election other than those specifically stated.

H.11.0 Campaigning

- 11.1 Chapter funds shall not be used to finance individual candidate campaign expenses.
- 11.2 Invitations for campaign appearances by Chapters must be issued to all declared candidates. Expenses of attendance shall be paid by:
 - (a) candidates individually, or
 - (b) budget of the inviting authority (Chapter President, Area Director, area workshop chair). No other options are allowed.
- 11.3 Candidates will follow restrictions established by the Board and/or the meeting facility regarding mounting on the walls of the General Assembly site, use of easels, etc. Any impropriety or damage will be the responsibility of the candidate.

H.12.0 Nominations

- 12.1 Nominations will be held as prescribed by Bylaws Article VIII, Section 2.
- 12.2 Nominations will be completed during the first general meeting of General Assembly.
- 12.3 Persons nominating a candidate from the floor shall have two minutes to address the General Assembly.
- 12.4 Any candidate who is nominated from the floor must have presented a nomination and consent statement to the Secretary-Treasurer prior to being nominated. The presiding officer shall verify that the Secretary-Treasurer has received the statement.
- 12.5 When nominations have been closed, each candidate for office shall have three minutes to present qualifications and goals in furtherance of candidacy.

H.13.0 Ballot Security

- 13.1 The Election Committee shall maintain confidentiality of the election results until announced to the General Assembly.
- 13.2 Ballots will be secured and retained by the Secretary/Treasurer until the close of General Assembly, at which time they will be destroyed.

H.14.0 Election Protest Procedure

- 14.1 A protest may be made only by a candidate for that specific office within one hour of the announced results of the election, stating specifically the irregularity or violated procedure which is the cause for filing the protest.
- 14.2 The presiding officer shall immediately consider the validity of the protest. The ruling of the chair may be appealed by any candidate(s) running for the same office. If appealed, the General Assembly shall act on the ruling and make the final determination. The presiding officer shall immediately execute the action of the assembly.

H.15.0 Election Recount Procedure

- 15.1 A recount may be requested by a candidate or any delegate within one hour of the announced results of the election.
- 15.2 The presiding officer shall immediately consider the validity of the request. The ruling of the chair may be appealed by any candidate(s) running for the same office. If appealed General Assembly shall act on the ruling and make the final determination. The presiding officer shall immediately execute the action of the assembly.

H.16.0 Presentation of Awards

16.1 Membership

- (a) At each General Assembly, an award will be presented to a chapter in each of the following three categories, based on a combination of percentage gain, plus number of members:

Category 1	up to 250 members
Category 2	251 to 500 members
Category 3	501 and over members

- (b) No chapter shall receive more than one award each year. If a chapter of over 1,000 members has a greater percentage increase than the highest ranking under Category 3, the larger chapter will receive the award.

16.2 Recruiter Awards

- (a) At General Assembly, an award may be presented to member(s) who recruit(s) the most new members. The Director of Membership shall certify eligibility for this award.

16.3 Member – Outstanding Contribution Award

- (a) At General Assembly, awards may be presented to members who have been nominated by a chapter for outstanding work on behalf of RPEA. A person who has performed a job solely because of local or state office is excluded.
- (b) In odd-numbered years, the award(s) will be presented at an appropriate time.

16.4 Non-Member Award

- (a) At General Assembly award(s) may be presented to individual(s) who are not member(s) of RPEA who have performed outstanding service to the Association or to the promotion of the objectives of RPEA.
- (b) In odd-numbered years, non-member(s) may be chosen for recognition and the award(s) will be presented to the recipient(s) at an appropriate time.
- (c) The recipient(s) of this award shall be determined by the Board.

16.5 Chapter President Recognition Award

- (a) A certificate shall be awarded to Chapter Presidents at the completion of their term of office. The certificates shall be provided by Headquarters and signed by the State President.

H.17.0 Installation

- 17.1 The new Board shall be installed prior to adjournment.

OATH OF OFFICE

I DO SOLEMNLY AFFIRM THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF THE OFFICE TO WHICH I HAVE BEEN ELECTED TO THE BEST OF MY ABILITY.

I WILL MAINTAIN HIGH ETHICAL CONDUCT AT ALL TIMES. I WILL ABIDE BY THE ASSOCIATION’S BYLAWS AND SHALL ACT IN THE BEST INTEREST OF THE RETIRED PUBLIC EMPLOYEES’ ASSOCIATION OF CALIFORNIA, AT ALL TIMES.

IF SO, PLEASE SAY, “I DO”.

PRESIDENT _____ AND MEMBERS PRESENT, I PRESENT TO YOU YOUR NEWLY INSTALLED BOARD OF DIRECTORS.

H.18.0 Adjournment

- 18.1 General Assembly shall be adjourned no sooner than one hour following announcement of election results.

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SECTION I MAILING REQUIREMENTS

I.1.0 Mailing Lists

- 1.1 Membership lists shall not be given or sold to anyone or any company.
- 1.2 Chapters are free to control mailings of sales material deemed beneficial to their members providing that the organizations involved are precluded from having access to the names and addresses of any members.
- 1.3 Mailing lists shall not be released to any provider.
- 1.4 A disclaimer clause relieving RPEA of any responsibility must be included with any sales materials sent to members along the following lines:

“Presentation of this plan is permitted by your RPEA State Board of Directors for information only. Participation is purely voluntary on the part of the member. The member should consult his/her own financial, legal and/or insurance advisor to determine if this plan fits the members’ specific needs. All accompanying materials were printed and mailed at no cost to RPEA or its members.”

- 1.5 The name "Retired Public Employees' Association of California" or the initials "RPEA" shall only be used in addresses by the Board, committees, chapters and Headquarters in furtherance of Association business.
- 1.6 When RPEA endorses or sponsors any program authorized by the provisions of this policy, it shall determine format, content and distribution of all materials to its membership.
- 1.7 All mailings shall be the sole financial responsibility of the provider using the RPEA selected mailing house.

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SECTION J
HEADQUARTERS STAFF

J.1.0 Employees' Salaries and Responsibilities

- 1.1 Salaries and benefits for regular employees are to be established within reasonable bounds of salaries and benefits for comparable job responsibilities within the area where RPEA Headquarters is located.
- 1.2 The Office Manager is responsible to the Association President. Regular and temporary employees report to the Office Manager.

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SECTION K CONTRACTS

K.1.0 Negotiations and Litigation

- 1.1 The President is authorized to enter into contracts with special consultants as may be required, subject to the financial ability of the Association and the approval of the Board.
- 1.2 Other officers and/or members do not have authority to enter into contracts for consultant(s) on behalf of RPEA. They may recommend to the Board the need for special assistance along with the name(s) of specific consultant(s) and source(s) of funding for consideration.
- 1.3 Litigation and administrative decisions, other than routine Association management decisions, require Board approval.

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SECTION L
LIABILITY INSURANCE

L.1.0 Liability Insurance

- L.1 The Association will procure and continuously maintain adequate liability insurance and adequate Directors' and Officers' liability insurance.
- L.2 The complete policy(s) is available at RPEA Headquarters.

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**SECTION M
GUIDELINES FOR RETENTION OF RECORDS**

<p>Retention Years: (1) One Year (4) Four Years (7) Seven Years (P) Permanent (O) Optional (N/A) Not Applicable Other - Latest as revised</p>
--

Title & Description of Records	Headquarters	Chapters
Articles of Incorporation	P	N/A
Bylaws (originals and revisions)	P	P
All State & Federal Tax Reporting Documents	P	P If applicable
Deeds & Titles	P	N/A
Financial Reports	P	O
Annual Reports	P	O
Minutes of General Assembly	P	N/A
Minutes of Board Meetings	P	O
Minutes of Chapter Meetings	N/A	P
Bank Statements and Checks (paid and canceled)	7	7
Expenditure Documents (invoices, contracts, etc.)	7	4
Equipment Leases (when retired, place with invoices)	7	N/A
Directives from Headquarters (policy, manual changes, etc.)	P	Latest as revised

Membership Roster	1	O
Completed Applications of Chapter Members	1	O
Lists of Officers	P	1
Legislative Reports	1	O
Membership Reports	1	O
All other material (routine correspondence, committee reports, etc.)	1	O

SECTION N
WEBSITES AND WEB PAGES

N.1.0 Purpose

- 1.1 Websites may be utilized to provide means of communicating and networking among the Association and its members. (Refer to Policy File C.4.0)
- 1.2 Chapters choosing to have websites shall be responsible for their establishment and maintenance, at chapter expense, in a manner consistent with the goals and objectives of the Association.

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SECTION O LEGISLATIVE ACTION

O.1.0 Legislative Action Organization (LAO)

- 1.1 The Association has established the Legislative Action Organization (LAO) as one of the political action arms through which the Association participates in elections, in compliance with State of California Political Reform Act as administered by the Fair Political Practices Commission (FPPC). (LAO Bylaws included as Appendix I).

O.2.0 Independent Expenditure Committee (IEC)

- 2.1 The Association has established the Independent Expenditure Committee (IEC) as a separate political arm through which the Association participates in elections, in compliance with the Political Reform Act as administered by the Fair Political Practices Commission. (IEC Bylaws included as Appendix II).

O.3.0 Support of Candidates For Public Office

- 3.1 Based on the voting record and willingness of a candidate for public office to support RPEA goals, the Board may authorize non-financial assistance and the use of RPEA's name in his/her candidacy.
- 3.2 The Board shall develop and establish guidelines in determining which candidate(s) RPEA will support or endorse.
- 3.3 No officer, region, chapter, committee, group, member or employee, by act or intent, shall take any action in an official or unofficial capacity as a representative of the Association, which implies support or opposition of any person or persons seeking endorsement unless prior approval is obtained from the Board of Directors. Chapters actions cannot be in opposition to what State endorses. Chapters cannot hear from other candidates after endorsements.

O.4.0 Chapter Forum for Local Political Candidates

- 4.1 Each Chapter is encouraged to provide a forum at their chapter meetings for local (city, county and district) candidates to present their views on local issues.
 - (a) No chapter dues monies may be used to support political candidates.
 - (b) Members who wish to provide financial support for candidates or issues should do so through the LAO and IEC.
 - (c) See O.3.1, O.3.2 and O.3.3.

4.2 Other Forums

- (a) Chapters may also encourage members to participate in other outside forums where local, State, or Federal candidates or office holders voice their views on local, State or Federal issues.

O.5.0 Legislative Committee Responsibilities

5.1 The Legislative Committee:

- (a) is responsible for recommendations to the Board of Directors on legislative needs, congressional endorsements and statewide candidates and ballot initiatives;
- (b) may recommend to the Board of Directors, endorsements for California Constitutional offices if it determines such positions are in the best interest of the Association;
- (c) may recommend to the Board of Directors candidates for the California State Legislature if it determines such positions are in the interest of the Association;
- (d) may recommend to the Board of Directors endorsements of candidates for the U.S. House of Representatives, the President and Vice President of the United States and candidates for the U. S. Senate;
- (e) shall prepare for consideration the Board of Directors recommendations on ballot propositions; and,
- (f) shall review positions in the event of a conflict or disagreement by Area or Chapters on local election or ballot measures and make recommendations to the Board.

O.6.0 State Ballot Propositions

- 6.1 The Board may take a position on State Ballot Propositions that directly affect RPEA's mission:

“to protect and improve the retirement and health benefits of the members.”

- 6.2 Whenever the Board takes a position on any Proposition the Board shall define how that position impacts our goals.

LEGISLATIVE ACTION ORGANIZATION (LAO)

BYLAWS

**Article I
Name and Definition**

The name of the organization is the Retired Public Employees' Association of California-Legislative Action Organization (RPEA-LAO). It is a voluntary, nonprofit unincorporated Political Action Committee of the Retired Public Employees' Association and is not affiliated with any political party.

The term "Retired Public Employees' Association" hereinafter shall include and be the same as "Association" or "RPEA". The term "Board of Trustees of the Legislative Action Organization" hereinafter shall include and be the same as "Trustee" or "Trustees". The term "Legislative Action Organization" hereinafter shall include and be the same "RPEA-LAO" or "LAO".

**Article II
Purposes**

The purposes of LAO are to:

- (1) raise and disburse funds to further the common good and general welfare of members of the California Public Employees' Retirement System (CalPERS) and the University of California Retirement System (UCRS) by protecting our pensions and other benefits and by educating the public and Legislature and other elected officials about issues of concern.
- (2) promote the maintenance and improvements of benefits provided to members in CalPERS and UCRP.
- (3) promote the welfare of active and retired public employees and their families.
- (4) promote and strive for the improvement of government by encouraging and stimulating members and others to take a more active and effective part in government affairs.

Article III Contributions

Contributions to RPEA-LAO shall be strictly voluntary. Requests for contributions from members may be made by use of the RPEA Newsletter or methods deemed appropriate by the trustees. There shall be no intermingling of funds or expense accounts between LAO and any other entity within RPEA.

Article IV Organization

The LAO Trustees shall be a permanent standing committee. The Director of Legislation of RPEA shall be the Chair. Three additional Trustees shall be selected by recommendation of the RPEA President and confirmed by a majority vote of the RPEA Board of Directors. One Trustee shall be a retiree from a CalPERS Contracting Agency, one Trustee shall be a Classified School retiree and one Trustee shall be a retiree from the state.

The Trustees' terms of office shall be two years, expiring on adjournment of January Board meeting of the RPEA Board, following General Assembly. Trustees must be active members of RPEA in good standing. Individual Trustees may be removed by a majority vote of the RPEA Board of Directors following a recommendation by the RPEA President or the Director of Legislation. The four Trustees shall select from among themselves a Secretary/Treasurer.

Article V Books, Records and Finances

Section 1, Registering of Organization

The LAO Secretary/Treasurer shall be responsible for registering the RPEA-LAO officers and Statement of Organization with the Office of the Secretary of State, Political Reform Division.

The LAO Secretary/Treasurer or Chairperson of the LAO shall be responsible for filing all reports required by the Secretary of State and/or the Fair Political Practices Commission.

Section 2, Books and Records

Under the direction of the Trustees, the Secretary/Treasurer shall keep correct and complete books and records of account. The books and records shall be reviewed by the Trustees biennially, for financial accuracy. The books and records shall be available to the RPEA Board of Directors at its discretion.

Section 3, Bank Accounts

The funds of LAO shall be deposited to the credit of LAO in such banks or other depositories as approved by the Trustees. Both the Secretary/Treasurer and the RPEA Director of Legislation, who is the LAO Chair, as the designated agent of the Treasurer, shall have their signatures on these bank accounts and have the authority to write checks on or otherwise withdraw money from the accounts as directed by the Trustees.

Article VI Standing Rules

The Trustees, by a majority vote, may adopt procedural rules from time to time that affect the affairs of LAO. Such rules shall only become effective upon ratification by the RPEA Board of Directors.

Article VII Dissolution

The LAO may be dissolved by a majority vote of the RPEA Board of Directors. . Upon dissolution of the LAO, any funds remaining shall be placed in a special account and any funds remaining after payment of all debts and expenses shall be spent pursuant to the applicable provisions of the election campaign laws.

Article VIII Meetings

Section 1, Board of Trustees

Meetings may be called by the LAO Chair. Meetings may be conducted either wholly or partially by the use of modern communication technology. Minutes of all meetings shall be in writing and approved by the Trustees at the next regular meeting.

Section 2, Quorum

Three members shall constitute a quorum of any meeting of the Trustees.

Section 3, Procedures

All decisions made by the Trustees must proceed from a motion approved by a majority of the members voting or present. The Chair shall be a voting member of the Trustees. In case of a tie vote, the motion will fail.

Robert's Rules of Order, Newly Revised shall be the parliamentary authority for all matters of substance or procedure not specifically covered in these Bylaws.

Article IX Finances

Section 1, Transmittal of Funds

All funds received shall be transmitted directly to the LAO bank accounts under guidelines developed by the Trustees.

Section 2, Disbursement and Allocation of Monies

Subject to the approval of the majority of the Trustees, all funds received shall be distributed to achieve the purposes of LAO including, but not limited to:

1. administrative costs including expenses of Trustees of LAO
2. political education of RPEA members and assistance and advice to RPEA members.
3. donations in support or opposition to initiatives or referendums consistent with the policies of the Board of Directors of RPEA.
4. donations to specific election campaigns and individuals without regard to specific political party affiliation, if any, consistent with the policies of the Board of Directors of RPEA.
5. all other activities in furtherance of the purposes of LAO.

The final discretion for the disbursements of funds shall rest with the Trustees subject to policy guidelines established by the RPEA Board of Directors.

Article X Amendments

These Bylaws may be amended at any noticed meeting of the Trustees by an affirmative vote of three (3) Trustees. Such amendments shall not become effective until approved by the RPEA Board of Directors.

INDEPENDENT EXPENDITURE COMMITTEE (IEC)

BYLAWS

**Article I
Name and Definitions**

The name of this organization is the Independent Expenditure Committee of the Retired Public Employees' Association of California (IEC-RPEA). It is a voluntary, non-profit, unincorporated Independent Expenditure Committee authorized by Proposition 208 passed by the voters of California in the General Election of 1996 and Proposition 34 passed by the voters of California in the General Election of 2000, and Proposition 34 passed by the voters of California in the General Election of 2002. It is not affiliated with any political party.

The term "Retired Public Employees' Association" hereinafter shall be included and be the same as "Association" or "RPEA". The term "Board of Trustees of the Independent Expenditure Committee" hereinafter shall include and be the same as "Trustees". The term Independent Expenditure Committee hereinafter shall include and be the same as "IEC-RPEA" or simply "IEC."

**Article II
Purposes**

The purposes of IEC-RPEA are to:

- (1) raise and disburse funds in compliance with the requirements established by the Fair Political Practices Commission (FPPC) to elect candidates to the California Legislature and State Constitutional Offices or local elected public offices who have been supportive and are likely to be favorable to the legislative goals of the Retired Public Employees' Association of California.
- (2) work with RPEA members at the Chapter level to involve them in activities to raise money and disseminate information that might affect the electoral process.
- (3) promote and strive for the improvement of government by encouraging and stimulating members and others to take a more active and effective part in government affairs, especially with regard to maintenance and improvement of benefits provided to the members.

Article III Contributions

Contributions to IEC-RPEA shall be strictly voluntary. Requests for contributions from members may be made by use of the RPEA Newsletter or other methods deemed appropriate by the Trustees. There shall be no intermingling of funds or expense accounts between IEC and any other entity within RPEA.

Article IV Organization

The IEC shall be a permanent standing committee. The IEC Board of Trustees shall consist of the Director of Legislation of RPEA, as chair and three additional Trustees appointed by the RPEA President and confirmed by a majority of the RPEA Board. One Trustee shall be a retiree from a CalPERS Contracting Agency, one Trustee shall be a Classified School retiree and one Trustee shall be a retiree from the State.

The Trustees' terms of office shall be two years, expiring on adjournment of the January Board meeting of the RPEA Board, following General Assembly. Trustees must be active members of RPEA in good standing. Individual Trustees may be removed by a majority vote of the RPEA Board of Directors following a recommendation by the RPEA President or the Director of Legislation. The four Trustees shall select from among themselves a Secretary/Treasurer.

Article V Books, Records and Finances

Section 1, Registration of Organization

The Secretary/Treasurer of IEC shall be responsible for registering the Statement of Organization and the names of current officers with the Office of the Secretary of State of California, Political Reform Division.

The IEC Secretary/Treasurer or the Chair shall be responsible for the filing of all reports required by the California Secretary of State and/or Fair Political Practices Commission.

Section 2, Books and Records

At the direction of the Trustees, the Secretary/Treasurer shall keep correct and complete books and records of account. The books and records shall be subject to review by the Trustees biennially, for financial accuracy. The books and records shall be available to the RPEA Board of Directors at its discretion.

Section 3, Bank Accounts

The IEC shall keep its own bank accounts in a financial institution approved by the Trustees. Both the Secretary/Treasurer and the RPEA Director of Legislation, who is the IEC Chair, as the designated agent of the Treasurer shall have their signatures on these bank accounts with the authority to write checks on or otherwise withdraw money from the accounts as directed by the Trustees.

Section 4, Expenditures

No expenditures shall be made by or on behalf of the IEC without the authorization of the Director of Legislation and the Secretary/Treasurer, and in accordance with the rules established by the Trustees of the IEC. No contribution shall be accepted and no expenditure shall be made while there is a vacancy in the office of Secretary/Treasurer.

Article VI

Article VI Standing Rules

The Trustees, by majority vote, may adopt procedural rules from time to time that affect the affairs of the IEC. Such rules shall only become effective upon ratification by the RPEA Board of Directors.

Article VII Amendments

These Bylaws may be amended at any noticed meeting of the Trustees by an affirmative vote of three (3) Trustees. Such amendments shall not become effective until approved by the RPEA Board of Directors.

Article VIII Dissolution

The Independent Expenditure Committee may be dissolved by a majority vote of the RPEA Board of Directors. Upon dissolution of the IEC, any funds remaining shall be placed in a special account and any funds remaining after payment of all debts and expenses shall be spent pursuant to the applicable provisions of the election campaign laws.

Article IX Meetings

Section 1, Board of Trustees

Meetings may be called by the Chair of IEC. Meetings may be conducted either with the quorum of the Trustees physically present or wholly or partially by use of modern communication technology. Minutes of all meetings shall be in writing and approved by the Trustees at the next regular meeting.

Section 2, Quorum

Three members shall constitute a quorum at any meeting of the Trustees.

Section 3, Procedures

Any decision by the Trustees shall be made upon a motion approved by a majority of the members present or voting. The Chair shall be a voting member of the Trustees. In cases of a tie vote, the motion will fail.

Robert's Rules of Order, Newly Revised shall be the parliamentary authority for all matters of substance or procedure not specifically covered in these Bylaws.

Article X Finances

Section 1. Transmittal of Funds

All funds received shall be transmitted directly to the IEC bank accounts under guidelines developed by the Trustees.

Section 2. Disbursement and Allocation of Funds

Subject to any limitations contained in these Bylaws or in applicable statutes or regulations, the IEC Trustees, by majority vote of those present and voting may authorize the Chair or the Secretary/Treasurer to expend funds for the following purposes:

1. Independent Expenditures for activities to influence voters in California Primary and General Elections to vote for candidates for the Legislature, State Constitutional offices, and/or other public elected offices whose positions are consistent with the policies of the Board of Directors of RPEA. For this purpose, RPEA members shall be considered as part of the voting public, and
2. Direct payments for activities to influence voters to vote for or against specific initiative or referendum propositions on the state or local ballot in a manner consistent with endorsement of the Board of Directors of RPEA.

3. Administrative costs including expenses of Trustees of IEC.

Final discretion for the disbursements of funds shall rest with the Trustees of IEC subject to policy guidelines established by the RPEA Board of Directors.

Date of Becoming Effective

These Bylaws will become effective when the committee files a statement of organization with the California Secretary of State, which is required by Government Code § 84101 to take place within 10 days after it qualifies as a committee. It qualifies as a committee when the Bylaws are approved by the Board ***and*** it has received \$1,000 in contributions. Government Code § 82013.

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RETIRED PUBLIC EMPLOYEES' ASSOCIATION OF CALIFORNIA

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(916) 441-7732 • Fax: (916) 441-7413 • (800) 443-7732
www.rpea.com • rpeahq@rpea.com

APPENDIX III

STATE OFFICER NOMINATION AND CONSENT STATEMENT

(Only Active/Beneficiary Members are Eligible)

(See Reverse)

NOMINATION

PLEASE PRINT

Nomination for the office of: _____

Name: _____ Chapter No. _____

If applicable, submitted by: _____ Date: _____

CONSENT STATEMENT

Information needed for certification: _____

Name

Street

City

State

Zip

Telephone Number: () _____ E-Mail: _____

Agency Retired From: _____

I am currently a recipient of retirement benefits from CalPERS or I am a State Associate who is a designated beneficiary:

RPEA dues are current and I have been an RPEA member since: _____

I hereby consent to be a candidate for the office of: _____
and will serve if elected.

Signature

Date

**THIS FORM MUST BE RECEIVED BY HEADQUARTERS
NO LATER THAN 75 DAYS PRIOR TO GENERAL ASSEMBLY
and addressed to:**

Retired Public Employees' Association of California
c/o Nomination Committee Chair
300 T Street
Sacramento, CA 95811-6912

Certified at Headquarters by: _____ Date: _____

Information Guidelines for Candidates

The nomination form on the reverse side to assume an office and discharge the duties of that office must be received by the Nominating Committee Chair, in care of Headquarters, **RECEIVED BY HEADQUARTERS NO LATER THAN 75 DAYS PRIOR TO GENERAL ASSEMBLY.**

A statement of candidacy not to exceed 200 words will be published in the State newsletter immediately preceding General Assembly. This statement must be **RECEIVED BY HEADQUARTERS NO LATER THAN 75 DAYS PRIOR TO GENERAL ASSEMBLY.** Headquarters will acknowledge receipt.

If a candidate chooses to have a flyer included in the Delegate packet, it must be limited to both sides of an 8 ½ x 11 inch sheet of bond paper, in final form. The flyer must be **RECEIVED BY HEADQUARTERS NO LATER THAN 75 DAYS PRIOR TO GENERAL ASSEMBLY.**

Upon request, at least 30 days in advance of General Assembly, Headquarters will provide one set of address labels of all delegates as soon as available.

RPEA will not be responsible for any expenses pertaining to a candidate's election other than those specifically stated.

Candidates will follow restrictions established by the Board and/or the meeting facility regarding mounting on the walls of the General Assembly site, use of easels, etc. Any impropriety or damage will be the responsibility of the candidate. Contact Headquarters for restrictions. *See Policy File Sections H.9.0 and H.10.0*

RPEA BYLAWS ARTICLE III MEMBERSHIP

Section 1 Active Members.

- (i) Annuitants. All retired persons who receive an annuity from CalPERS shall be eligible for active membership in the Association.
- (ii) Beneficiaries. Persons who are spouses or domestic partners or are named or statutory beneficiaries to the pension rights of an Annuitant Member shall enjoy all the rights and privileges of Annuitant Members including eligibility to hold state association office or directorship.

(Rev. 05/2007)

CODE OF ETHICS**Introduction**

This Code of Ethics has been adopted by the Board of Directors for all members of the Board of Directors, RPEA staff and member volunteers as they conduct the affairs of RPEA.

Responsibilities**A. Board of Directors**

The Board of Directors is required by law to act as a body and not as individuals in performing the duties of directors of the corporation.

Each Director (Board member) shall devote time and attention to the affairs of RPEA to ensure that it and the Board act in accordance with the Bylaws and Policies of RPEA, as well as all applicable local, state and federal laws.

Each Director shall keep all privileged matters confidential. It will be considered a breach of confidence to share any privileged information with organizations or individuals outside RPEA. Directors shall keep confidential and leave intact all lists, records and documents prepared and utilized in management of RPEA.

Directors have certain fiduciary duties, including the duty of care, the duty of inquiry, the duty of loyalty and the duty to comply with investment standards. Officers of RPEA have an even greater duty to conduct diligent inquiry, owing to the officer's more active involvement in the day-to-day operations of RPEA.

Since the assets of RPEA are entrusted to the directors, and the directors owe a fiduciary duty to RPEA, the directors must make good faith business judgments in dealing with the affairs of RPEA. A director satisfies the required duty if: *1) the director is not interested in the subject matter of the business judgment; 2) is informed with respect to the subject of the business judgment to the extent the director reasonably believes to be appropriate in the circumstances; and, 3) the director rationally believes that the business judgment is in the best interest of RPEA.*

Directors shall maintain a relationship with staff in which shared roles are recognized and separate responsibilities are respected. Working relationships among directors, staff and member volunteers are to be based upon equity and mutual respect.

B. Staff

The staff of RPEA will always conduct itself according to the highest standards of decorum, objectivity and professional integrity. Staff should be mindful that their personal activities may reflect upon the reputation of RPEA.

Staff shall keep all privileged matters confidential. It will be considered a breach of confidence to share any privileged information with organizations or individuals outside RPEA. Staff members shall keep confidential and leave intact all lists, records and documents prepared and utilized in management of RPEA.

C. Member Volunteers

It is essential that all volunteers understand and support the mission and policies of RPEA, and that they undertake their volunteer duties in an ethical and prudent manner.

Policy on Conflict of Interest

A conflict of interest exists when a director, staff member or volunteer, or a business associate or an immediate family member of the director, staff member or volunteer is in a position to benefit personally in any manner—either directly or indirectly—from dealings by RPEA with individuals or business entities. A conflict of interest also exists where a director, staff member or volunteer has a financial, personal or business interest in competition with RPEA or an interest that may impair the judgment or loyalty of a director, staff member or volunteer.

All directors and staff members shall complete an annual disclosure statement regarding actual or potential conflicts of interest. Each director and staff member shall notify RPEA if and when material changes occur in the information provided in his/her signed disclosure statement. An up-to-date record of business and professional affiliations of all members of the Board of Directors shall be maintained by the President.

Notwithstanding the annual disclosure statement, whenever a conflict of interest arises, a director is required to provide full and fair disclosure in sufficient time to permit proper steps to be taken to insulate that director from influencing decisions of the Board of Directors.

Staff members shall not become involved with any business or transaction for goods or services with RPEA without disclosing such business interest to the President.

Volunteer service shall be undertaken for the betterment of RPEA, and not for personal gain other than the inherent enrichment and satisfaction derived from such participation. All conflicts of interest shall be avoided by volunteers and potential conflicts disclosed to the President.

CONFLICT OF INTEREST DISCLOSURE FORM

1. Have you read, and are you familiar with the RPEA Conflict of Interest Policy? (Copy attached)

YES _____ NO _____

2. Please describe any business and personal transactions between you or any member of your immediate family or business associates and RPEA during the immediately preceding 12 months.

3. Please describe any business and personal transactions between you or any member of your immediate family or business associates and RPEA anticipated in the next 12 months.

4. Please provide the names of all businesses and not-for-profit organizations with which you are employed, in which you have a material ownership interest, or on whose governing board you serve which conducts business with RPEA. Please also provide the above information with respect to each member of your immediate family and/or business associates.

DATED: _____

(Print Name)

(Signature)

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**Retired Public Employees' Association (RPEA)
CONTRACT ADDENDUM**

The parties to the Contract agree that the provisions below supersede any language in the contract which addresses the same subject unless this Addendum is modified by agreement of the Parties.

1. **Force Majeure.** Notwithstanding any express or implied language in the Contract to the contrary, the performance of this agreement by either party is subject to the occurrence of acts of God, war, government regulation, terrorism, disasters, strikes, labor disputes, civil disorder, curtailment of transportation facilities or other emergencies making it inadvisable or impossible for the RPEA to hold this event at the Hotel. Further, the RPEA shall have the option of cancelling this agreement without penalty or liability should any of the following occur:

- The Hotel ceases to be a facility whose workers are represented by a labor union;
- A picket line is established by a labor union;
- A boycott of the Hotel has been established by a labor union;
- The Hotel uses labor not represented by a labor union when union-represented labor is available, without the express advance permission of the RPEA;
- There is a change in the Hotel's franchise affiliation or the Hotel is put under different management, regardless of whether such management change is reflected in its name;
- There is a voluntary or involuntary bankruptcy proceeding filed with respect to the Hotel or, as reasonably determined in the sole judgment of the RPEA, the Hotel is suffering financial instability or monetary difficulties likely to result in the degradation of meeting-related services; or
- If at any time during the specified meeting dates or the 45-day period before the beginning of the meetings, the Hotel fails to be in full compliance with all applicable food service, fire, health, building and other safety codes and laws.

Hotel Initials _____

RPEA _____

Notification of Labor Dispute. The Hotel agrees to Notify Group in writing within three (3) days after it becomes aware of any labor relations dispute involving the Hotel and its employees including, but not limited to, union picketing, the filing of an Unfair Labor Practice charge by a union, the expiration of a negotiated contract, an **existing or impending strike or lockout or any other matter which could reasonably be** construed as a labor-management relations dispute.

3. **Certification of Availability and Fitness of Space.** The Hotel warrants that it is not aware of any construction or remodeling of Hotel to be performed in the Hotel immediately prior to or during the meeting dates, but the Hotel further warrants that should such construction or remodeling occur, it shall not interfere in any way with the RPEA's use of the hotel. Should construction or remodeling be determined in the reasonable judgment of RPEA to interfere with RPEA's meeting, RPEA will be considered to have cause to terminate this contract without penalty or liability. Should RPEA decide to terminate the Agreement, it will provide written notice to the Hotel within thirty (30) days of RPEA's actual notice of the unacceptable construction or remodeling. If RPEA decides to not terminate the Agreement but the construction or remodeling interferes with the RPEA's use of the Hotel, the Hotel and the RPEA agree that the RPEA is entitled to reasonable compensation for said interference.
4. **Surcharges.** Neither the RPEA nor the meeting attendees will be responsible for surcharges or service fees not included in the Contract without the consent of the RPEA or the attendees.
5. **Indemnification and Hold Harmless.** Hotel and RPEA each agree to indemnify and hold harmless the other party for any claim, lawsuits, losses, costs and legal fees which may be assessed by or is due to third parties, arising out of the performance of either party's obligations under this Contract and Addendum, unless the harm to the third party is the result of the willful misconduct or gross negligence of the other party. There are no other rights to indemnification other than those stated in the paragraph 5.
6. **Penalties or Liabilities for Cancellation of the Contract.** The phrase "without penalty or liability" wherever used in the Addendum shall be deemed to require a refund by the Hotel of all deposits and prepayments that have been made by RPEA. Said refund will occur within thirty (30) days of the notice of termination and no assessment of a cancellation fee or other penalty by the Hotel.

Hotel Initials _____

RPEA _____

If the RPEA postpones or cancels the meeting, the Hotel shall use good faith efforts to resell the rooms and the RPEA shall be obligated to pay the Hotel only for those rooms that remain unsold. In such event, the Hotel agrees that if the RPEA books a similar size meeting within one year from the original program dates, the Hotel shall apply one hundred percent (100%) of the RPEA's cancellation/postponement fee to the costs of the new meeting.

There shall be no right of cancellation by the Hotel for the purpose of allowing another group to use the space or for any other purpose. If the Hotel cancels, the Hotel shall pay to RPEA as liquidated damages and not a penalty, all expenses incurred in the relocation of the meeting. This shall include but not be limited to the RPEA's staff time, research, site visits, airfare, the cost of communicating the change of venue, the difference in guestroom rates and any other costs incurred by the RPEA in the relocation of the conference.

7. **Changes, Additions, Stipulations or Lining out.** Any changes, additions, stipulations or deletions including corrective lining out in the Contract or this Addendum by either the Hotel or RPEA will not be considered agreed to or binding unless such modifications have been initialed or otherwise approved in writing by the other party.

By: _____ By: _____
Hotel Representative RPEA

Date: _____ Date: _____