

# **San Francisco Bay Area Hispanic Employment Program Manager's Council**

## **CONSTITUTION AND BY-LAWS**

(01/03)

### **HISTORY**

**History** – President Richard M. Nixon on November 5, 1970 established as part of the “Sixteen Point Program” to increase the number of Hispanic employees in the federal government. The program was later renamed the “Spanish Speaking Program” emphasizing bilingual skills and on February 23, 1978 became the “Hispanic Employment Program”.

### **AUTHORITY**

The Hispanic Employment Program (HEP) is part of the Equal Opportunity Program authorized by Presidential Executive Order 11478 (1969) and the following:

- A) Civil Rights Act of 1964 (PL 88-352) as amended.
- B) Presidential Executive Order 11246, September 24, 1965
- C) Equal Employment Opportunity (EEO) Act of 1972 (PL 92-261)
- D) Title 5, U.S. Code 7201, 5 CFR Part 720-2, September 19, 1979

### **ARTICLE I – NAME**

Section 1. The name of this organization shall be the San Francisco Bay Area Hispanic Employment Manager's Council (SFBAHEPMC), hereinafter referred to as the Council.  
Section 2. The San Francisco Bay Area as defined by the Council shall include the following counties, Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

### **ARTICLE II – CHARTER AND OBJECTIVES**

Section 1. The purpose of the Council shall be a resource, and help ensure equal access to all employment opportunities and to address concerns of the Special Emphasis Program in the San Francisco Bay Area. Helping to promote community awareness and equal employment opportunities with emphasis toward Hispanics. The Council shall maintain awareness and promote the following:

- A) The under representation of Hispanics in the Federal work force and the various level of represented by Hispanics, (i.e. professional levels vs. clerical etc.)
- B) To serve as a conduit and help improve recruitment efforts within the Federal Government. (By maintaining awareness of employment, promotions and training conditions, policies, patterns and practices of Federal agencies within the San Francisco Bay Area).
- C) Consult federal agencies (i.e. personnel officers, managers, supervisors, EEO staff and Special Emphasis Program Managers) to implement results oriented practices to ensure equal access to employment opportunities for Hispanic employees and applicants.
- D) Provide employment information, assistance, and referral services to Federal employees and applicants; and seek special guidance from other special emphasis groups to address technical questions, issues and concerns.

- E) Maintain awareness of prohibited employment practices, which might adversely, affect the employment and career advancement opportunities of Hispanics.
- F) Organize and sponsor special activities, such as forums, conferences and workshops that are employment, training, and educational related. To share and disseminate information with similar councils in other areas of the country.
- G) Increase the effectiveness of Council Members through the sharing of information, structured training and actual experience.
- H) Establish and maintain an effective community outreach program(s).

### **ARTICLE III – MEMBERSHIP AND VOTING AUTHORITY**

Section 1. The Council shall actively recruit membership from representatives of federal agencies, community organizations and individuals within the San Francisco Bay Area who are interested in promoting and furthering the interest of the Council.

Section 2. Membership in the Council shall be open to the aforementioned.

Section 3. A member in good standing shall be defined as one who participates in the Council and it's activities.

Section 4. All members in good standing shall have the authority to vote on all issues and matters concerning the Council.

### **ARTICLE IV – ORGANIZATION, EXECUTIVE BOARD AND DUTIES OF OFFICERS**

Section 1. The Executive Board of this Council shall consist of elected officers, the Chairperson, Vice Chairperson, Council Finance Officer and Council Secretary. The Executive Board will be responsible for directing the Council and following through with its accomplishments and ensuring that the objectives and purpose of the Council as stated in the constitution and bylaws are carried out.

Section 2. The Chairperson shall be responsible for presiding at all meetings of the Council, appoint a Chairperson for all committees established by the Council. The Chairperson will be one of the two required signatures on all checks for expenditure of funds and perform duties, which are usually executed by the Chairperson.

Section 3. The Vice-Chairperson shall assist the Chairperson in the performance of duties and preside during the absence of the Chairperson; perform duties, which are usually executed by the Vice-Chairperson.

Section 4. The Corporate Secretary shall record the minutes of all meetings and assist the Chairperson or Vice-Chairperson of all correspondence. The Secretary shall also maintain official records of the Council and keep a current list of all members. The Secretary shall assist the Chairperson and Vice-Chairperson in formulating the agenda for each meeting. The Secretary shall assist in the preparation and distribution of information regarding meetings and programs to all members. The Secretary will monitor the time and orderly flow of items on the agenda for each meeting.

Section 5. The Council Finance Officer shall be responsible for the following items: a) collection of all monies and depositing the same; b) issue and sign checks (along with the required second signature) for the expenditures of all funds upon receipt; c) maintain accurate accounting records and expenditures of funds; and d) shall be responsible for preparing semi-annual and year end financial reports. The financial reports will be reviewed at the end June and December of each year. e) Audit of financial reports will be conducted within 30 days after receipt of request from an active council

member. If Council Financial officer is unable to attend the scheduled meetings he/she will e-mail the report directly to the Executive Board one-week prior to the scheduled meeting.

Section 6. The Council's decisions and expenditures shall be determined by vote from the Executive Board.

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#### **ARTICLE V – ELECTION OF OFFICERS AND TERMS**

**Section 1. The members of the Executive Board shall be determined by election. Voting shall occur by ballot, mail or e-mail to the Council Secretary. Election(s) shall be held during the month of October. If a tie occurs voting will continue until the tie is broken.**

**Section 2. The term of each Executive Board member shall be for two years beginning in January following the election.**

**Section 3. The nominations shall be solicited and accepted in August for the election of officers to be held in October. The Nomination Committee shall be the Executive Board. Nominations for the Chairperson, Vice-Chairperson and Council Financial Officer shall be restricted to members designated as SEP Managers or representatives of Federal agencies within the Council.**

**Section 4. If a vacancy occurs in the office of the Chairperson, the Vice-Chairperson shall assume the position of Chairperson. The election of a new Vice-Chairperson shall occur no later than the third meeting after the vacancy occurs.**

**Section 5. In the event that an officer (other than the Chairperson) resigns and/or a vacancy occurs during the term of office a replacement shall be appointed by the Chairperson. The appointment shall be confirmed at the first regular meeting following the appointment.**

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#### **ARTICLE VI – COMMITTEES**

Section 1. Committees will be established as necessary to carry out the purpose and mission of the Council.

Section 2. The committee chairperson shall provide status reports to the Council and the membership.

Section 3. When funds are available the Council will review requests or suggestions from members for projects, materials, presentations, etc. The requests will be approved or denied by a majority vote of the Council. The requirements for review are as follows:

- A) Theme and goal,
- B) Targeted audience,
- C) Preparation and location,
- D) Responsibility for completing work assignments,
- E) Equipment and material costs, and
- F) A report to Council after project is completed

#### **ARTICLE VII – MEETINGS AND VOTING**

Section 1. Training/Business/Teleconference meetings shall be held every other month on the 2<sup>nd</sup> Thursday of each month. The next meeting's location is determined at the previous meeting. Any agency represented on the Council may host a meeting.

Section 2. Robert's Rules of Order shall govern in all matters.

Section 3. The Chairperson may call special meetings at any time.

Section 4. Members, associates and guests may bring to the attention of the Council any issues or projects for discussion and action. A majority vote shall be required in favor of the issue(s) or project(s) before it is assigned to a committee.

**ARTICLE VIII – AMENDMENTS**

Section 1. This Constitution and By-laws are to become effective and remain in effect upon adoption by the Council.

Section 2. This Council may adopt or amend such By-laws as deemed necessary to meet the objectives as established by the Constitution.

Section 3. Any proposed amendment must be submitted in writing to the Chairperson and or Executive Board member. Proposed amendments shall be voted upon during the meeting following it’s entry into the minutes. Council members shall be notified and receive a copy of the proposal prior to the meeting at which time the vote is to be taken.

Section 4. A vote to amend the Constitution or By-laws shall require a quorum.

**ARTICLE IX - MISCELLANEOUS**

Section 1. The business year shall be from January 1 to December 31.

Section 2. Changes in Financial Officers requires that outgoing and incoming officers change the signature card at the financial institution as needed no later than 30 days from the day of the change.

These By-Laws & Constitution were voted and agreed upon by a majority of the Council on 01/9/03. We, the Officers of the Council sign on behalf of the Council.

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**Gail Castaneda, Chairperson**  
**Berlinda Phillips, Vice-Chairperson**  
**Jamie Lucero, Secretary Council**  
**Larry Sovinsky, Finance Officer**  
**HEPM Council By-Laws 2009**