

2017 PROPOSED AMENDMENTS

PROPOSED AMENDMENT #1 SUBMITTED BY PAMELA BROWNE, IMMEDIATE PAST PRESIDENT OF NYSCCA:

ARTICLE VI – CURRENTLY READS:

The management and affairs of this organization shall be under the control of the Board of Directors and subject to a two-thirds (2/3) override vote of the membership present at a meeting called for that purpose; however, collective bargaining agreements shall further be approved by a mail ballot of the general membership, after they receive full disclosure of the terms of the proposed contract at a General Membership meeting called for such purpose-mail ballot to go out within one week of such meeting, unless directed otherwise by the Board of Directors, due to force of circumstance. After a recommendation by the Board of Directors a proposed bargaining agreement shall be voted on by the general membership. A majority vote of the general membership shall be required for ratification.

ARTICLE VI – PROPOSED CHANGE:

(ARTICLE TO READ THE SAME EXCEPT FOR VERY LAST SENTENCE).

A MAJORITY VOTE SHALL BE REQUIRED FOR RATIFICATION.

PROPOSED AMENDMENT #2 SUBMITTED BY AVERELL GOLUB, PRINCIPAL COURT CLERK:

ARTICLE VI – CURRENTLY READS:

The management and affairs of this organization shall be under the control of the Board of Directors and subject to a two-thirds (2/3) override vote of the membership present at a meeting called for that purpose; however, collective bargaining agreements shall further be approved by a mail ballot of the general membership, after they receive full disclosure of the terms of the proposed contract at a General Membership meeting called for such purpose-mail ballot to go out within one week of such meeting, unless directed otherwise by the Board of Directors, due to force of circumstance. After a recommendation by the Board of Directors a proposed bargaining agreement shall be voted on by the general membership. A majority vote of the general membership shall be required for ratification.

ARTICLE VI – PROPOSED CHANGE:

THE MANAGEMENT AND AFFAIRS OF THIS ORGANIZATION SHALL BE UNDER THE CONTROL OF THE BOARD OF DIRECTORS AND SUBJECT TO A TWO-THIRDS (2/3) OVERRIDE VOTE OF THE MEMBERSHIP PRESENT AT A MEETING CALLED FOR THAT PURPOSE; HOWEVER, COLLECTIVE BARGAINING AGREEMENTS SHALL FURTHER BE APPROVED BY A MAIL BALLOT OF THE GENERAL MEMBERSHIP, AFTER THEY RECEIVE FULL DISCLOSURE OF THE TERMS OF THE PROPOSED CONTRACT AT A GENERAL

MEMBERSHIP MEETING CALLED FOR SUCH PURPOSE-MAIL BALLOT TO GO OUT WITHIN ONE WEEK OF SUCH MEETING, UNLESS DIRECTED OTHERWISE BY THE BOARD OF DIRECTORS, DUE TO FORCE OF CIRCUMSTANCE. AFTER A MAJORITY VOTE BY THE BOARD OF DIRECTORS TO SEND THE CONTRACT TO THE GENERAL MEMBERSHIP A PROPOSED BARGAINING AGREEMENT SHALL BE VOTED ON BY THE GENERAL MEMBERSHIP. A MAJORITY OF THE GENERAL MEMBERSHIP'S VALIDLY CAST BALLOTS SHALL BE REQUIRED FOR RATIFICATION. A TIE VOTE OF THE GENERAL MEMBERSHIP WILL RESULT IN THE CONTRACT NOT BEING RATIFIED, AFTER THIRTY (30) DAYS OF THE TIE VOTE A NEW GENERAL MEMBERSHIP MAIL BALLOT WILL OCCUR.

**PROPOSED AMENDMENT #3 SUBMITTED BY JOHN W. ALLAN, SENIOR COURT CLERK DELEGATE
QUEENS COUNTY FAMILY COURT:**

ARTICLE VI – CURRENTLY READS:

The management and affairs of this organization shall be under the control of the Board of Directors and subject to a two-thirds (2/3) override vote of the membership present at a meeting called for that purpose; however, collective bargaining agreements shall further be approved by a mail ballot of the general membership, after they receive full disclosure of the terms of the proposed contract at a General Membership meeting called for such purpose-mail ballot to go out within one week of such meeting, unless directed otherwise by the Board of Directors, due to force of circumstance. After a recommendation by the Board of Directors a proposed bargaining agreement shall be voted on by the general membership. A majority vote of the general membership shall be required for ratification.

ARTICLE VI – PROPOSED CHANGE:

THE MANAGEMENT AND AFFAIRS OF THIS ORGANIZATION SHALL BE UNDER THE CONTROL OF THE BOARD OF DIRECTORS ANDY DECISIONS AT THESE MEETINGS CALLED FOR THAT PURPOSE (MANAGEMENT AND AFFAIRS) SHALL BE SUBJECT TO A MAJORITY OVERRIDE VOTE OF THE BOARD OF DIRECTORS PRESENT AT THAT MEETING.

COLLECTIVE BARGAINING AGREEMENTS SHALL ALSO BE APPROVED BY A MAIL BALLOT FOR THE GENERAL MEMBERSHIP AFTER THE NEGOTIATING PROCESS IS COMPLETE THAT PROCESS BEING:

STEP 1. THE NEGOTIATING COMMITTEE SHALL MEET WITH THE OFFICE OF COURT ADMINISTRATION (REFERRED TO AS OCA) ON CONTRACT NEGOTIATIONS. IF A MEMORANDUM OF AGREEMENT (REFERRED TO AS MOA) IS REACHED THE NEGOTIATING COMMITTEE WILL SEND THE MOA TO THE BOARD OF DIRECTORS.

STEP 2. THE BOARD OF DIRECTORS WILL RECEIVE THE MOA FROM THE NEGOTIATING COMMITTEE IT WILL BE REVIEWED AND A VOTE WILL BE TAKEN BY THE BOARD OF DIRECTORS TO SEND THE MOA TO THE GENERAL MEMBERSHIP. ALL VOTING RESULTS SHALL BE DETERMINED BY A MAJORITY OF THE MEMBERS OF THE BOARD OF DIRECTORS IN ATTENDANCE AT THE MEETING. IF THE VOTE IS NO THE MOA IS MANDATED TO BE SENT BACK TO THE NEGOTIATING COMMITTEE (AND REPEAT STEP 1). IF THE VOTE IS TO SEND THE MOA OUT A GENERAL MEMBERSHIP MEETING WILL BE CALLED TO PROVIDE FULL DISCLOSURE OF THE TERMS OF THE PROPOSED CONTRACT.

A MAIL BALLOT WILL GO OUT WITHIN ONE WEEK OF THE GENERAL MEMBERSHIP MEETING. THE PROPOSED BARGAINING AGREEMENT SHALL BE VOTED ON BY THE GENERAL MEMBERSHIP. A MAJORITY VOTE (OF THE TOTAL VOTES CAST) OF THE GENERAL MEMBERSHIP IS REQUIRED FOR RATIFICATION.

ANY RELIEF FROM THIS PROCESS MAY BE HAD PURSUANT TO ARTICLE XXIII (23) ARTICLE XXIV (24) AND ARTICLE XXV (25) OF THE NYS COURT CLERKS ASSOCIATION CONSTITUTION.

PROPOSED AMENDMENT #4 SUBMITTED BY AVERELL GOLUB, PRINCIPAL COURT CLERK:

ARTICLE XXXII – CURRENTLY READS:

There shall be a Board of Welfare Trustees (Trustees) comprised of nine (9) members, seven (7) elected for a term of two (2) years (effective June 2013).

Elections shall be held in the month of June and each Trustee shall take office on July 1st. The President and First Vice-President shall be Trustees with the President acting as Chairman of the Board.

The Board of Welfare Trustees (Trustees) shall report to the Board of Directors not less than once every six (6) months. Under no circumstances shall any other Officer or Delegate serve in any capacity as a member of the Board of Welfare Trustees (Trustees).

ARTICLE XXII – PROPOSED CHANGE:

THERE SHALL BE A BOARD OF WELFARE TRUSTEES (TRUSTEES) COMPRISED OF TEN (10) MEMBERS. EIGHT (8) ELECTED FOR A TERM OF (2) YEARS. ONE (1) OF THE MEMBERS OF THE BOARD OF WELFARE TRUSTEES (TRUSTEES) SHALL BE A RETIRED MEMBER ELECTED FROM ONLY THE RETIREES OF THE NEW YORK STATE COURT CLERKS ASSOCIATION. (TERM TO START 7/1/2018).

(REMAINDER OF THE ARTICLE TO REMAIN UNCHANGED).

PROPOSED ADDITIONAL AMENDMENT #1 SUBMITTED BY JOSEPH LYDON, SENIOR COURT CLERK DELEGATE – NEW YORK COUNTY SUPREME COURTS, SURROGATE COURT, APPELLATE TERM:

ARTICLE XXXVII – IN THE EVENT THAT A QUESTION REGARDING THE INTERPRETATION, OF ANY ARTICLE, OR PORTION OF OUR CONSTITUTION SHOULD ARISE, IT SHALL BE THE BOARD OF DIRECTOR'S RESPONSIBILITY AND AUTHORITY TO DECIDE, AFTER DEBATE, AND BY MAJORITY VOTE OF THE BOARD OF DIRECTORS, THE INTENT AND SPIRIT OF THE DISPUTED PORTION OF THE CONSTITUTION.