



Constitution

And

By-Laws

of

Local #5118

**Health Professionals
and Allied Employees'**

AFT/AFL-CIO

Ratified by membership of Local #5118
August 17, 2026

LOCAL 5118 CONSTITUTION & BY LAWS

ARTICLE I. NAME

The name of this organization shall be Health Professionals and Allied Employees, AFT/AFL-CIO, Local 5118.

ARTICLE II. OBJECTIVES

The objectives of this organization shall be as follows:

- A. To provide representation for all its members to bargain collectively with respect to wages, hours and working conditions of employment, to negotiate written agreements with the employer relating thereto and to achieve benefits and working conditions at all levels commensurate with the skills and expertise required of its members.
- B. To maintain and improve employment standards related to members and to critically examine and evaluate all new developments relating to their professions and all legislation which may have an effect upon the membership.
- C. To enable members to speak with a common voice on matters pertaining to their professional and common interests.
- D. To collaborate with other labor organizations and the community to promote awareness of issues of mutual concern.
- E. To promote the health, wealth and safety of all members and to take such action as may be necessary to protect the interest of the organization and each of its members and affiliates.
- F. To seek appropriate recognition of the education and skill required of its members in all specialized professional occupations and to formulate and adopt such ethical practices and personnel practices to elevate the status of all members.
- G. To develop and maintain a communication network to adequately inform the membership of common concerns, benefits and opportunities in an efficient and timely fashion.
- H. To ensure that high standards of care are maintained and that opportunities for professional advancement are offered to members.
- I. To ensure equal treatment for the membership without regard to race, religion, creed, gender, color, sexual orientation, nationality, or age; and to protect the membership from discrimination in these areas.
- J. To encourage the widest participation of members so that the Local's leadership bodies and activities adequately represent and reflect the full range and diversity of members' views, interests and concerns.
- K. To develop an effective channel of communication between the employer and our members.

ARTICLE III. JURISDICTION

The jurisdiction of this Local 5118 is the health professionals and allied employees at Cooper University Health Care, Cooper University Hospital, Cooper Health System, and any successor employer.

ARTICLE IV. MEMBERSHIP

Section 1: Qualification

- A. All health professionals and allied employees who are within the jurisdiction of Local 5118 shall be eligible for membership so long as they agree to abide by the constitution and bylaws of HPAAE and Local 5118. No person shall be denied membership on the basis of race, creed, color, gender, sexual orientation, age, marital status, political beliefs, national origin or religion.
- B. If any person is convicted of a crime against the union, or advocates the non-payment of dues or fees, the resignation of membership, or the decertification of the union, such act or conviction shall be cause for expulsion from membership and/or disqualification from union office.

Section 2: Definition

A member in good standing is one who:

- i. Has submitted an application for membership on a form provided by the Union;
- ii. Has remitted the appropriate initiation fees and membership dues directly to the State Federation; or has authorized their Employer, pursuant to the applicable collective bargaining agreement, to deduct appropriate initiation fees and membership dues from his/her paycheck in accordance with applicable laws;
- iii. Otherwise fulfills the qualifications of membership in accordance with these Bylaws and the Constitution of the State Federation.

Section 3: Dues & Assessments

- A. All members shall pay an initiation fee and dues as set by the State Federation to the State Federation as determined by State Constitution and By-Laws.
- B. A per capita assessment, in addition to dues, may be levied upon the membership if the amount and method of payment of such assessment have been approved.
 - i. By a majority vote of its members in good standing present at a regular or special meeting after a reasonable notice of the intention to vote upon such a question; or
 - ii. By a majority vote of members in good standing in a membership referendum conducted by secret ballot.
- C. When an assessment is proposed by the Executive Council, or by action at a meeting of a Local Executive Board, a notice shall be mailed to the members in good standing at least two weeks in advance of the secret ballot vote on the issue.

Section 4. Maintenance of Membership

A member who leaves the jurisdiction of this local may resign as a member in good standing. Application may be made to the State Federation for member-at-large status in accordance with the Constitution of the State Federation.

Section 5. Termination of Membership

A member who remains in the jurisdiction of the Local and elects to resign membership shall follow the procedure set forth in the member's application for membership and/or in accordance with applicable law.

Section 6. Reinstatement of Membership

Reapplication as a member in good standing to this Local may be made in accordance with the Constitution of the State Federation.

ARTICLE V. MEMBERSHIP MEETINGS

Section 1. Regular Membership Meetings

Regular meetings of the general membership shall generally be held quarterly, but not fewer than two (2) times per year. Additional membership meetings may be scheduled as necessary as determined by the Local Executive Board and representatives of the Local.

Section 2. Special Membership Meetings

A special meeting of members may be called at any time by the Local Executive Board or by written request of 25% of the membership. Only those items set forth in the notice of a special meeting shall be discussed and acted upon at such a meeting.

Section 3. Notice

Written notice of each special meeting shall be provided to members in good standing-no less than three (3) days prior to the meeting. For regular meetings, notification shall be given no less than fourteen (14) days prior to the meeting. Notice may be provided by mail, posting on an HPAE bulletin board, email, text message, website posting, or other electronic means customarily used by the Local. Notice shall include the date, time, location, and, if applicable, teleconference or videoconference access information.

Section 4. Open and Closed Regular or Special Meetings

Each meeting, regular or special, shall be restricted to members in good standing only unless otherwise stated by written notice. Determination for an open meeting is to be made by the Local Executive Board or by written request of 25% of members in good standing.

Section 5. Quorum

A quorum for the transaction of business at a regular or special meeting shall be defined as follows:

- a. One half or more of the Local Executive Board plus a sufficient number of members in good standing so that the total number of officers and other members equals 10% of the members in

good standing.

- b. In the absence of a quorum, business may be discussed and minutes taken but no vote shall be taken on any issue.

ARTICLE VI. ELECTION OF OFFICERS

Elections shall be conducted in accordance with this Local Constitution, the HPAE State Federation Constitution, applicable policies adopted by the HPAE State Federation, the AFT Constitution, and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 1. Officers

Election of officers shall be completed in December 2026 and every three (3) years thereafter. Terms of office shall be three (3) years. The organization will elect the following officers:

1. One (1) President
2. Nine (9) Vice Presidents
3. One (1) Secretary
4. One (1) Treasurer

Election to the office of President, Vice President, Secretary, and Treasurer shall also constitute election as a delegate to the HPAE State Federation Convention, Special Conventions, and the AFT Convention, to the extent the Local is allocated sufficient delegate positions.

The membership may elect additional members to serve as delegates or alternates if additional delegate positions are allocated, if officer-delegates are unavailable, or if otherwise determined by the Local Executive Board, in accordance with HPAE Policy, the HPAE State Federation Constitution, the AFT Constitution, and applicable law.

The Local President shall serve as the Second Vice President on the HPAE State Executive Council in accordance with the HPAE State Federation Constitution. The President, with the approval of the Local Executive Board, will appoint one Local officer to serve as Assistant Second Vice President on the HPAE State Executive Council in accordance with the HPAE State Federation Constitution.

Section 2. Eligibility for Office

- a. To be eligible for office a person must be a member in good standing of the organization for a period of six months prior to the date of the election.
- b. Elected members of the local executive board must adhere to the good standing requirements throughout their term of office.

Section 3. Election Committee

- a. An Elections Committee consisting of three members in good standing will be appointed by the local president with the approval of the local executive board.
- b. The Elections Committee will oversee the nomination and election process consistent with the HPAE Constitution and HPAE policies and procedures.

- c. Any member of the Elections Committee nominated for or seeking office must vacate their position on the elections committee and be replaced by a member nominated by the president and approved by the Local Executive Board.

Section 4: Installation of Officers

Elected officers shall assume office on January 1 following the election.

Section 5. Vacancies

In the event that a vacancy occurs in any elected position, such vacancy shall be filled as soon as practicable in the following manner:

- a. The First Vice President, as defined in Article VII, section 2, shall fill the vacancy of President for the remainder of the term.
- b. For vacancy of any other officer, the President, subject to the approval of the Local Executive Board, shall appoint a member in good standing to fill the vacancy for the remainder of the term.

ARTICLE VII. DUTIES OF OFFICERS-

Section 1. President

It shall be the President's duty to administer the affairs of the local and to execute policies established by the local in conjunction with the Local Executive Board. The President, or Executive Board designee, shall preside at all meetings of the membership and Local Executive Board and serve as ex-officio member of all committees, may appoint chairpersons of committees and shall discharge all duties incidental to the office of President. The President shall also serve as the Second Vice President on the Executive Council of the State Federation and shall be eligible to serve on the Executive Committee of the State Federation in accordance with the State Federation Constitution. The President shall be a delegate to the State Federation and National Union Conventions.

Section 2. Vice Presidents

At the first regular meeting of the Local Executive Board following installation of officers, the President, with the approval of the Local Executive Board, shall designate one Vice President to serve as First Vice President. In the absence of the President, the First Vice President shall perform all duties of the President and when so acting shall have all the powers of and be subject to all the restrictions upon the President.

The Vice Presidents shall assist the President and Local Executive Board in carrying out the work of the Local. The President, with the approval of the Local Executive Board, may assign specific areas of responsibility to each Vice President at the start of the term of office and may modify such assignments as needed. Their duties may include representing assigned units, departments, or shifts; assisting with membership communication and engagement; supporting grievance, contract enforcement, organizing, health and safety, or professional practice work; and performing such other duties as may be assigned by the President or the Local Executive Board.

One or more Vice Presidents may be designated by the President, subject to approval of the Local Executive Board, to serve as Grievance Chairperson or Co-Grievance Chairpersons. The Grievance

Chairperson or Co-Grievance Chairpersons shall coordinate the Local's grievance and contract enforcement work, assist Unit Representatives with grievance investigation, preparation, filing, and tracking, work with the President, Local Executive Board, and HPAE staff on grievance strategy, and report regularly to the Local Executive Board on grievance activity and trends.

One Vice President may be designated by the President, subject to approval of the Local Executive Board, to serve as Communications Coordinator. The Communications Coordinator shall coordinate the Local's regular communication with members, through newsletters, bulletins, flyers, email, text messages, social media, website postings, bulletin boards, or other communication methods approved by the Local Executive Board.

Section 3. Secretary

The Secretary shall keep or cause to be kept an accurate record of minutes of the meetings of the Local and shall give or cause to be given notices of all meetings in accordance with these Bylaws. The Secretary shall also keep the membership roster and any communications regarding same, and shall in general perform all duties incidental to the Office of Secretary.

Section 4. Treasurer

The Treasurer shall supervise the maintenance and distribution of all funds of the Local and shall keep accurate and current records of such funds, shall work with the State Federation Secretary-Treasurer in developing and implementing a budget and shall report regularly on the state of finances. All financial records shall be kept by the Treasurer.

ARTICLE VIII. LOCAL EXECUTIVE BOARD

Section 1. Composition and Authority

The Local Executive Board shall be the governing body of the local. It shall supervise the affairs of the local and shall have the authority to make rulings and adopt policies not covered by the Constitution and By-Laws which are consistent with the provision of the Constitution and Bylaws.

The Local Executive Board shall consist of the elected officers of the Local: the President, nine (9) Vice Presidents, the Secretary, and the Treasurer.

Section 2 Meetings

- a. Regular meetings of the Local Executive Board shall generally be held monthly, but in no event fewer than six (6) times per year. Additional meetings may be scheduled as necessary by the President or at the request of a majority of the Local Executive Board.
- b. Meetings may be held in person, by teleconference, or by videoconference, provided that all Local Executive Board members are given notice and a reasonable opportunity to hear, participate, and vote.
- c. Notice of regular meetings shall be provided to all Local Executive Board members at least five (5) days in advance. Notice shall include the date, time, location, and, if applicable, teleconference or videoconference access information. In emergency circumstances requiring

immediate action, the President may call a meeting on shorter notice, provided that reasonable efforts are made to notify all Local Executive Board members and the emergency basis for the meeting is recorded in the minutes.

- d. A quorum for the Local Executive Board shall be a majority of its members.
- e. The Local Executive Board may conduct business between meetings by email or other electronic means, provided that all Local Executive Board members are given notice of the matter to be decided and a reasonable opportunity to respond. Any action taken electronically shall be reported at the next Local Executive Board meeting and recorded in the minutes.

Section 3. Reimbursement for Union Business

Any officer, representative or member attending to duly authorized union business will be reimbursed for authorized expenses according to the Local's Rebate Policy and State Policy.

Section 4. Performance of Duties

Each officer has the responsibility to ensure that the other officers are performing their roles and duties as outlined in this Constitution.

ARTICLE IX. UNIT REPRESENTATIVES

The Local Executive Board will determine the number of unit representatives and their assignments. The role of the unit representative is to assist members with grievance handling, provide communications between membership and the Local Executive Board, update bulletin boards and recruit and orient new members about the union and attend unit rep meetings, as scheduled. The unit representatives, in accordance with this constitution, shall be appointed by the Local Executive Board.

Unit representatives must be members in good standing and shall serve a term concurrent with the LEB's elected officers.

The LEB, at its discretion, may remove Unit Representatives who fail to perform their duties.

ARTICLE X. COMMITTEES:

Section 1. Appointment, Number and Term

The committees of the Local shall be standing or special committees. Each standing committee shall consist of no less than three (3) active members in good standing. The committee Chairperson shall be appointed by the Local Executive Board and the committee members by the chairperson of the committee, unless otherwise specified, all subject to the approval of the Local Executive Board. Each standing committee member's term shall be concurrent with the Executive Board's term of office. Each standing committee shall hold meetings as designated by the committee chairperson. Each standing committee chairperson shall report directly to the Local Executive Board. Committees may meet by video conference and teleconference.

Section 2. Standing Committees

- A. Staffing Committee

This committee shall meet with Cooper Health System at least quarterly and as necessary as determined by the committee or Cooper Health System. It shall consist of (5) five members appointed by the Local Executive Board. It shall address issues of the membership regarding appropriate staffing.

B. Committee on Political Education COPE

This committee shall be responsible for following legislation and political activity that may have an impact on the Local. The committee shall participate on the State Federation's COPE Committee in accordance with State Federation policy. The committee will make recommendations to the Local Executive Board regarding the Local's participation in legislative and political issues. The committee will coordinate community education and outreach on these issues.

Section 3. Special Committees

Special Committees may be appointed by the President with the approval of the Local Executive Board for such special tasks as warranted. Special committees shall be limited to the activities necessary to accomplish the tasks for which they were created and upon completion of such tasks, shall be discharged.

A. Committee on Negotiations

On behalf of the membership, this committee shall investigate and formulate proposals, which are supported by the membership as a basis for entering into negotiations with the Employer. The President will chair this committee and the Local Executive Board will determine the number of committee members. The committee will bargain in good faith as representatives of the membership and shall have the authority of the membership to negotiate a contract which it shall present for ratification to the general membership. In the event a satisfactory tentative agreement between the negotiating committees from the Local and the employer are not reached, the membership of the local may consider and authorize actions, which are not in conflict with this Constitution and Bylaws.

B. Committee on Nominations and Elections

This committee will be composed of members in good standing who shall oversee the conduct of the local officer nominations and elections, in accordance with Article VI. No member of this committee can also be a candidate in an election while the member is serving on the nominations committee.

C. Constitution and Bylaws Committee

This committee shall be responsible for reviewing, interpreting and evaluating the need for amendments to this constitution and bylaws.

ARTICLE XI. STRIKES AND JOB ACTIONS

Section 1. Local Membership Authorization

The Local membership may utilize job actions or other concerted activity including but not limited to a

strike as a means of resolving deadlocked negotiations or other disputes provided the procedures outlined below have been followed.

Section 2. Voting Procedures.

- A. The decision to engage in a job action or other concerted activity must be authorized by the Local membership involved through a simple majority of votes cast by secret ballot by members in good standing.
- B. The decision to engage in a job action or other concerted activity will be limited solely to those members who are employees of the particular institution or employer in question.
- C. Notice, by mail and by posting, or other electronic means, shall be given to all eligible members at least five (5) days prior to the vote, if time permits.
- D. Voting will be conducted by secret ballot at a membership meeting. If a meeting is not possible, voting may be conducted by mail or electronically, as determined by the local President.

ARTICLE XII. RATIFICATION OF CONTRACT:

The ratification of a negotiated Collective Bargaining Agreement will be accomplished:

- A. Upon reaching a tentative Agreement, a special membership meeting will be scheduled.
- B. By secret ballot, a majority of ballots cast in favor shall be required to ratify any tentative Agreement arrived at by the negotiations committee. Balloting may be conducted electronically and or by mail at the direction of the Local President.

ARTICLE XIII. OFFENSES, DISCIPLINE AND HEARING:

Section 1. Offenses

It shall be an offense against the Local for any member to commit any acts which are seriously detrimental to the union including but not limited to the following:

- A. For any member to knowingly make any false statements or misrepresentations in or in connection with said member's application for membership.
- B. For any member to knowingly violate or to conspire or attempt to violate the Constitution and Bylaws of the organization, any laws promulgated there under or any lawful order of the Executive Council of the State Federation.
- C. For any member to knowingly work for an employer against whom a strike has been called, unless supported by membership vote.
- D. For any member to interfere with the performance of legal or contractual obligations of the Union or its affiliates, or the officers thereof -or to commit a crime or misappropriate union funds.
- E. For any member to commit or to conspire, incite or attempt to commit violence against any other member.

Section 2. Discipline.

- A. The term "discipline" when used in this Article, shall include without limitation a fine, suspension or removal from office, disqualification to run for office, suspension or expulsion from membership or any combination of the foregoing.

In addition, the penalty for any violation resulting in a wrongful loss of property or money to any individual or the union may include a provision for reimbursement to the body suffering the loss.

Section 3. Charges.

- A. Charges against a member of the Local for any violation of the provisions of this Constitution and Bylaws must be made in writing, signed by the members making such charges and presented to the Local Executive Board within six (6) months of the occurrence of the offense or knowledge of occurrence of the offense unless good cause is shown.
- B. In the case where charges are filed against an officer, such charges will be presented to the highest-ranking officer who is not named in the charge.
- C. The officer receiving such charge will forward a copy to the member or officer cited by registered mail to the last known address of the charged party. A copy of such charge shall be forwarded to the State Executive Committee and Local President.

Section 4. Investigation and Due Process

- A. Within a thirty (30) day period of time of the mailing of the charge, a hearing will be scheduled. All parties will be notified of such date, time and place by mail.
- B. An Investigation Committee will be formulated comprised of Local Representatives and/or members in good standing not to exceed five (5) in number, and appointed by the Executive Committee of the State Federation.
- C. The charged party will be afforded the written specific charges against them, given a reasonable time to prepare their defense, and afforded a full and fair hearing with the right to cross examine witnesses. The charged party is not entitled to representation by an attorney. The charged party may challenge any member of the Investigation Committee because of interest or bias by submitting a challenge in writing to all members of the Investigation Committee and to the Executive Committee of the State Federation. If any challenged member does not agree to be excused, the appointing authority shall review the merits of the challenge and, where the claim of interest or bias is sustained, shall cause the member to be relieved of serving. In the event a vacancy occurs because of a request to be excused or because of removal for interest or bias, such vacancy shall be filled by appointment from the Executive Council of the State Federation in accordance with this Article.
- D. Either party may choose any other member in good standing, represent said member at the hearing.
- E. If insufficient evidence is presented against the charged party, the Investigation Committee shall dismiss the charge.
- F. If the charged party does not appear, the Investigation Committee nevertheless may, if

presented with evidence sustaining the charge, find merit to the charges, issue findings, and impose discipline.

- G. The Investigation Committee may postpone the hearing for good cause shown.
- H. The burden of proof is on the charging party. Decisions shall be based only upon facts presented to the Investigation Committee during the proceedings and a decision to sustain the charge shall only require a preponderance of the evidence.
- I. The Investigation Committee will make its determination by majority vote and will announce its findings and any disciplinary action at that time. A report will be prepared within fourteen (14) days thereafter and sent by registered mail to the parties involved.
- J. If an appeal has been instituted within thirty (30) days, the matter shall be stayed pending appeal.
- K. Any disciplinary action taken by the Local may be appealed to the Executive Committee, in writing by certified mail within thirty (30) days of the issuance of the decision or within such time and in such manner as designated by the Executive Committee.

Section 5. Authority

- A. Locals have the option to refer charges initiated at the local level to the Executive Committee for appropriate action prior to the start of a hearing. In addition, the Executive Committee may exercise any independent jurisdiction it may maintain under its Bylaws or Rules as they concern disciplinary or membership matters.
- B. Nothing contained herein shall be in conflict with the State Constitution and By-Laws.

ARTICLE XIV. AMENDMENTS:

This Constitution and Bylaws may be amended by a two-thirds (2/3) vote of those members in good standing voting by mail ballot, electronic ballot, or in person at any regular or special meeting provided that at least two (2) weeks in advance of any proposed amendment each member in good standing has been notified in writing, electronically, or by posting through a customary method used by the Local.

ARTICLE XV. SAVINGS CLAUSE:

If any provision of this Constitution and Bylaws is found to be invalid, or inconsistent with applicable law, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Constitution and Bylaws.

Ratified by the membership of
Local 5118 Health Professionals
and Allied Employees, AFT, AFL-CIO
Aug. 17, 2026
Nov. 22, 2017
Jul. 26, 2011
May 14, 2008
Jun. 25, 2000