

**BY-LAWS OF THE OAKLAND COUNTY
DEMOCRATIC BLACK CAUCUS
MICHIGAN DEMOCRATIC PARTY**

(Revised March 19, 2019)

ARTICLE I. NAME AND MEMBERSHIP

This organization shall be known as the Oakland County Democratic Black Caucus (OCDBC) of the Michigan Democratic Party (MDP). The OCDBC is chartered under the governing body of the MDP. Its membership shall consist of individuals who reside in Oakland County all of whom must be registered members of the MDP and the OCDBC.

ARTICLE II. PURPOSE

The purposes of the OCDBC is to (a) protect, maintain and advance the interests of Oakland County Black and minority communities within the Democratic Party; (b) promote understanding of the Democratic Party; and (c) elect Democrats.

ARTICLE III. FUNDAMENTAL PRINCIPLES

Section 1. All public meetings of the OCDBC shall be open to attendance by all members of the Democratic Party regardless of perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

Section 2. There shall be no tests for membership nor any oaths of loyalty to, the OCDBC, which has the effect of requiring prospective or current OCDBC members to acquiesce in, condone or support discrimination on the grounds of actual perceived race, color, creed, sex, age, national origin, economic status, religion, ethnicity, ancestry, marital status, sexual orientation, physical appearance or disability.

Section 3. The time and place for all public meetings of the OCDBC shall be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings will be held in places accessible to all OCDBC members and large enough to accommodate interested persons.

Section 4. The OCDBC shall publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of OCDBC officers and representation on all levels. Publication of these procedures shall be done in such a fashion that prospective and current members and prospective candidates or applicants will be fully and adequately informed of the pertinent procedure in time to participate in each selection procedure of the OCDBC.

Section 5. The OCDBC shall publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all officers and representatives of the OCDBC, one such qualification is membership in good standing with the OCDBC. Such publication shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the OCDBC will have full and adequate opportunity to compete for office.

Section 6. Proportional voting shall be used in the election of the Officers and Executive Committee of the OCDBC.

Section 7. All rules and bylaws of the OCDBC shall be consistent with the Rules of the MDP and shall be available on request in writing to any member of the OCDBC.

Section 8. The unit rule is prohibited in the OCDBC.

Section 9. No rule shall be adopted at any level of the OCDBC which would require a person to cast a vote or be recorded as voting contrary to that person's judgment.

Section 10. On all questions of procedure not resolved by Rules of MDP or these Bylaws the latest edition of Robert's Rules of Order shall be used.

Section 11. Votes shall not be taken by secret ballot at any meeting of the OCDBC at any level.

ARTICLE IV. OFFICERS AND EXECUTIVE COMMITTEE

Section 1. The Officers of the OCDBC shall be a Chairperson, 1st Vice-Chairperson, of the opposite gender, 2nd Vice Chair of any gender, Treasurer, Secretary and Parliamentarian. They shall be registered as members of the MDP and the OCDBC 30 days prior to the date of the election to run for office of the OCDBC.

The Officers will serve 4 year terms unless removed for cause or until their successors have been elected. In the event of a premature vacancy of the Chair, the 1st Vice Chair will immediately become the Chair, and serve the unexpired term of the Chair. The 2nd Vice Chair will immediately become the 1st Vice Chair and serve the unexpired term of the 1st Vice Chair. The Chair shall appoint a temporary replacement for the 2nd Vice Chair. A special election conducted by a special election officer will take place at the next general membership meeting for the vacated position.

Section 2. The Executive Committee shall consist of the Officers (Executive Committee) and a minimum of eight Executive Committee Members. A minimum of four (4) Executive Committee Members shall be elected. A minimum of four (4) Executive Committee Members shall be appointed. The elected Executive Committee Members shall serve four (4) years. The appointed Executive Committee Members

shall serve two (2) years. Each appointed Executive Committee Members two (2) year term ends two (2) years from the date of the appointment. In the event of a premature vacancy of an elected Executive Committee position, the Chair appoints a temporary replacement. A special election for the vacated position will take place at the next general membership meeting conducted by a special election officer appointed by the Executive Committee. In the event of a premature vacancy of an appointed Executive Committee Member, the Chair shall appoint a temporary replacement to present to the Executive Committee for approval.

Section 3. The Chairperson shall preside at all meetings and have such other duties as are usual to the office of the Chairperson, or that may be required by this organization.

Section 4. The 1st Vice Chair shall be a member of the opposite sex from the Chairperson. The 1st Vice Chair shall assist the Chair in the discharge of his/her duties, and shall temporarily assume the duties and responsibilities of the Chairperson in his/her absence. The 2nd Vice Chair shall assist the 1st Vice Chair in the discharge of his/her duties, if become necessary for the 1st Vice Chair to temporarily assume the responsibilities of the Chair. Immediate Pas Chair shall assist the Chair, 1st Vice Chair or the 2nd Vice Chair in the discharge of his/her duties, and shall temporarily assume the duties and responsibilities of the Chairperson in his/her absence, The Chair may assign the 2nd Vice Chair to assist the 1st Vice Chair or Immediate Past Chair with his/her duties when needed. Immediate Past Chair serves as an adviser to the executive board.

Section 5. The Secretary of this organization shall keep an accurate record and minutes of the proceedings of all meetings. He/She shall keep and preserve all the books, documents, correspondence, records, minutes, effects, and any other property of this organization, and when a new recording secretary is elected the past recording secretary shall forthwith deliver to the newly elected recording secretary all the aforesaid items kept and preserved during his/her tenure of office.

Section 6. The Treasurer shall be responsible for financial receipts and disbursements of this organization subject to the approval of the Executive Committee. The funds of this organization shall be deposited in banks and shall be drawn upon only by checks signed by any of the two following officers: Chairperson, Secretary and Treasurer. The Treasurer shall make financial reports to the Executive Committee and the membership. The Treasurer shall file timely reports as required by the State of Michigan. When a new Treasurer is elected, the past Treasurer shall forthwith deliver to the new Treasurer the funds and all the books and records kept during his/her tenure in office. Copies of the records shall be provided to the Secretary.

Section 7. The Parliamentarian is appointed by the Chair and advises the Chair other officers, committees, and members on matters of parliamentary procedure. There is no set rule for the number of additional functions a parliamentarian may be asked to perform as a permanent appointee of the Chair.

ARTICLE V. MEETINGS

Section 1. The regular meetings of the OCDBC shall be on the date and at the location and time set forth in the meeting notice. At least five (5) days notice shall be given of the date, time and place of the meeting. Notice can given by mail, telegram, fax, email and the appropriate social media (face book). A quorum shall consist of one-third (1/3) of the majority of the Officers/Executive Committee.

Section 2. At least once per calendar year there shall be a full membership meeting of the OCDBC where the Officers and Executive Committee shall report on Caucus activities. At least five (5) days' notice shall be given of the date, place and time of the meeting. Notice may be given by mail, telegram, fax, email and appropriate social media (Facebook, etc.).

Section 3. Special meetings of the Executive Committee or full membership may be called by a majority of the Executive Committee or full membership, respectively. At least five (5) days' notice shall be given of the date, place, time and purpose of the special meeting. Notice may be given by mail, telegram, fax, email and the appropriate social media (face book). Special Meetings of the Executive Committee may be conducted by telephone/video conferencing.

Section 4. Subject to the Rules of the MDP and these Bylaws, all meetings shall be conducted according to the latest edition of Robert's Rules of Order.

ARTICLE VI. COMMITTEES

Section 1. The Chairperson, subject to the approval of the majority of the Executive Committee, shall appoint the committees and committee chairpersons necessary for the work of the organization.

Section 2. Standing Committees shall include the following:

1. Rules and Bylaws Committee
2. Finance Committee
3. Candidate Recruitment Committee
4. Political Organizing Committee
5. Communications Committee
6. Policy and Resolutions Committee
7. Campaign Committee

Section 3. These committees shall include the appropriate subcommittees. The Chairperson of the Caucus shall be an ex-officio member of all standing committees.

ARTICLE VII. ORDER OF BUSINESS

At meetings the business of the organization shall proceed in the following order:

1. Roll call of officers
2. Minutes of the previous meeting
3. Reports of officers
 - 3.1. Chair
 - 3.2. 1st Vice Chair
 - 3.3. 2nd Vice Chair
 - 3.4. Treasurer (financial report)
 - 3.5. Secretary (correspondence)
4. Reports of committees
5. Unfinished business
6. Postponed business
7. New business
8. Announcements
9. Adjournment

ARTICLE VIII. AMENDMENTS

Section 1. Proposals for changes or amendments to these bylaws shall first be referred to the Rules and Bylaws Committee which shall report its recommendations to the next regular Caucus meeting or special meeting called for that purpose.

Section 2. These bylaws may be amended by a two-thirds (2/3) majority vote of the members of the OCDBC present at a meeting, provided that written notice setting forth the proposed amendment has been given to all Caucus members at least two (2) weeks prior to the date of the meeting.

Section 3. These bylaws shall be in full force and effect upon their adoption and shall supersede all bylaws, rules, motions and policies of a contrary nature with the exception the Rules of the MDP.

ARTICLE IX. CODE OF CONDUCT

Section 1. The OCDBC, in order to create a more open and inclusive environment for every member, hereby establishes this code of conduct. This policy as established by the Executive Committee shall be subject to periodic review and amendment as it is deemed proper and necessary. Each amended version of this policy will supersede and replace all previous versions.

Section 2. In recognition of the various ways in which members now interact, both in person and online, this policy shall be applied to include every interaction between members and shall be equally applicable to every member of the MDP and the OCDBC.

Section 3. Any form of discrimination, bullying, or harassment is prohibited and shall be subject to appropriate corrective action. Such action may include censure, suspension, or removal from office or the organization.

Section 4. To aid members in their understanding of what is deemed inappropriate behavior, the following definitions are established:

1. **Discrimination:** the prejudicial treatment of an individual on the basis of their actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, gender identity, physical appearance or disability.

2. **Bullying:** an action or series of actions intended to demean, intimidate, or humiliate an individual. Bullying can be verbal, physical, or social. It includes but is not limited to: name calling, threatening to cause physical or social harm, spreading rumors, embarrassing someone in public, or making any kind of unwanted physical contact.

3. **Harassment:** verbal, physical, or sexual conduct intended to threaten, terrorize, or coerce an individual. These actions may be repeated to achieve the desired effect.

Section 5. Any alleged breach of this code of conduct shall be reported in writing to the Chair of the MDP within 7 days of the offending incident. Any allegation made against the Chair shall be referred to the Chief Operating Officer.

Section 6. Physical battery or sexual assault shall not be subject to any time limitation. In allegations of felony assault which include a documented complaint to proper law enforcement authorities, a member shall immediately be suspended pending the outcome of the complaint. Upon resolution of the criminal complaint, the Executive Committee shall have the authority to determine whether or not the suspension shall be maintained and what, if any, further corrective action is required.

Section 7. An allegation may be presented in writing and delivered to Hart-Kennedy House (606 Townsend St., Lansing MI 48933) in person, by mail, or by email. Verbal reports, voicemails, text messages, or any other means of message delivery shall not be considered valid reporting methods. If a reporting deadline falls on the weekend or federal holiday, an individual shall have until the close of the next business day to submit their claim.

Any report of improper behavior should include as much detail as is useful. If possible, specific citations from this policy should be included to help determine the scope and focus of an investigation.

Section 8. The Chair shall within 24 hours of receipt of a complaint determine whether a complaint is appropriate under Section II of this policy. Within 48 hours, if it is determined that the allegation conforms to the reporting requirements, the Chair shall appoint a three-person panel to investigate allegations, determine their validity, and to make appropriate suggestions for corrective action. Where allegations are made against the Chair, the Chief Operating Officer shall have responsibility to form a panel. Each member of the panel shall be a member of the MDP for at least 30 days prior to appointment. Care must be taken to ensure diverse and impartial representation.

The panel shall be afforded 14 days to conduct an investigation and make a determination. If an investigation deadline falls on a weekend or federal holiday, the panel shall have until the close of the next business day to complete their investigation. The panel shall have the authority to make use of party staff and facilities as necessary. They may meet in person or using similar teleconference equipment.

The panel shall compile a report of their findings, including recommendations for appropriate corrective actions, if any, and submit the document to the Chair or Chief Operating Officer of the MDP. The panel will be required to unanimously agree on a proposed resolution of the complaint.

Section 8. Any report recommending corrective action must be approved by the Executive Committee by a majority vote of those members present. Any report recommending dismissal of the complaint shall be effective upon issuance of the panel's report. For offenses where censure, suspension, or removal are recommended, the following guidelines are established:

1. Censure: any statement reprimanding or condemning an individual.
2. Suspension: any period of time whereby an individual is barred from participating in party events or from serving in their elected or appointed capacity with the party. Any suspension may include a 120 day period whereby the offending member shall be immediately removed should they violate the terms of their suspension.
3. Removal: the permanent dismissal of an individual from their position within the party or from party membership. Any party leader or member may be removed by the Executive Committee if found in serious violation of this policy. Any individual removed from office will be prevented from holding party office for a period of not less than 3 years. Removal of any OCDBC member shall remain subject to the provisions outlined in Article 7.5 of the Rules of the MDP.