
November 10, 2011

MEA President

Dear Members,

As I mentioned in an earlier message, a petition to recall me from office was received and the hearing will be today, November 10th, 1:30pm – 2:30pm in the City Council Chambers. The hearing is open to all members, but should you attend, it is on your own time. The City will not release employees to attend the hearing. Because of this, many of you will not be able to attend so I would like to take a moment to address the allegations attached to the petition and share my personal thoughts on the matter.

As per By-Laws Article 7, Section 7.1, “any Officer or member of the Board of Directors is hereby declared to be subject to recall for conduct unbecoming an elected official or failure to perform the duties of a Board Member as set forth in Article 5, Sections 5 and 6.” I note this particular excerpt because it clearly states the grounds for the recall are for “conduct unbecoming an elected official” or “failure to perform the duties of a Board member as set forth in Article 5, Sections 5 and 6”.

I have fulfilled the duties set forth for the President (By-Laws Section 6.3) and have done everything this year with the best of intentions for MEA. I have worked extremely hard at increasing communication, at acquiring the best possible contract in a very trying time and have been present at various worksites to address the questions and concerns of our members.

As President for MEA, I accept responsibility for the decisions that the Board makes. However, when the Association acts it acts at the direction of the Board of Directors. The President does not make any unilateral decisions. I work hard to encourage different opinions and methods of working and to ensure that each Board member has the opportunity to voice their thoughts. The Board as a whole makes the decisions and then we move forward with the best of intentions for our organization. Sometimes the decisions we make are successful and sometimes they aren't. When they do disappoint, we learn from the mistakes and move forward.

However, this recall effort is counter-productive for our organization and appears to be personal in nature. The recall effort is costing the Association approximately \$750 to produce and mail the recall ballots and will, if successful, remove me as President for about one month before the term is complete. In a week, the 2012 Board will be determined. You elected me to serve this Association as President for the 2011 term and I have worked diligently to serve the membership. I do not think the recall is in the interest of the organization. However, ultimately it is a decision of the membership. Please review the attached list of allegations and my responses and decide for yourself.

On November 17th, the recall ballots will be mailed to you for your decision. A two-thirds majority of returned votes will determine the outcome of the recall attempt. This is your organization. I encourage each and everyone one of you to vote and ensure that your voice is heard.

As always, I am available should you have any questions or concerns.

Warmest regards,

April Hansen

**RECALL PETITION ALLEGATIONS AND RESPONSES
FROM APRIL HANSEN, MEA PRESIDENT**

Allegation 1) “SMMEA By-Laws Article 3.1 violation for less than 15 working days notification of Ratification”

Response) The By-Laws state that notification must be given to the membership 15 working days before the Ratification sessions. Working days are not defined as a 9/80 schedule, 4/10 schedule, “City Hall Schedule” or Monday through Friday. It is simply stated as “working days”. In order to retain the COLA retroactivity to July, the contract needed to be ratified before the September 13th City Council meeting. Because of the deadline the Negotiation committee and Board decided to move forward with the Ratification sessions on September 12th. The sessions were announced on August 23rd, which was 15 days’ notice if you include two Saturdays.

Allegation 2) “Ballot box not secured by locks or custodians also said boxes taken home by MEA Treasurer, which allowed possibility of voter fraud. “

Response) The final ratification session ended at approximately 10:40pm and the team departed at 11:00pm. The Board Treasurer was in attendance for the last session and took custody of the ballot box. The Board Treasurer is responsible for the Association finances, is bonded and insured and is an employee of the Board. Given the late hour and the City offices being closed, it was decided that the Board employee would keep custody of the ballot box.

Allegation 3) “At Ratification meeting refusal to allow Agency Fee MEA members to become Full Dues MEA members and thereby unable to vote”

Response) Per the By-Laws, you must be a full dues member in order to vote. That said, the opportunity to become a full dues member was provided at each session. If the member completed the form to become a full dues member, they were allowed to vote that day.

Allegation 4) “Failure to represent members by refusing their calls”

Response) I have never “refused” a call. I return emails, calls and I help members as they drop in unexpectedly. The typical timeframe in which I respond is within 24 hours. Occasionally my workload will be such that it takes longer for me to respond or I’m out of town but in general – it’s 24 hours. I respond to all voicemails left by the each and every member.

Allegation 5) “Violation of the Meyers-Milias Brown Act (MMBA) and SMMEA By-Laws 5.6, failure to post notice and provide an Agenda of the time and place of each Board of Directors meetings not less than 5 working days prior to said meeting, thereby preventing Members from attending meeting which are to be open and accessible to all Members”

Response) It is the responsibility of the Secretary, as per By-Laws Section 5.17, to post the time and location of the Board of Directors meetings. There has consistently been notice of the Board of Directors meeting on the SMMEA.org website. When the time or location would need to be changed, an e-blast would be sent out or the website would instruct you to contact a Board member for information. This is one of the areas that I recognize we need to improve and intend to do so.