

**621—8.3(20) Constitution and bylaws.**

**8.3(1)** *Time of filing.* An employee organization shall file its constitution and bylaws:

*a.* Before the employee organization may be certified as the exclusive representative of a bargaining unit; and

*b.* Once the employee organization is certified, whenever changes or amendments are made to its constitution or bylaws; or

*c.* When the certified employee organization files a petition to amend its certification.

**8.3(2)** *Form and content.*

*a.* The constitution or bylaws of every employee organization shall provide that:

(1) Accurate accounts of all income and expenses shall be kept, and an annual financial report and an audit shall be prepared, such accounts shall be open for inspection by any member of the organization, and loans to officers and agents shall be made only on terms and conditions available to all members.

(2) Business or financial interests of its officers and agents, their spouses, minor children, parents or otherwise, that conflict with the fiduciary obligation of such persons to the organization shall be prohibited.

(3) Every official or employee of an employee organization who handles funds or other property of the organization, or trust in which an organization is interested, or a subsidiary organization, shall be bonded in an amount and form determined by the agency.

(4) Periodic elections by secret ballot shall be conducted subject to recognized safeguards concerning the equal rights of all members to nominate, seek office, and vote in such elections; that individual members have the right to participate in the affairs of the organization; and that there are fair and equitable procedures in disciplinary actions.

*b.* The employee organization's national or international constitution and bylaws shall be accepted in lieu of the employee organization's constitution and bylaws provided that such national or international constitution and bylaws conform to the requirements of Iowa Code section 20.25.

**8.3(3)** *Method of filing.* The constitution and bylaws shall be uploaded in suPERB pursuant to 621—Chapter 16.

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