

## Proposed Amendment to Pacifica Bylaws : Disqualifying act for membership

Current bylaws

### **Article Three, Members of the Foundation, Section 1: Members Defined**

There shall be two classes of members: (A) "Listener-Sponsor Members" and (B) "Staff Members", who shall collectively be referred to as "Members."

#### A. LISTENER-SPONSOR MEMBERS

"Listener-Sponsor Members" shall be any natural persons who within the preceding 12-month period: (1) have contributed a minimum of \$25 to any Foundation radio station, or such minimum amount as the Board of Directors may from time to time decide; or (2) have volunteered a minimum of three (3) hours of service to any Foundation radio station. Said contribution shall be considered non-refundable. Said volunteer work shall be performed under the supervision of the Foundation radio station management, and shall include volunteer work on committees of the Local Station Board. Where a contribution is made jointly by two individuals and the contribution is in an amount equal to or more than the annual membership contribution required for two memberships (as set by the Board from time to time), then each of the joint donors shall be considered an individual and separate Listener-Sponsor Member. (For example, if John and Mary Smith jointly contribute \$50.00 or more, then John Smith and Mary Smith will each be Members and will each have individual and separate Membership rights. However, if John and Mary Smith jointly contribute \$40.00, then they shall jointly share one membership.)

#### B. STAFF MEMBERS

"Staff Members" shall be: (1) any non-management full-time or part-time paid employee of a Foundation radio station; or (2) any member of a Foundation radio station "Unpaid Staff Organization" or "Unpaid Staff Collective Bargaining Unit" which has been recognized by station management, or, if the station has neither such organization or bargaining unit, then any volunteer or unpaid staff member of a Foundation radio station who has worked for said radio station at least 30 hours in the preceding 3 months, exclusive of fundraising marathon telephone room volunteer time. Said volunteer work shall be performed under the supervision of the Foundation radio station management and shall not include volunteer work on committees of a Local Station Board. Radio station management employees and Foundation staff employees who are not employed at a Foundation radio station shall not qualify as Staff Members, however, such employees may qualify as Listener-Sponsor Members by contributing the requisite minimum dollar amount as set forth in Section 1(A) of this Article of these Bylaws.

Addition to bylaws under Article Three Section 1, a new item C (Underlined)

### C. REMOVAL OF MEMBERS

Any member shall be removed as a member, and cease to be extended the rights and privileges of membership upon the occurrence of a disqualifying act. A disqualifying act for membership is defined as one or more of the following actions:

- 1) Participating in an effort to use the assets of Pacifica, including but not limited to its membership list, to raise funds for another organization, or for any purpose other than influencing the vote in an ongoing, not yet concluded, membership referendum or election.
- 2) Participating in or encouraging acts of violence against any member of Pacifica staff, volunteers, management or governance.

Members who are subject to removal under this article are entitled to due process. Charges shall be brought before the Pacifica National Board stating the nature of the disqualifying act. The member being charged will be provided with 30 days notice prior to a trial by the Pacifica National Board meeting in closed session. Following the trial if a majority of the members of the Pacifica National Board determines through a vote that the accused member committed a disqualifying action, that member immediately loses his/her membership.

Furthermore any member so disqualified is barred from applying for membership or participating in any activity related to Pacifica governance for a period of 5 years.