



# PROGRESSIVE CAUCUS

of the CALIFORNIA DEMOCRATIC PARTY

## Caucus Bylaws

(APPROVED BY MEMBER VOTE ON November 20, 2021 )

### Contents

Article I	Name, Purpose, and Statement of Principles	1
Section A	Name	1
Section B	Purpose	1
Section C	Statement of Principles	2
Article II	Organization	4
Section A	Relationship to Democratic State Central Committee	4
Section B	Rules	4
Section C	Membership	4
Section D	Finance	6
Section E	Voting Eligibility and Procedure for Caucus Business and Officer Elections	7
Article III	Officers	8
Section A	Officers	8
Section B	Duties of Officers	9
Section C	Election of Officers - Candidacy Eligibility	11
Section D	Term of Office and Vacancies	12
Section E	Executive Board (Attendance; Removal of Officers)	12
Article IV	Procedures	15
Section A	Meetings (General Membership; Executive Board)	15
Section B	Quorum To Do Business	16
Section C	Amendments and Revisions to Bylaws	16
Section D	Official Notice to Members	17
Section E	Standing and Ad-Hoc Committees	17
Section F	Lists, Login Passwords and File Maintenance	19
Article V	Endorsements and Resolutions	19
Section A	Endorsements	19
Section B	Resolutions	19
Article VI	Interpretation of Bylaws	20
Section A	Questions Regarding Interpretation of Bylaws	20
Section B	Decisions Regarding Interpretation of Bylaws	20
Article VII	Code of Conduct	21
Section A	Adoption of the Code of Conduct of the California Democratic Party	21

**Bylaws of the Progressive Caucus of the California Democratic Party**  
ADOPTED NOVEMBER 20, 2021

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Section B_____	Appending of Amended CDP Codes_____	<u>21</u>
Section C_____	Violations_____	<u>21</u>
Section D_____	Availability_____	<u>21</u>
Section E_____	Filing_____	<u>21</u>
Article VIII_____	Previous Bylaws_____	<u>22</u>
APPENDIX A_____	Code of Conduct_____	<u>23</u>
APPENDIX B_____	NDA Agreement_____	<u>25</u>

## **Article I: Name, Purpose, and Statement of Principles**

### **Section A: Name**

The name of the group shall be the Progressive Caucus of the California Democratic Party, hereafter called the Caucus.

### **Section B: Purpose**

1. The purpose of the Caucus is to act as a driving force in helping to enact a more progressive agenda within the Democratic Party for the benefit of all people. We shall work proactively to realize the inclusion of progressive principles in all organizational bodies of the California Democratic Party, especially those that address public policy issues. The purpose of the Caucus is to act as a driving force in helping to enact a more progressive agenda within the Democratic Party for the benefit of all people. A progressive agenda may include but not be limited to supporting single-payer healthcare, strengthening our public sector, thwarting the privatization of public education, transitioning from a war economy to a peace economy, ending military occupation and regime change policies, reversing climate change while protecting our environment and ending poverty and homelessness. We shall promote policy and legislation consistent with our principles and support those Democratic Party office holders and officials proposing and carrying out such policies. As part of our effort to revitalize a Democratic Party built on firm progressive principles, we will work to strengthen conditions that make it possible for progressive candidates seeking public office to succeed.
2. Serving as a focal point for progressive Democrats whose interests are priorities for the Caucus, we will participate in efforts both inside and outside the Party to educate and inspire California progressives to join us for the benefit of our collective membership and the Party. In turn, we shall organize and agitate around the issues we collectively agree to pursue as a body by working with other caucuses, clubs, and Democrats both at and in between regularly scheduled meetings of the State Democratic Party. Caucus activities can take many forms and are not limited to forums, programs, projects, direct action, electoral work, lobbying, media outreach, etc. The Caucus will also participate in various outreach programs of the Party including identifying progressive voters and registering them as Democrats.
3. **Intended Activity:**
  - The Progressive Caucus shall identify top key races and initiatives that promote Democratic Party values, support progressive agendas, and are of particular interest to caucus members. Joining those campaigns as volunteers and identifying as Progressive Caucus members, individuals and groups will engage in phone banking, canvassing and other campaign related activities. They will record their activities (how many calls made, doors knocked, along with videos, photos and social media dissemination of their involvement) and provide reports to the Progressive Caucus E-Board during and/or primaries and general elections. These reports and other accountings will be made available to the CDP upon request.
  - Where the desire exists and is driven by activists on the ground for the formation of

progressive Democratic clubs that can charter with DCCs, Progressive Caucus Vice-Chairs and other officers will be proactive in playing a role connecting caucus members in areas relevant to those efforts. Reports will be provided on those efforts.

- **Targets** : One email communication per month to members  
One Facebook post per week  
One website update per week  
Assist five candidates with messaging and/or fundraising  
Assist five candidates with GOTV and/or phonebanking  
Host one caucus event per year outside of CADem events  
Support ten pieces of legislation with coalition advocacy  
Attend and speak at five local progressive club events

### Section C: Statement of Principles

1. The Caucus believes in the promotion of principle before politics and policy before unquestioning fealty to any individual or organization. We seek to build a movement within the Democratic Party so that we may one day see a government controlled by citizens, a world where the rights of all people are recognized as equal and inalienable, and where social justice paves the way for true peace.
2. Towards that end, we believe:
  - a. in the Constitution of the United States of America and the right of the People to self-government;
  - b. in the restoration of an equal balance of power between the branches of our Federal government;
  - c. that as the most basic measure of democracy, citizens of voting age have the right to vote and have their vote counted and tangibly proved as cast;
  - d. in the complete separation of Church and State;
  - e. that everyone has the right to recognition everywhere as a person before the law and is therefore entitled to equal rights and treatment and that no one should be denied these rights because of race, color, creed, class, national origin, sex, age, religion, ethnic identity, ethnicity, language, culture, sexual orientation, gender, gender identity, economic status or disability as defined by the Americans with Disabilities Act of 1990;
  - f. people of the same sex should have the right of marriage on the same basis as all other adults and the right to create a family being a basic human right;
  - g. that no one should be subjected to arbitrary arrest or detention without charge, and that all people are entitled to due process by an independent, impartial and civilian court of law (or a military court of law if in the military);
  - h. that no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment;

- i. that since all people are born equal in dignity and rights and are endowed with reason and conscience, they should be free from the oppression of orchestrated fear, targeted persecution, wrongful dispossession, displacement and exile. Aggression at the hands of organized forces directed at a specific group of people because of race, color, creed, class, national origin, sex, age, religion, ethnic identity, ethnicity, language, culture, sexual orientation, gender, gender identity, economic status or disability, whether they exist internally in a state or are the result of a foreign presence, should not be tolerated;
- j. that in a civilized society, the death penalty must be abolished and replaced with a system that views justice as containing principles of both redemption and rehabilitation as well as restitution;
- k. in lifting all people out of poverty, including the sick, the disabled, the homeless, the hungry, the elderly, and the unemployed, and as a part of resetting our local, state and national priorities, to make available affordable housing and a living wage for all;
- l. in the right of workers everywhere to form and join unions for the protection of their interests, and that labor, commerce and profits gained without respect for fair wages, decent working conditions, dignity or self-determination by workers are both unjust and immoral;
- m. in democratization of the workplace and the economy as a whole, so that human needs take preference over private profit;
- n. in a commitment to redirecting resources from wasteful and unnecessary military spending to programs for human needs. As Dr. Martin Luther King observed over 40 years ago, a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death;
- o. that preemptive war is wrong and that all countries must seek solutions to international threats through equitable diplomacy, the United Nations, and other organizations that respect international law and the principle of self-determination;
- p. that U.S. relations with other countries and peoples should be based on equality, democracy and respect for struggles of those seeking freedom, not on defense of corporate profits or on the false and destructive premise that our country has a right to dominate others;
- q. that all people are entitled to quality health care as a human right, and that single payer, universal health care is the way to ensure attainment of that right;
- r. that public services must not only be available, but equally accessible to all;
- s. that the environment is a public trust and responsibility for its preservation and sustainability must rest publicly, with the people and not with private enterprise;
- t. that education is a right, not a privilege, and that every child must have the guarantee of a free, high quality public education in a safe environment;

- u. that since freedom of expression, civil liberties, democracy and constitutional rights are the hallmarks of an equitable society, the right to a free and independent media must be guaranteed for all, free from domination or monopolization from either state or corporate influence;
- v. that private corporations are legal entities materially different from human beings, and therefore are not entitled to the same constitutional rights as individuals under Article 14 of the United States Constitution. To the extent that corporate interests wield overwhelming control when it comes to matters of governance for the common good, we believe that as a matter of democracy and social justice, a subordination of commerce to state must be established by overturning the United States Supreme Court decision in the case of Santa Clara County vs. Southern Pacific Railroad Co., 118 U.S. 394 (1886); and
- w. that above all, the Universal Declaration of Human Rights and its subsequent specific conventions must guide the way to a universal community where democracy, respect for the humanity of others and responsibility for the common good prevail.

## **Article II: Organization**

### **Section A: Relationship to Democratic State Central Committee**

1. The Caucus is a "Special Group Caucus" within the California Democratic Party State Central Committee (DSCC).
2. The Caucus will not form, maintain, contribute to, materially support or otherwise materially participate in the governance, fundraising or expenditures of any political committee other than the California Democratic Party
3. Failure to comply with Article XI, subsections 1-5 of the DSCC Bylaws may subject the Caucus to decertification by DSCC.

### **Section B: Rules**

1. These Bylaws shall govern the organization, operation, and functions of the Caucus.
2. The Caucus shall operate within the Bylaws of the DSCC. In case of conflict, the Bylaws of the DSCC shall prevail.
3. As the Caucus has a membership where members only represent themselves, the use of secret ballots is allowed in General Membership proceedings.

### **Section C: Membership**

1. Membership and full voting rights shall be open to all persons who meet these membership requirements:
  - a. The individual's age meets the voting registration/preregistration age (as defined in the Elections Code) and the individual is either (a) a registered Democrat or (b) ineligible to register as a Democrat, but has expressed an intent to register as a Democrat upon being eligible;

- b. Indicates, at the time of joining, support of the Purpose and Statement of Principles of the Caucus as stated in Article I above;
- c. Pays the dues in effect at the time the individual joins the Caucus or has them waived; and
- d. Agrees to abide by the Caucus Code of Conduct located in Appendix B;
- e. Agrees to the terms of these Bylaws.

2. Removal of Members

- a. A member may be removed from membership for:
  - i. Non-payment of dues;
  - ii. Member affiliates with or registers as a member of another party; or
  - iii. By a two-thirds (2/3) vote of the Executive Board Members, hereafter called the Board, in attendance at any Board meeting as set forth in paragraph b. below if, during his/her term of membership, said Member:
    - A. Violates these Bylaws or the Caucus Code of Conduct;
    - B. Publicly avows preference for another party;
    - C. Causes harm to the reputation and/or financial standing of the Caucus;
    - D. Publicly advocates that the voters should not vote for an endorsed candidate of the California Democratic Party, for any office. This clause shall be strictly construed such that a violation does not include merely advocating in favor, or affirmatively supporting, a Democratic opponent of such an endorsed candidate;  
or
    - E. In any way causes harm or disruption to the Caucus by acting in a manner contrary to the stated goals and principles of the Caucus.
- b. In the event the removal is for reasons stated in Art II, Sec C, a, iii above, a Member may be removed by the following procedure:
  - i. Written charges brought by no fewer than ten (10) Members of the Caucus, or by a minimum of three (3) Members of the Board shall be submitted to the Chair who will notify the accused Member, and all members of the Board, of the charges. The Board shall then determine whether the charges and the evidence supporting the charges are sufficient to justify proceeding against the Member.
  - ii. If the Board finds, after a review, study and evaluation of evidence, that the evidence is insufficient to warrant or justify proceedings, the charges shall be dismissed by the Board.
  - iii. If the Board finds, after a review, study and evaluation of evidence, that the evidence is sufficient to warrant or justify proceedings against the accused Member, the Board

shall hold a hearing, after due and timely Notice, to conduct a fact-finding hearing of the charges and the written response of the accused.

- iv. Witnesses for both the accuser and the accused may give testimony at the hearing.
- v. The hearing may be in person or by telephone conference or some combination thereof, as determined by the Board.
- vi. After submission of all the evidence and the proper deliberations thereon, the Board will make ultimate resolution of the dispute.
- vii. A two-thirds (2/3) vote of those Board members present and voting shall be required to remove the Member charged.
- viii. If either party to the dispute is dissatisfied with the resolution of the dispute by the Board, he/she may appeal the decision of the Board to the full Caucus. Such appeal must be made in writing to the Board and lodged within fifteen (15) days of the decision being appealed. The appeal will be heard at the next Caucus meeting more than thirty (30) days after the Notice of Appeal.
- ix. If the decision of the Board is appealed to the full Caucus, a two-thirds (2/3) vote of those Caucus Members present and voting shall be required to overrule the decision of the Board. Any Caucus vote less than the required two-thirds (2/3) will be deemed an affirmation of the decision of the Board. No further appeal can or may be made from the decision of the Caucus in such matters.

#### Section D: Finance

##### 1. Raising and disbursement of funds

The Caucus neither raises nor disburses funds other than nominal dues and standard or routine costs of meetings (such as postage, and other costs associate with notice, as well as the cost of meeting rooms) and events, which shall be promptly accounted for, reflected in a quarterly financial report to the Treasurer of the DSCC and processed according to rules promulgated by the DSCC Finance Committee. For the purpose of full reimbursement, the Treasurer of this Caucus shall promptly (no later than 30 days from the date of the expenditure) turn in all dues, costs of meetings and events in to the DSCC staff.

##### 2. Dues

- a. Dues shall be as follows, exclusive of processing fees, if any, set by the CDP from time to time, or more or less as later set by the Board, at its discretion, with Notice to the Members.
  - i. Student/Senior/Economic Hardship (1 Year) : \$10
  - ii. Shirley Chisholm Member, "Unbought and Unbossed" (1 Year): \$20
  - iii. Bernie Sanders Member, "Continuing the Political Revolution" (1 Year): \$27



- iv. Paul Wellstone Member, "The Democratic Wing of the Democratic Party" (1 Year): \$50
- v. FDR Member, "...a New Deal for the American People" for the 99% (1 Year): \$99
- vi. (1 Year): \$250
- vii. (1 Year): \$500
- b. Waiver of membership dues for those who seek a dues waiver and self-identify as being unable to pay dues due to economic hardship or an objective impediment to payment of dues are available upon request. Waivers may be requested at a regular meeting of the Caucus, or by US Mail: Attn: Chair of Progressive Caucus, Re: Dues Waiver, California Democratic Party Headquarters, 1830 9<sup>th</sup> St. Sacramento, CA 95811 or by email: chair@progressivecaucuscdp.org.
- c. Membership dues are payable each year at any point during the year (but in order to be eligible to vote dues must be paid on or before the date of any Caucus membership meeting) and the term of membership (no matter at which point during the year the dues are paid) will be January 1<sup>st</sup> and end December 31<sup>st</sup> of that year. Multiple years may be paid in advance at the discretion of the Board.

#### **Section E: Voting Eligibility and Procedure for Caucus Business and Officer Elections**

1. Those who wish to vote for any Caucus business including the Officer elections must be Members in good standing, defined as meeting the criteria outlined in Article II, Section C, of these Bylaws, at the time specified for voting. Anyone who becomes a new Member on the date of an officer election is eligible to vote.
2. There will be equal treatment, for the purposes of voting in Caucus Officer elections, for membership applicants who pay dues or seek membership by means of a dues waiver.
3. All members in good standing of the Caucus present at an election meeting will be eligible to vote for Caucus business or in Officer elections (vote-by-mail and proxy voting are not permitted). The Caucus Treasurer and Secretary shall provide confirmation of an individual's membership status during the CDP provided-for registration period before the start of any meeting. Should an individual in attendance claim to have paid dues but is not on the membership roster, he/she will be issued a provisional ballot. Voter eligibility through membership status will be researched and provisional ballots counted for those instances in which the voter is found to be eligible and the provisional ballot could change the outcome of the vote.
4. The period for any balloted vote, including Officer elections, shall commence from the opening gavel and close at the closing gavel unless otherwise specified in advance of the meeting by official notice to the membership in attendance at the meeting, or by a 2/3 vote of the membership in attendance at the meeting no earlier than a half-hour before the scheduled end of the meeting. The ballot box will be placed in the meeting room in full view of the membership

throughout the course of the meeting during both the balloting and counting period.

5. The Caucus Executive Board shall designate a caucus member other than an officer to be Elections Supervisor to oversee the election process. The Elections Supervisor shall preside over ballot-casting and the ballot box, supervise counting teams and be responsible for maintaining custody of cast ballots, including provisional ballots during the voting process. Volunteer counting teams comprised of individuals not connected with the campaigns of any Caucus Officer candidates or ballot initiatives shall assist with the process in full view of candidates and observers. Once results are ascertained, the ballot counts will be made known to the membership assembled in the meeting as soon as possible. An email outlining the final tally of votes for any balloted vote will be sent to Caucus membership within a reasonable time.
6. In the event of a challenge to any election result, election procedures, voter eligibility, ballot counting or provisional ballots, the challenge shall be registered with the Elections Supervisor. The Elections Supervisor shall inform the Caucus Board and DSCC staff of the situation, working closely with the Caucus Parliamentarian. If the Elections Supervisor or Parliamentarian are they themselves a party to a challenge, a neutral party shall be appointed to supervise the challenge (as agreed upon by the Chair and aggrieved party). As soon as reasonably possible, the Board and Elections Supervisor under the advisement of the Parliamentarian, shall convene to plan and implement a resolution to the matter. If a plan or resolution is found by the aggrieved party to not be satisfactory, the aggrieved party may seek an appeal with the Compliance Review Commission ("CRC") of the CDP as is outlined under Article XII, Section 4. Challenges of the CDP Bylaws. The date of the resolution determined under this Paragraph 13. shall be considered the date of the "alleged violation" for the sake of meeting the timely notice of filing a written challenge to the CRC.
7. The Secretary shall be responsible for securing and preserving ballots and tallies, if any, until ten (10) days after the Executive Board meeting next succeeding the balloting, or until the resolution of any challenge or appeal, whichever is later.

### **Article III: Officers**

#### **Section A: Officers**

1. The Officers of the Caucus shall be:
  - a. One (1) Chair
  - b. Five (5) Vice-Chairs
    - i. One (1) Northern Vice Chair

Northern Region shall consist of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Yolo, and Yuba Counties.

ii. One (1) Bay Area Vice Chair

Bay Area Region Shall consist of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma Counties.

iii. One (1) Central Vice Chair

Central Region shall consist of Fresno, Kern, Kings, Madera, Mariposa, Merced, Mono, Monterey, San Benito, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz, Stanislaus, Tulare, and Tuolumne Counties.

iv. Two (2) Southern Vice Chairs

Southern Region shall consist of Imperial, Inyo, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. Geographical division of duties for each Southern Vice Chair shall be determined by the Chair in consultation with the Southern Vice Chairs.

c. One (1) Secretary

d. One (1) Treasurer

e. One (1) Parliamentarian

f. One (1) Communications and Media Officer

g. One (1) Membership Officer

h. Three (3) Officers at Large

2. The Chair must be a member of the DSCC and shall be the DSCC Executive Board Representative of the Caucus.

#### Section B: Duties of Officers

1. Chair: The Chair shall serve as the Chief Executive Officer and official voice of the Caucus, and shall carry out the purpose of the Caucus. The Chair's responsibilities shall also include, but not be limited to, the following:
  - a. Presiding over regular meetings of the Caucus Membership and E-Board;
  - b. Communicating to the Membership via newsletter no less than Quarterly; and
  - c. Upholding the responsibilities prescribed to Caucus Chairs in the DSCC bylaws.
2. Vice Chairs: The Vice-Chairs shall assist the Chair in carrying out the Chair's duties and serve as Senior Representatives and Organizers in their respective regions. These responsibilities shall include, but not be limited to, the following:
  - a. Upon the Chair's absence, one of the Vice Chairs, selected by the Chair on an ad-hoc basis, shall serve as Chair pro-tem;
  - b. Responsibility for overseeing and organizing their respective Regions as set forth in these Bylaws. Organizing activities shall include, but not be limited to direct action, communication, outreach, education, advocacy for issues, projects and campaigns promoted by the Caucus;
  - c. Appointing leaders in their Regions based on Counties, Assembly Districts or CDP

Regions to act as point persons for communicating events and actions to and from the Caucus, for membership recruitment, and assistance in the organizing activities of the Caucus and in duties as deemed necessary by the Chair;

- d. Reporting activities in their Regions to the Board at least once a month and to their Regional Members at all Membership meetings and Caucus Regional Meetings; and
  - e. Convening or delegating appointed regional point persons to convene Caucus Regional membership meetings once a calendar month (keeping in mind scheduling conflicts, such as holidays, CDP events, or other extenuating circumstances) either in person or via conference call or teleconference, to carry out the organizing activities of the Caucus.
3. Secretary: The Secretary shall be responsible for maintaining the minutes of the meetings of the Caucus and the Executive Board and shall maintain current lists of Caucus members. The Secretary shall also serve as the Caucus Historian being responsible for archiving documents and actions of the Caucus including minutes and agendas of meetings, rules of order and standing resolutions. The Secretary shall keep minutes from caucus agendas and meetings occurring at the Eboard or Conventions and such minutes shall be posted on the Caucus website within a reasonable amount of time. The Secretary shall be responsible for Caucus correspondence including official Caucus communications by email and U.S. Postal mail. The Secretary and Treasurer shall be duly responsible for member registration at conventions and E-board meetings as well as keeping a full membership roster of current voting Caucus members.
4. Treasurer: The Treasurer shall take custody of and account for all funds raised by the Caucus consistent with the procedures of the DSCC and shall maintain a record of members who have paid or waived Caucus dues and work with CDP staff charged with keeping a record of online payments. The Treasurer shall submit budgets and financial reports as required by the bylaws of the Caucus and the DSCC. The Secretary and Treasurer shall be duly responsible for member registration at conventions and E-board meetings, as well as keeping a full membership roster of current voting Caucus members.
5. Parliamentarian: Except as specifically stated herein in Article VI, Section A, 1, the Parliamentarian is the authority for issues of procedure, especially with respect to Roberts Rules of Order and disputes over motions, priority, etc. The Parliamentarian shall be a Member of and serve as Chair of the Progressive Caucus Bylaws Committee.
6. Communications and Media Officer: Shall maintain the Caucus brand identity, be accountable for and maintain the Caucus online properties for official business, such as the website and social media accounts, and send out Press Releases as required. The Communications and Media Officer shall maintain a list of contact information for media contacts and elected officials. The Communications and Media Officer shall also be responsible for providing and maintaining internal Caucus communication channels, such as a membership discussion forum, including moderating such channels if needed.
7. Membership Officer: The Membership Officer shall maintain the list of paid members and former members through interaction with the Party and the Caucus Chair. The Membership Officer shall also be responsible for outreach, in consultation with the Chair and the Communications Officer,

to progressive Democrats across the state regarding membership in the Caucus.

8. Officers at Large: The Officers at Large shall have such duties as the Board shall from time to time assign.

#### **Section C: Election of Officers – Candidacy Eligibility**

1. All Officers, other than Officers-At-Large, shall be elected by secret ballot at the Membership Meeting of the Caucus held at the State Convention in odd numbered years. If the meeting is virtual (remote, conference call, internet, etc), secret ballot is not mandatory.
2. Those who wish to run for office must be Members in good standing of the Caucus defined as meeting the criteria outlined in Article II, Section C, of these Bylaws for a minimum of thirty (30) days prior to the date of the election and must file Notice of their intent to run for office in writing by email to the Board at as noted on the Caucus web site and other official communications, or by U.S. Postal Mail to the Secretary of the Board at the mailing address noted on the Caucus web site in either case not later than thirty (30) days prior to the election. Verification of eligibility to run for office will be confirmed by this Board within a reasonable timeframe upon receipt of a candidate's notice of intent to run for any office. Late nominations, including nominations from the floor, shall be accepted only if no timely Notices of intent to run for a particular office have been filed, or all those who have timely filed have either withdrawn their nominations or have failed to appear in person.
3. Candidates for office must complete an Officer Candidate Application and agree to the requirements of the position and of the terms of all Officers as are set forth under Article III in these Bylaws. Candidates must also sign a Confidentiality Agreement, attached hereto as Appendix B, and made a part hereof by this reference, to be provided along with each Candidate Application. The Candidate Application and Confidentiality Agreement must be provided to a candidate within 10 days of receiving that Candidate's intent to run.
4. Candidates for office may only file for one position.
5. The Board shall send a reminder to the membership of the approaching filing deadline not later than forty-five (45) days prior to the date of the election.
6. There will be equal treatment, for the purposes of seeking office in Caucus Officer elections, for membership applicants who pay dues or seek membership by means of a dues waiver.
7. Candidates for the Office of Chair must be a member of the Democratic State Central Committee (DSCC) at the time of their notice of intent to run for the position.
8. Candidates for Progressive Officer positions will have access to the membership list only through an email distribution sent out by the Caucus delineating eligible candidates and their candidate statements (if submitted within the specified deadline).
9. Officers-At-Large shall be appointed by a vote of the Caucus Officers.

Commented [1]: Moved to Art II, Sec D

#### **Section D: Term of Office and Vacancies**

1. The term of office shall be for two years or until a successor is elected.
2. A vacancy shall be filled by appointment of the Caucus Chair and ratified by a majority vote of all Officers present and voting until a vote by the membership can be held to fill the vacancy at the next scheduled Caucus Meeting providing the requirement for sufficient Notice has been met as set forth in these Bylaws.

#### **Section E: Executive Board**

1. Attendance:
  - a. Attendance at all scheduled Board meetings and Caucus Membership meetings whether in person or via other conferencing technologies is required of all Officers except by prior approval of the Chair and/or Board.
  - b. If a Board member has a genuine conflict and has notified the Chair at least 48 hours in advance, an absence may be excused upon review and approval of the Chair and the Board.
  - c. In the case of an emergency where the Officer is unable to notify the Chair of an absence in advance, all efforts should be made to notify as soon as possible.
2. Removal of Officers:
  - a. An Officer may be removed from office for cause for any of the following reasons by two-thirds (2/3) vote of the Board, excluding the Officer who is subject to the removal vote or, if appealed, by two-thirds (2/3) vote of the membership in attendance at any scheduled Caucus Membership meeting if, during his/her term of office, said Officer:
    - i. Violates, or fails to perform the duties of the office or fulfill responsibilities under these Bylaws or the Bylaws of the DSCC;
    - ii. Causes harm to the reputation and/or financial standing of the Caucus;
    - iii. Publicly avows preference for another political party;
    - iv. Publicly gives support to or avows a preference for a candidate nominated by another political party;
    - v. Engages in conduct or behavior that would cause embarrassment, demeans or damages the reputation of the Caucus;
    - vi. In any way causes harm or disruption to the Caucus, or by acting in a manner contrary to the stated goals of the Caucus; or
    - vii. Threatens, assaults, stalks or incites as defined by applicable California and U.S. law or otherwise causes physical harm or harassment to another officer or other Caucus

member.

- b. Procedure for Removal by Vote: In the event the removal is for reasons stated in section a. above, an officer may be removed by the following procedure.
  - i. A petition may be brought by no fewer than ten (10) Members of the Caucus, or by a minimum of three (3) members of the Board shall be submitted to the Chair, or the Chair Pro Tem in the case of the Chair being the accused Officer, who will notify all members of the Board, including the accused Officer, of the charges. The Board, excluding the Officer who is subject to a removal vote, shall then determine whether the charges and the evidence supporting the charges are sufficient to justify proceeding against the Officer.
    - 1. If the Board finds, after a review, study and evaluation of evidence, that the evidence is insufficient to warrant or justify proceedings, the charges shall be dismissed by the Board and no further action will be taken regarding this matter.
    - 2. If the Board finds, after a review, study and evaluation of evidence, that the evidence is sufficient to warrant or justify proceedings against the accused Officer, the Board shall hold a hearing, after due and timely Notice, to conduct a fact-finding hearing of the charges and the written response of the accused.
      - a. Witnesses for both the petitioner(s) and the respondent(s) may give testimony at hearing;
      - b. The hearing may be in person or via other conferencing technologies;
      - c. After submission of all the evidence and the proper deliberations thereon, the Board will make ultimate resolution of the dispute;
      - d. A two-thirds (2/3) vote, of those Board members present and voting shall be required to remove from office the Officer charged; and
      - e. An officer removed for cause is ineligible for reelection or reappointment to the Board for a minimum of the remainder of the current term. After this minimum requirement has been met, eligibility may be restored by a two-thirds (2/3) voter of the Board.
  - c. If either party to the dispute is dissatisfied with the resolution of the dispute by the Board, he/she may appeal the decision of the Board to the full Caucus pursuant to Article III, Section E.2.e, below. An Officer will be automatically removed from office if, during his/her term of office, said Officer:
    - i. Ceases to be a registered Democrat;
    - ii. Fails to pay Caucus membership;

In the event of non-payment of Caucus dues, the Secretary shall notify the Officer of a lapse by email and U.S. Postal Mail and the lapsed Officer shall be allowed thirty (30) days after Notice to remedy non-payment of dues or file for economic hardship. If the

Board receives no response to the Notice, the Secretary shall certify that a Notice had been sent and not responded to, and that therefore, the fact of non-payment of Caucus dues is certified. Non-payment of Caucus membership dues shall constitute automatic removal from office and require no further action, save for the cases of economic hardship; or

iii. Has excessive unexcused absences.

- A. For purposes of determining absence, Board meetings must be Noticed a minimum of seven (7) days in advance unless Notice is waived by the Officers. Three (3) consecutive unexcused absences from scheduled and Noticed Board meetings, whether in person or via other conferencing technologies, and/or from scheduled and Noticed Caucus Membership Meetings, or any combination thereof, shall be considered voluntary resignation and constitute automatic removal from office with no further action required.
- B. Eight (8) absences from any scheduled and Noticed meetings of the Board or the Caucus Membership in any twelve (12) month period whether consecutive or not and whether excused or not shall also constitute voluntary resignation and require no further action. This rule may be waived on an individual case-by-case basis by unanimous vote of the remaining members of the Board. The Caucus Secretary shall certify non-attendance. The Board shall make all reasonable efforts to accommodate all officers when scheduling meetings.

d. Procedure for Removal of Officer due to Absence:

- i. The Secretary must give advance Notice to the Officer that their next absence will result in removal.
- ii. Chair announces pending removal into the Minutes at a scheduled meeting of the Board.
- iii. Removal becomes effective upon Notice in the Minutes by the Chair.
- iv. Board may waive an automatic removal in the case of absence by unanimous vote of remaining Board Members present and voting at a scheduled meeting.

e. Appeal to the Membership.

- i. Any Officer may appeal the decision of the Board to the full Caucus. Such appeal must be made in writing to the Board and lodged within fifteen (15) days of the decision being appealed. An appeal from the removal of an officer for reasons other than for the legal infractions in clause E.2.a.vii., above must be accompanied by the concurring signatures of ten (10) caucus members none of whom are on the board. An appeal from the removal of an officer for reasons relating to the legal infractions in clause E.2.a.vii., above must be accompanied by the concurring signatures of twenty-five (25) caucus members none of whom are on the board. The appeal will be heard at the next Caucus meeting more than thirty (30) days



after the Notice of Appeal.

- ii. If the decision of the Board is appealed to the full Caucus, a two-thirds (2/3) vote of those Caucus Members present and voting shall be required to overrule the decision of the Board. Any Caucus vote less than the required two-thirds (2/3) will be deemed an affirmation of the decision of the Board. No further appeal can or may be made from the decision of the Caucus in such matters.

#### **Article IV: Procedures**

##### **Section A: Meetings**

###### **1. General Membership Meetings**

- a. In accordance with CDP Rules Committee's Policy Statement on the Open Meeting Rule, all public meetings of the Caucus shall be open, in person, by telephone and/or other conferencing technologies, to all members of the Democratic Party and members of the Press or invited guests regardless of race, color, creed, class, national origin, sex, age, religion, ethnic identity, ethnicity, language, culture, sexual orientation, gender, gender identity, economic status or disability as defined by the Americans with Disabilities Act of 1990. Accordingly, the scheduling of Caucus meetings shall consider the presence of any religious minorities of significant numbers of concentration whose level of participation would be affected. All Caucus meetings shall be governed by the most recent edition of Robert's Rules of Order, Newly Revised, unless other procedures are specified in these Bylaws.
- b. Caucus meetings shall be held every year at the Convention of the State Democratic Party and during the weekend of the regularly scheduled meetings of the State Party Executive Board and at such other times as the Board may call upon thirty (30) days Notice as set forth in Article IV, Section D of these Bylaws.
- c. A tentative agenda, together with the Minutes of the previous meeting, will be sent to Members and posted to the website and official group discussion list at least ten (10) days prior to any general membership meeting. Email delivery of the Agenda shall be considered sufficient except in the case of Members without email who shall receive the Agenda by U.S. Postal Service mail.

###### **2. Executive Board Meetings**

- a. The executive board will meet, at minimum, once every two months;
- b. All executive board meetings require a quorum of officers to be present before official business may be conducted;
- c. Meetings may be conducted in person, by telephone or other conferencing technology;
- d. A tentative agenda must be submitted to the officers no less than five (5) days prior to the executive board meeting. Notwithstanding this provision, irrespective of any shortened

notice requirements, no Member will be excluded from attending a Board Meeting except as provided in subsection (e) below. The agenda must be ratified at the start of each board meeting;

- e. In circumstances where the Board deems it necessary, the Board may vote to close the meeting to all non-Officers in matters pertaining to Confidentiality, disciplinary, administrative or privacy concerns; all non-Officers will be temporarily excused from that portion of the Meeting;
- f. All executive board meetings shall be governed by the most recent edition of Robert's Rules of Order, Newly Revised, unless other procedures are specified in these Bylaws; and
- g. Minutes of the executive board meetings shall be distributed, via email, to the officers by the Secretary no more than five (5) days following each meeting of the executive board.

#### **Section B: Quorum To Do Business**

- 1. General Member Meetings: Ten percent (10%) of the voting Members or sixty (60) Members, whichever is less, at all scheduled meetings under Article IV, Section 1 shall be considered a quorum to do business. While the Caucus may meet without a quorum, it may not do official business or take a vote.
- 2. Executive Board Meetings: A majority of the Board Members in good standing must be present at a properly Noticed Meeting to constitute a quorum to conduct business. While the Board may meet without a quorum, it may not do official business or take a vote.

#### **Section C: Amendments and Revisions to Bylaws**

- 1. These Bylaws may be amended or revised by two-thirds (2/3) vote of the Members in good standing who are present and voting at a scheduled Caucus meeting, provided that:
  - a. The amendment or revision meets the requirements of and does not conflict with the Bylaws of the DSCC when, in the case of a conflict, the Bylaws of the DSCC shall prevail;
  - b. A quorum is present; and
  - c. Notice of intent to amend or revise these Bylaws was given to the Membership as set forth in Article IV, Section D of these Bylaws at least thirty (30) days prior, or if the Board certifies an emergency and states the grounds for such certification then at least ten (10) days prior to the meeting where the amendment will be presented to the general membership for approval and that a copy of the proposed changes / amendments is provided with that Notice and at the meeting in which the vote is to take place. An emergency amendment or revision of the Bylaws shall require a supermajority vote of seventy-five percent (75%) of Members in good standing present and voting at the meeting.
- 2. Any Member in good standing may submit a proposal or multiple proposals for Bylaws amendments or revisions. Such proposal(s) for Bylaws amendments or revisions shall be

submitted in writing to the Bylaws Committee by way of the Parliamentarian no later than sixty (60) days prior to the membership meeting at which a vote is to be taken. On receipt of the request, the Bylaws Committee will review and make a determination if the proposed amendment should be presented to the membership for a vote.

#### **Section D: Official Notice to Members**

1. Email delivery shall be considered sufficient Notice for all purposes except in the case of Members without email or Members who have chosen not to receive Notice by email who shall receive official Notices by First-Class U.S. Postal Service mail.
2. All notices by the Caucus via email will be considered valid if:
  - a. The sender and receiver have both consented, in writing, to sending and receiving notice in this manner;
  - b. The Notice was sent to or from the email address specified when giving consent, or most recent email address specified on a subsequent Notice of Change of Address by sender or receiver; and
  - c. The obligation to inform and procedure for informing of any change in email address has been specified in writing.

#### **Section E: Standing and Ad-Hoc Committees**

1. Committees with special and specific duties and responsibilities may be formed by majority vote of the Officers present at any regularly scheduled Board Meeting.
2. There are two types of Committees: Standing Committees and Special Committees:
  - a. Standing Committees
    - i. Definition of Standing Committees. Standing Committees are long-term and have a specific set of requirements and responsibilities that may include the assignment of an Officer's responsibilities. The Standing Committees of the Caucus are ByLaws, Resolutions, Program, and such other Committees as the Board may from time-to-time form.
    - ii. Organization and Operation of Standing Committees.
      1. Standing Committees shall be governed by a set of standing rules or agreements. These rules shall govern how the Committee conducts its business, and shall not exceed the authority provided by these Bylaws or those of the DSCC. All standing rules must be approved by a majority vote of the Executive Board.
      2. If a Standing Committee is tasked with the responsibilities of an Officer, that Officer shall be a Committee Member or its Chair and is ultimately responsible.
      3. Standing Committees shall maintain minutes of every official meeting,

whether in person or over long-distance medium. These minutes shall be submitted to the Caucus Secretary to be stored along with other caucus documents. Minutes shall also serve as written reports to the Executive Board.

- iii. Dissolution or Termination of Standing Committees. Standing Committees shall be dissolved for one of two reasons. The Committee shall dissolve if the Committee's Membership determines the Committee's purpose has concluded. The Committee shall be terminated upon a simple majority vote of the Executive Board.

- b. Ad-Hoc Committees. Special, or Ad-Hoc, Committees have a limited term and have responsibilities over an issue or event that will expire.

- i. Forming Ad-Hoc Committees

- 1. An Ad-Hoc Committee may form if 10 caucus members in good standing come together around a specific, limited-term purpose.
    - 2. These members must write and sign onto a formal proposal, for the proposed Ad-Hoc Committee, to be sent to the Executive Board. The proposal must include the purpose or mission of the Ad-Hoc Committee, a preliminary strategy and a timeline.
    - 3. A current officer must sign onto the formal proposal before being considered by the Executive Board.
    - 4. A proposal shall be ratified upon a simple majority vote of the Executive Board.

- ii. Organization and Operation of Ad-Hoc Committees

- 1. The organization and operation of an Ad-Hoc Committee shall be based on the terms laid out in the approved proposal.
    - 2. The Sponsoring Officer shall report on Ad-Hoc Committee progress during executive board meetings.
    - 3. All official meetings of the Ad-Hoc Committee, whether in person or over other conferencing technologies, must have recorded minutes. These minutes shall be submitted to the Caucus Secretary to be stored along with other caucus documents.

- iii. Dissolution and Termination of Ad-Hoc Committees. The approximate expiration date shall be determined by the Board when the Committee is formed. Ad-Hoc Committees may be disbanded or extended at any time by a majority vote of the Officers present at any regularly scheduled Board Meeting.

- 3. The Committees will have a Chair who may be elected by the Committee Members and approved by the Board or, at the discretion of the Board, may be appointed by the Board.

- 4. Committee Members must be Members in good standing of the Caucus. Committees will report

their status and progress to the Officers on a regular basis.

#### **Section F: Lists, Login Passwords and File Maintenance**

1. Logins, passwords and any and all other secured information for maintenance of a function of the Caucus shall be maintained by the Chair and Secretary and will be given to Officers or Committee Chairs as needed to fulfill their functions.
2. The Officer or Committee Member who maintains the function will be responsible for keeping the Logins and Passwords secure.
3. All logins, passwords and any and all other secured information must be shared with the Caucus Secretary and any changes to the information must be reported to the Secretary within 24 hours of any changes.
4. The Caucus Secretary must share all login and/or password information with the Caucus Chair and Communications Officers within 24 hours of any changes.
5. Caucus files shall be stored on a medium that is simultaneously accessible to all authorized caucus members.

#### **Article V. Endorsements and Resolutions**

##### **Section A: Endorsements**

The Caucus, as a body constituted within the California Democratic Party and subject to its Bylaws, shall make no independent endorsement of any candidate for public office or ballot measure unless that candidate or ballot measure has been endorsed by the CDP through its endorsement process. This shall not bind any Member of the Caucus from making an individual public endorsement of any candidate or ballot measure, whether endorsed or not endorsed by the Party. Members of the Caucus who are also members of the DSCC should take note of Article II, Section 9 of the DSCC Bylaws before acting in reliance upon the permissions granted herein by the Caucus so far as its authority extends.

##### **Section B: Resolutions**

1. Introduction of Resolution
  - a. The following shall govern the submission of resolutions:
    - i. All resolutions must be typed;
    - ii. Proposed resolution must be provided to the Chair at least twenty-one (21) days in advance of the meeting at which it is to be considered. Submission may be made via email or postal mail; and
    - iii. Whereas clauses must be limited to three or less and resolved clauses to two or less.
    - iv. All resolutions must contain an "action clause" indicating the action requested.
  - b. The Board shall:
    - i. Consider only those resolutions submitted by a Member in good standing of the Caucus.
    - ii. Combine similar resolutions by re-writing;
    - iii. Reject resolutions which repeat past positions unless substantially new actions are

proposed;

- iii. Only consider for endorsement state and local ballot measures qualified for the ballot by the appropriate qualifying authority; and
- iv. Notice the membership not less than seven (7) days prior to the membership meeting where the resolution will be presented for a vote as set forth in Article IV, Section D of these Bylaws. Notice shall include a full copy of the resolution to be proposed.
- c. Except upon two-thirds (2/3) majority vote of the Board, the Board shall not consider any resolutions not in conformity with the foregoing rules.
- d. Except as otherwise provided below, a resolution must first be presented to the Board.
- e. For a resolution to be brought up directly on the floor of a Caucus meeting it must be signed by twenty-five (25) Members in good standing.

2. Passage of Resolution

- a. A resolution approved by the Board shall be brought up automatically for consideration as part of the Board Report at the next meeting of the Caucus;
- b. A resolution not approved by the Board must meet the same signature requirements as one coming directly to the floor. These resolutions shall be considered during presentation of the report of the Board at the next meeting of the Caucus; and
- c. No resolution shall be passed except upon sixty percent (60%) affirmative vote by Members in good standing present and voting at a scheduled Caucus meeting.

**Article VI. Interpretation of Bylaws**

**Section A: Questions Regarding Interpretation**

- 1. Questions of interpretation of these Bylaws arising other than in the course of the meeting or requiring resolution during the course of the meeting may be appealed in writing to the Board who shall render its decision. The Parliamentarian shall advise the Board in such matters.
- 2. Questions of interpretation of these Bylaws requiring resolution at a meeting may be appealed orally or in writing to the Parliamentarian. Any requests for amendment or revision of these Bylaws must be presented as set forth in Article IV, Section C, of these Bylaws.

**Section B: Decisions Regarding Interpretation**

Decisions of the Board concerning interpretation of these Bylaws may be appealed to the membership whose decision shall be final. A vote of two-thirds (2/3) of Members in good standing present and voting is required to overturn the decision of the Board. No further appeal can or may be made from the decision of the Caucus in such matters.

**Article VII. Code of Conduct**

**Section 1: Adoption of the Code of Conduct of the California Democratic Party**

The Progressive Caucus hereby adopts the Code of Conduct of the California Democratic Party (hereinafter "CDP Code") and incorporates the CDP Code, as it now exists or as it may hereafter be amended, as a part of these bylaws. A copy of the current CDP Code is appended to these bylaws and if hereafter amended by the CDP, the amended CDP Code shall be considered to:

- A. Have superseded the version appended hereto, and,
- B. Be operative as if appended hereto.

## **Section 2: Appending of Amended CDP Codes**

At the earliest possible convenience, the current CDP Code shall be appended to these bylaws, without need for further action by This Caucus.

## **Section 3: Violations**

Any violation of the Code shall be considered a violation of the Caucus bylaws and shall subject the officer/member to discipline under Article II of these bylaws. Such discipline shall be in addition to any disciplinary actions by the California Democratic Party or any of its constituent parts.

## **Section 4: Availability**

Copies of the Code shall be:

- A. Made a part of the notices of any and all meetings of this Caucus by inclusion of an appropriate link, and,
- B. Made available to members attending any such meeting by the officer responsible for check in.

## **Section 5: Filing**

In addition to the process for the filing of any disciplinary charges under these bylaws, or under the bylaws of the CDP, the parliamentarian of this Caucus or, in their absence or when the conduct in issue involves the parliamentarian, any officer of this Caucus is responsible for and charged with receiving and ensuring the prompt processing of any complaint of violation of the Code. These two (2) tracks for processing such a complaint are not mutually exclusive and the failure to process a complaint under This Caucus' bylaws shall not constitute a failure to exhaust administrative remedies barring initiation of any process under the auspices of the CDP Conduct Commission.

## **Article VIII. Previous Bylaws**

Any and all constitutions and/or Bylaws heretofore governing this Caucus are hereby superseded by these Bylaws.

**Certification of Chair**

I, Amar Shergill, as Chair of the Progressive Caucus of the California Democratic Party, hereby adopt the foregoing Bylaws, consisting of twenty-seven (27) pages including Appendices, as the Bylaws of this

Caucus:



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Dated: 3/30/2021



## **APPENDIX “A”**

### **Code of Conduct**

#### **Expected Behavior**

The California Democratic Party (CDP) is committed to providing a welcoming, respectful, friendly, safe, supportive, and harassment-free environment for members, employees, and all others associated with the CDP. The CDP expects all leaders, members, employees, and others associated with the CDP to act professionally, respecting the personal rights and dignities of all individuals involved with the party so as to create a productive, inclusive environment for all. All individuals should feel welcome and safe within the CDP, regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy, race, color, ethnicity, national origin, ancestry, religion, creed, age, physical or mental disability, medical condition, genetic information, marital status, military or veteran status, body size, domestic violence victim status, or any other legally protected classifications.

The CDP’s behavior standards are not limited to CDP conventions and other meetings. Harassment will not be tolerated at any and all events sponsored by or affiliated with the CDP, as well as in CDP-related calls, texts, emails, and social media like Facebook, Instagram, and SnapChat.

#### **Unacceptable Harassment**

The CDP will not tolerate harassment—that is, disrespectful or unprofessional conduct based on any of the protected categories listed above. Prohibited harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing based on the protected categories listed above), visual (such as the posting or distribution of offensive posters, symbols, cartoons, drawings, computer displays, or emails based on the protected categories listed above), or physical (such as physically threatening another person, blocking someone’s way, touching private parts, making physical contact in an unwelcome manner, etc.).

The CDP will not tolerate sexual harassment, that is, harassment based on sex or conduct of a sexual nature, which includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity or gender expression. Prohibited sexual harassment may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

The CDP prohibits quid pro quo sexual harassment, such as when submission to sexual conduct is made explicitly or implicitly a term or condition of an individual’s membership in the party, appointment to committee, leadership, or other role within the CDP; or submission to or rejection of sexual conduct by an individual is used as the basis for decisions affecting that individual.

The CDP prohibits the creation of a hostile environment, that is, conduct that creates an intimidating, hostile or otherwise offensive environment, including but not limited to: unwelcome sexual advances,

flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails or gifts; sex, gender or sexual orientation-related comments, slurs, jokes, remarks or epithets; leering, obscene or vulgar gestures or making sexual gestures; displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items; impeding or blocking movement, unwelcome touching or assaulting others; any abusive yelling or screaming, other verbal threats, or disrespectful language (in any form) directed at a person; any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances; and conduct or comments consistently targeted at one gender, even if the content is not sexual.

The examples above are just that—examples. In general, any conduct listed above or that is based on the protected classifications listed above that could interfere with an individual's participation in the CDP or could create an offensive environment will be considered harassment in violation of this code of conduct. This is the case even if the offending individual did not mean to be offensive. It is essential that we all be sensitive to the feelings of others.

#### **Retaliation Prohibited**

The CDP takes very seriously its responsibility to provide all members with a welcoming, respectful, and safe environment and urges any member who feels uncomfortable, unwelcome, or unsafe to report harassment (of themselves or observed with respect to others) as soon as possible. Retaliation for reporting harassment or discrimination, or participating in an investigation with respect to harassment or discrimination, is prohibited.

Retaliation may include, but is not limited to, exclusion from meetings or committees, ostracism, badmouthing, or other conduct that may limit engagement with the CDP, or that would be reasonably likely to deter a reasonable CDP member from reporting harassment or participating in a harassment investigation.

## APPENDIX "B"

### Confidentiality and Non-Disclosure Agreement



## PROGRESSIVE CAUCUS

of the CALIFORNIA DEMOCRATIC PARTY

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### Confidentiality & Non-disclosure Agreement

I, \_\_\_\_\_ understand that in the course of my duties as an officer of the Progressive Caucus of the California Democratic Party I may have access to the personal contact information of our members. I further understand that our members are entitled to the expectation of privacy regarding their personal and contact information. I agree to use this personal information only for the purpose it is intended and agree not to share the contact information with anyone inside or outside of the Progressive Caucus nor use this information for any purpose other than official caucus business.

I also agree that when I leave my position with the Progressive Caucus I will destroy or surrender all member information in my possession.

I further agree to hold all communications of the Executive Board, including official Board emails confidential and will not forward these communications to any party not currently sitting on the Executive Board of the Progressive Caucus.

Print Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_