

BYLAWS
UTAH STATE EMPLOYEES' CHARITABLE FUND
Amended December 11, 2013

ARTICLE I
Name and Location

Section 1. The name of the organization shall be the Utah State Employees' Charitable Fund, hereinafter referred to as the Fund, and its place of business shall be in Salt Lake City, Utah.

ARTICLE II
Purpose

Section 1. It shall be the purpose of the Fund to conduct an annual campaign to collect voluntary charitable fund contributions in amounts designated by state employees for qualified charitable agencies approved by the Utah State Employees' Charitable Fund Board.

Section 2. It shall be the purpose of the Fund to combine into one campaign all charitable fund requests of state employees. Monetary solicitation of state employees shall not occur without the written approval of the Utah State Employees' Charitable Fund Board.

Section 3. It shall be the purpose of the Fund to encourage state employees to participate in the annual charitable fund campaign to demonstrate to the citizens of Utah, to the community and to state government, a spirit of cooperation and involvement in community affairs.

ARTICLE III
Board of Directors

Section 1. Under the authority of the Governor of the State of Utah, the Board of Directors of the Fund, hereinafter referred to as the Board, shall have the responsibility for establishing and implementing all policies, procedures, and processes necessary to carry out the purpose of the Fund.

Section 2. The Board shall have a membership of at least nine (9) persons recommended by the Board and appointed by the Governor; each member to serve a term of three years, and not to exceed three consecutive three-year terms. Former board members may be reappointed after an absence of one year.

Section 3. Members of the Board shall be selected from state agencies. A representative from the employee association representing the largest number of state employees may also be accorded a seat on the Board.

ARTICLE IV
Officers and Tenure

Section 1. The Board officers shall be President, Vice President, Secretary and Treasurer. The President and the Vice President shall be elected annually by members of the Board.

Section 2. The President, with the approval of the Board, shall appoint the Secretary and Treasurer who shall serve at the pleasure of the Board. The President, with the approval of the Board, may also appoint Financial, Legal, Public Relations or other advisors to the Board. The Secretary, Treasurer, and advisors may be members of the Board.

Section 3. Representatives of the Board may meet with the Governor to discuss the results of the previous campaign, plans for the following campaign, and other matters deemed necessary by the Board.

Section 4. The Governor, with the approval of the Board, shall appoint a Campaign Chair each year from a rotation list of department directors prepared and maintained by the Board. The order for the Campaign Chair appointments may be changed if deemed necessary by the Board. The department directors eligible for appointment as the Campaign Chair shall include, but not be limited to:

Department of Natural Resources
State Office of Education
Department of Corrections
Department of Administrative Services
Department of Commerce
Department of Alcoholic Beverage Control
Department of Heritage and Arts
Administrative Office of the Courts
Department of Human Resource Management
Department of Agriculture and Food
Department of Environmental Quality
Department of Human Services
Department of Health
Department of Public Safety
Department of Workforce Services
State Tax Commission
Department of Transportation
Attorney General's Office
Department of Technology Services

Section 5. The Campaign Chair, with the approval of the Board, shall appoint a Campaign Treasurer and Campaign Committee members.

Section 6. The Board shall recruit a Campaign Director who shall serve at the pleasure of the Board. The Campaign Director position is a two-year commitment and should come from the agency chairing the following year's campaign.

Section 7. The Board may invite representatives from the charitable organizations to act as advisors to the Board on campaigns or matters of coordination between such organizations and the Board.

ARTICLE V Duties of Officers and Advisors

Section 1. It shall be the duty of the President to lead and direct activities of the Board. The President will oversee the financial records handled by the Board Treasurer.

Section 2. It shall be the duty of the Vice President, upon the request or absence of the President, to perform the duties of the President.

Section 3. It shall be the duty of the Secretary to take, transcribe and distribute minutes of meetings, and perform other duties assigned by the President. Minutes and financial records shall be maintained in a permanent file by the Board.

Section 4. It shall be the duty of the Treasurer to ensure the Board follows appropriate procedures to handle and safeguard all funds received, disbursed and held by the Fund. An audit should be periodically requested by the Board and be conducted by the State Auditor's Office.

The Treasurer shall prepare a disbursement report and forward it to the Division of Finance where the checks will be processed and required signatures obtained. The President or Vice President shall ensure that these disbursements are accompanied by a letter of transmittal.

A record of all transactions, including campaign records, shall be retained for a minimum of two years and then transferred to State Archives where they shall be retained for five years and then destroyed.

Section 5. It shall be the duty of the Campaign Chair to plan and conduct the statewide campaign by performing the duties outlined in these bylaws.

Section 6. It shall be the duty of the Campaign Director, along with the Board and other assistants, to carry out the duties assigned by the Campaign Chair and the duties outlined in these bylaws.

Section 7. It shall be the duty of the Campaign Treasurer to carry out the duties assigned by the Campaign Chair and the duties outlined in these bylaws.

Section 8. Legal, Public Relations, Finance or other Board advisors shall perform any tasks requested by the Board that are required to promote the goals of the Board.

ARTICLE VI
Governing Rules of the Fund

- Section 1. One campaign per year shall be conducted.
- Section 2. Campaign information and materials approved by the Board shall be made available to all employees of state government.
- Section 3. The Board is authorized to limit membership of charitable organizations as needed in a manner determined by the Board. Charitable organizations, in order to qualify for donations and participate in the campaign, shall meet all of the following criteria and be approved by the Board:
- a. The organization must be in compliance with the Utah Charitable Solicitations Act administered by the Utah Division of Consumer Protection;
 - b. The organization must have current IRS 501(c)(3) tax exempt status;
 - c. Churches, government and political subdivisions, political action groups, veteran and fraternal organizations shall not be eligible; and,
 - d. Organizations may be required to demonstrate regular participation or presence in the state of Utah.
- Section 4. Participating organizations shall be ineligible to receive donations and continued participation in the campaign if they fail to meet the qualification criteria in the bylaws. Compliance with the qualification criteria will be reviewed on an annual basis.
- Section 5. All employee donations shall be voluntary.
- Section 6. The Board may choose to distribute suggested contribution guidelines. The guidelines may suggest a contribution amount for an individual employee.
- Section 7. The Board shall maintain a reserve fund from interest earnings, its amount and use to be determined by the Board. The Board may choose to appropriate monies from the reserve fund.
- Section 8. All monies shall be deposited with the State's financial institution through the Division of Finance. All disbursements of deposited monies shall be approved by the Board. Similar provisions shall be followed for the handling and disbursing of monies from the reserve fund. Upon approval, notification will be sent to Division of Finance for disbursement.
- Section 9. Meetings of the Board shall convene at the call of the President, Vice President, or two-thirds of the Board members. A majority of members shall constitute a quorum for the transaction of business.

Section 10. Minutes of Board meetings shall be recorded and distributed by the Secretary and approved by the Board.

Section 11. Financial records shall be maintained by the Treasurer in accordance with Generally Accepted Accounting Practices. Reports may be released at the discretion of the Board. The following reports will be prepared periodically:

- a. A report sheet indicating pledge receipts and disbursements for each campaign accounting period.
- b. A report of collections, interest earnings, and expenses for each campaign year.
- c. Other financial reports required by the Board for fiscal decisions.
- d. Pay pledge summaries indicating state agency contribution totals.

Section 12. The Board shall be responsible to see that the monies contributed are distributed to the designated charitable organizations. The following practices will be observed:

- a. Funds designated to participating charitable organizations shall be distributed per employee request as specified on the online pledge or hard-copy pledge form.
- b. The Board may reallocate donations made to charitable organizations that do not meet the criteria established in these bylaws.
- c. Contributions to participating independent charitable organizations, federated groups and their charitable organizations shall be distributed per employee request as specified on the pledge.
- d. Generally, the distributions to charitable organizations will be calculated based on actual collections.
- e. All contributions will be distributed in three payments. One hundred percent of one-time donations will be paid out by the end of January following the Campaign. The second payment will be made in the Fall of the collection year and the third payment will be made by the end of January following the collection year.

Section 13. Records governing the Fund shall be available for inspection pursuant to the Utah Code Archives and Records Services and Information Practices Act and the Government Records Access and Management Act.

ARTICLE VII
Expenses

Section 1. Actual and necessary expenses to conduct the affairs of the Fund may be paid from the reserve fund. This may not preclude costs being absorbed by state agencies whose employees are involved in Fund activities.

ARTICLE VIII
Release and Replacement of Board Members or Officers

Section 1. Upon approval of the Board, the President shall request nominations to replace any Board member who becomes unable to serve. The Board shall recommend a nominee who shall be appointed by the Governor.

Section 2. The Board shall appoint a replacement to complete the unexpired term of any officer who is unable to serve in their position.

ARTICLE IX
Amendments to the Bylaws

Section 1. These Bylaws may be amended upon a two-thirds majority vote of the Board. The Board shall receive written notice of proposed changes to the Bylaws at least thirty days in advance of a vote on adoption of the proposed changes.

ARTICLE X
Appointment and Duties of Campaign Chair

Campaign Chair is a position appointed by the Governor with approval of the Board. The Campaign Chair shall either be a statewide elected official, executive director, administrator or commissioner of a major department in Utah State Government. The responsibilities of the Campaign Chair are rotated among eligible appointees on an annual basis. A rotation list is maintained by the Board.

Duties and Responsibilities:

1. Bring Cabinet-level status to the campaign.
2. Advocate for the campaign with the Governor, elected state officials and department heads.
3. Serve as a liaison between the Board and the Cabinet.
4. Ensure the campaign has the support of state government officials, particularly with the Governor and department heads.
5. Request the appointment of Department Coordinators.
6. Appoint a Campaign Director and Campaign Treasurer as directed by the Board.

7. Officiate at the campaign kickoff and other ceremonial and public relations functions.
8. Advise the Board on issues pertaining to the campaign.

ARTICLE XI

Appointment and Duties of Campaign Director

Campaign Director is a position appointed by the Board with approval of the sponsoring department. Serving as Campaign Director is an opportunity to meet other employees across all state departments while gaining an awareness of charitable services and the role the Fund plays in providing for those needs in the community.

Duties and Responsibilities:

1. Attend monthly Board meetings to learn about the Fund, help design campaign materials, including the selection of a campaign theme and logo, and give routine progress reports.
2. Review and become familiar with the online pledge system to be prepared to serve as a resource for the department coordinators.
3. Maintain a list of department coordinators.
4. Meet with Campaign Chair and Board to help plan the campaign, discuss questions and concerns and report campaign progress.
5. May coordinate with participating organizations for resources, campaign materials, tours, audio/visual and guest speakers that may be needed during the campaign.
6. Conduct a training session for Department Coordinators to distribute and explain materials, outline resources available, and discuss general campaign procedures, reporting and deadlines.
7. Coordinate with Department Coordinators in conducting training, setting goals and developing strategies related to department involvement in the campaign promotion, methods of solicitation, and expressions of gratitude to campaign volunteers.
8. Coordinate with Department Coordinators to schedule audio/visual, guest speakers, agency tours and presentations at employee meetings as requested.
9. Follow up with Department Coordinators during and following the campaign to ensure that the campaign is running smoothly and provide additional campaign materials, information and encouragement.

10. Wrap up the campaign by ensuring that pledge forms and summary materials are submitted to the Campaign Treasurer by the final deadline.
11. Report to the Board campaign results, observations and recommendations for use in the next year's campaign.
12. The second year commitment as Campaign Director will be dedicated to assisting the Campaign Chair fulfill his/her duties for the Campaign Kick-off, which includes, letters to department heads requesting the appointment of department coordinators, providing remarks, selecting several charities to present, inviting the Governor or his representative to attend and provide remarks, preparing the statewide messages to employees to open and close the campaign.

ARTICLE XII

Appointment and Duties of Campaign Treasurer

Campaign Treasurer is a position appointed by the Campaign Chair with the approval of the Board. Serving as Campaign Treasurer is an opportunity to meet other employees across all state departments while gaining an awareness of charitable services and the role the Fund plays in providing for those needs in the community. The Campaign Treasurer works closely with the Board Treasurer on all aspects of the campaign.

Duties and Responsibilities:

1. Attend monthly Board meetings to learn about the Fund.
2. Check and review each returned packet and compare one-time monies received with online pledges made. Resolve problems, process cash and checks and maintain the documentation and records of the campaign until all reconciliations are finalized.
3. Transfer final documentation and records of the campaign to the Board Treasurer.