

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

STANDARD LOCAL CONSTITUTION

APPENDIX B of the AFGE NATIONAL CONSTITUTION¹

ARTICLE I

Name

SECTION 1. This local union shall be known as the American Federation of Government employees, Local No. 3614, Equal Employment Opportunity Commission, Region III, Philadelphia, Pennsylvania, as set forth in its charter. *See* AFGE National Constitution, Article XIV, Section 1.

SECTION 2. The headquarters and mailing address of this local shall be prescribed in the local's by laws.

ARTICLE II

Objectives and Methods

SECTION 1. This local does not advocate the overthrow of the constitutional form of government of the United States. The local does not discriminate with regard to race, creed, color, national origin, sex, age, political affiliation, handicapped condition, marital status, sexual orientation, or preferential or nonpreferential civil service status; and is not subject to corrupt influences or influences opposed to basic democratic principles.

SECTION 2. In the event any member(s) of the local is employed within a unit represented by an AFGE national bargaining council, the local shall affiliate with the national council(s). *See* AFGE National Constitution, Article XVI. The local shall pay dues and/or per capita to the national council for those members of the local employed within the unit represented by the council, as may be prescribed by the constitution of the council. *See* AFGE National Constitution, Article XVI, Section 1.

¹Only the AFGE National Convention may amend the standard local constitution.

SECTION 3. This local is a separate, independent organization functioning in conformance with the AFGE National Constitution. Neither the local nor its officers, employees, members or other persons has the authority to act, nor shall it be deemed to act on behalf of or as agent for the Federation or any of its other affiliates, unless such authority as applicable is expressly granted by the Federation by written authorization of the National President, or by an affiliate by written authorization in accordance with its governing procedures.

ARTICLE III *Membership*

Section 1. All persons eligible for AFGE membership as prescribed by Article III of the AFGE National Constitution and who come within the local's jurisdiction as defined by its charter shall be eligible for membership in this local.

ARTICLE IV *Dues and Initiation Fees*

Section 1. Dues shall be established and adjusted as may be necessary to ensure that they allow adequate funds for the payment of percapita tax and sufficient funds for the operating expenses of the local. *See* AFGE National Constitution, Article XIV, Section 7(a)7 and 7(b)7. Any change in the dues structure shall be accomplished by:

- (a) majority vote by secret ballot of the members in good standing voting at a general or special membership meeting after reasonable notice of the intention to vote upon such question; or
- (b) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot.

Section 2(a). The local shall establish in its bylaws the amount of its initiation fee and the amount of its membership dues. *See* AFGE National Constitution, Article XIV, Section 7(a)5 and 7(b)5; see also Article III, Section 5. Dues may be paid by payroll deduction or by advance payment for such intervals as prescribed by the local: quarterly, semiannually or annually. If payroll deduction is available, a local may adopt a bylaw requiring payment of dues by this method. The local may establish a separate dues rate for retired members.

Section 2(b). Members may be dropped if dues are not paid by Tuesday of the last full workweek of the month, provided, however, that a reasonable amount of time after notice of delinquency is given.

Section 2(c). Local representatives, collectors and shop stewards shall make remittance of all dues and initiation fees collected to the Treasurer within ten (10) days and no later than the Tuesday of the last full workweek of the month.

ARTICLE V

Financial Records and Reporting

Section 1. All receipts, checks and cash disbursements shall be properly recorded and accounted for in the financial records.

Section 2. The Treasurer shall sign and the President shall countersign checks covering proper expenditures for the local. In the absence of either the Treasurer or the President, such other officer as prescribed by the local's bylaws may sign in place of the absent officer.

Section 3. The officers, agents, shop stewards or other representatives or employees of this local who handle funds or property thereof shall be bonded in accordance with law and applicable regulations. *See* AFGE National Constitution, Article XIX, Section 6(a).

Section 4. In order for the bond to be effective, the local shall file with the National Secretary-Treasurer a copy of its annual audit in the format prescribed by Article XIX, Section 6(d) of the AFGE National Constitution.

Section 5. All books, records and financial accounts at all times shall be open to the inspection of the national officers or accredited representative of the National Executive Council and any duly authorized and accredited representative of the local. *See* AFGE National Constitution, Article XIX, Section 7.

ARTICLE VI

Election Officers

Section 1 (a). The general officers shall be elected by the total membership and shall constitute the Executive Board of this local and shall consist of the President, Treasurer and Secretary and such others as the local's bylaws may prescribe. The local may adopt a bylaw combining the offices of Treasurer and Secretary.

Section 1 (b). The local may establish bylaws which provide for the election of officers who are elected solely by members of a particular unit or work area and may provide that these officers will serve on the Executive Board.

Section 2. It shall be the duty and obligation of all local officers and all other official representatives of the local, whether elected or appointed, to support, advance and carry out all provisions of the AFGE National Constitution, the standard local constitution and bylaws, official policies of the Federation and, to the extent not inconsistent with the foregoing, all official policies of the local. *See* AFGE National Constitution, Article XV, Section 2.

Section 3. The President shall be the executive officer of this local; he or she shall exercise general supervision over the affairs of the local and see that other officers comply with the responsibilities of their offices and constitutional duties; comply with the National and standard local Constitutions; keep the membership apprised of the goals and objections of the Federation; serve as an ex-officio member of all committees except the Election Committee and the Audit Committee, and investigation or trial committees when he or she is bringing the charges or is directly or indirectly involved in the matter which gave rise to the charges; automatically serve by virtue of office as a local delegate to district caucuses, council meetings, the National Convention and such other meetings participated in by this local as the local may be entitled; preside at all local meetings; and sign all documents pertaining to the office. If the President is unable to perform his or her regular duties, either because of sickness, leave, TDY or for some other legitimate reason, he or she shall delegate the responsibilities of that office to the officer designated in the local's bylaws as provided for in Section 4 of this Article.

Section 4. The local shall prescribe in its bylaws that the Treasurer or Secretary (or such other officer as the local may establish) shall assist the President in performing the duties of that office. If the President is absent from a local meeting, the officer so designated will preside. In the absence of the President and the officer so designated to assist him or her, a chair will be chosen by the members from among those in attendance.

Section 5. The duties of the Treasurer shall be to maintain a bookkeeping system as prescribed by the National Secretary-Treasurer; make a financial report at each regular meeting; keep an up-to-dated roll of the members; receive all monies and/or dues paid into the local and receipt thereof; keep records of all transactions; deposit money in the bank to the credit of the local; make regular monthly reports to the NST, which includes furnishing names and addresses of all new members or members who have severed their affiliations with the local and furnishing notification of changes in members' addresses; forward initiation fees and per capita tax to the National Headquarters in accordance with the requirements of the AFGE National Constitution (for regular locals per capita tax is payable before the end of each month, and all monies owed the Federation must be forwarded to the NST not later than the 20th day of the following month. *See* AFGE National Constitution, Article XIX, Section 3(a). For insured locals per capita tax is

payable in advance to the NST before the first day of each month. *See* AFGE National Constitution, Article XIX, Section 3(b); and perform additional duties and responsibilities as outlined in the AFGE Financial Officers Manual. Disbursement for payment of current bills (other than initiation fees, per capita tax and approved budgeted expenditures) shall be approved by the local.

Section 6. The duties of the Secretary shall be to keep a complete record of the minutes of all meetings; maintain all election related documents (including copies of those pertaining to nominations, notices of meetings and minutes of any meetings, all of which must be sealed and preserved for one year after the election), *see* AFGE National Constitution, Appendix A, Part I, Section 5(j); keep up-to-date the official copy of the bylaws of the local; conduct correspondence when directed by the President; and send out notices of meetings when required.

Section 7. No officer or agent of the local shall engage in any business or financial activities with or on behalf of this local which conflict with his or her fiduciary obligation to the local.

ARTICLE VII *Election Procedures*

Section 1. The local's elections shall be conducted in accordance the AFGE National Constitution and Appendix X thereof. Officers shall be elected for such terms as prescribed by the local's bylaws. No term shall exceed three (3) years.

Section 2(a). In accordance with Appendix A, Part I, Section 1(e) of the AFGE National Constitution, the sole qualification for candidacy to local office are that a member must:

- (1) be a member in good standing;
- (2) be a member for one year of an AFGE local, immediately preceding the closing of the nomination process. This requirement does not apply to newly created locals;
- (3) not be a member of any labor organization not affiliated with the AFL-CIO.

See AFGE National Constitution, Appendix A, Part I, Section 1(e).

Section 2(b). No person who is identified with corrupt influences or who is affiliated with the Communist party or other totalitarian movements may serve as an officer of the local.

Section 3. The local shall prescribe in its bylaws the manner by which its elections will be conducted: manual ballot or mail ballot.

Section 4. In the case of a vacancy in the office of President, such officer as may be prescribed by the local's bylaws shall fill the office for the unexpired term. Vacancies in any other office unless otherwise prescribed by the local's bylaws shall be filled for the unexpired term by appointment by the Executive Board.

ARTICLE VIII

Executive Board and Committees

Section 1. The Executive Board shall meet at the call of the President.

Section 2. It shall be the duty of the Executive Board to devise and initiate such actions as may be necessary in the interim between the local's meetings, but such actions shall not be inconsistent with the objectives of the Federation and shall be subject to local approval.

Section 3. Expenditures by the Executive Board in excess of \$500 per month must have prior approval of the local's members either as authorized by the budget approved by the local or by separate vote of the local's members. All expenditures authorized by the Executive Board will be reported in writing at the next regular meeting of the local. Upon request a copy of such report will be made available to any member in good standing of the local.

Section 4. The Executive Board shall prepare an annual budget subject to the membership's approval, which shall ensure at a minimum that the local's revenues are sufficient to meet its financial obligations.

Section 5. Standing and special committees may be established in the manner prescribed by a local's bylaws.

ARTICLE IX

Delegates

Section 1. Delegates, alternate delegates and proxy delegates to the National Convention, district caucus, council meetings must be elected by name and in accordance with applicable provisions of the AFGF National Constitution. *See* AFGF National Constitution, Article VI, Article VIII and Appendix A, Part I, Section 6.

Section 2. The local's President if elected to that office shall serve as a delegate to the National Convention, district caucus, council meetings and such other meetings at which the local is entitled to representation. If the local is entitled to additional delegates, the additional delegates shall be elected by an election called for that purpose, unless the local's bylaws prescribe that the local's other officers shall serve as delegates by virtue of their office.

ARTICLE X

Offenses, Trials, Penalties, Appeals

Section 1. All offenses, trials, penalties and appeals shall be accomplished in accordance with the AFGE National Constitution. *See* AFGE National Constitution, Article IX, Section 5 and Article XVIII.

ARTICLE XI

Bylaws

Section 1. The local shall establish bylaws, establishing among other things the frequency and location of regular meetings, provisions for call special meetings, a regular order of business, provisions for a quorum, the date, manner and location of nominations and elections and other operating procedures of the local.

Section 2. No bylaw shall conflict with the provisions of the AFGE National Constitution, this constitution or, if applicable, the constitution of a national bargaining council.

Section 3. Bylaws shall be adopted and amended only after thirty (30) days notice to the local's membership and by two-thirds vote of members present and voting.

Section 4. Copies of this constitution and the local's bylaws shall be available upon request to the Secretary to all members in good standing of the local.