

CONSTITUTION AND BY-LAWS
LOCAL 3908

PREAMBLE

For the purpose of promoting unity of action in all matters affecting the mutual interest of civilian governmental employees in general and for the improvement of the governmental service, we, as members of Local No. 3908, American Federation of Government Employees, adopt this constitution and bylaws.

ARTICLE I

NAME

Section 1. This organization shall be known as Great Lakes Environmental Research Laboratory Local No. 3908, American Federation of Government Employees.

Section 2. The headquarters of this local shall be Ann Arbor, Michigan.

ARTICLE II

OBJECTIVES AND METHODS

Section 1. The objective of this local shall be to promote the general welfare of civilian governmental employees.

Section 2. The local shall strive to promote the efficiency in the governmental service and shall advance plane of improvement to be secured by legislative enactment through cooperation with governmental officials and by other lawful means.

Section 3. This local does not advocate the overthrow of the constitutional form of government in the United States and is not subject to corrupt influences or influences opposed to basic democratic principles. In terms of membership, the local will not discriminate because of race, color, creed, sex, age, political affiliation, handicapping condition, marital status, preferential or non-preferential civil service statue, or national origin.

Section 4. This local will comply with provisions of Public Law 95-454, where applicable.

ARTICLE III

MEMBERSHIP, DUES AND EXPENSES

Section 1. Civil employees in the actual service of Great Lakes Environmental Research Laboratory of NOAA , Ann Arbor, Michigan, shall be eligible for membership in this local as provided for in Article III, Section 1, of the AFGE National Constitution. The local shall have full power to elect or reject eligible applicants for membership. However, if the local has been accorded exclusive recognition rights, it will abide by the provisions of Public Law 95-454 which requires that all qualified applicants be allowed to join. All membership applicants shall be voted on in regular local meetings.

Section 2.

- (a) The initiation fee shall be an amount equal to one hour of the applicant's gross pay.
- (b) The dues shall be \$12.00 biweekly.
- (c) Applicants must wait a minimum of 30 days after the application is received before membership is processed.
- (d) The dues for retired members shall be \$20.00 annually.
- (e) Dues must be paid in advance.
- (f) Members may be dropped if dues are not paid by Tuesday of the last full work week of the month.
- (g) Local representatives, collectors and shop stewards shall make remittance of all dues and initiation fees collected to the treasurer (secretary-treasurer) within 5 days and no later than the Thursday of the last full work week of the month.

Section 3. All receipts, checks and cash disbursements shall be properly recorded and accounted for in the financial records of this local. The treasurer shall sign and the president shall counter-sign checks covering proper expenditures of the local. In the absence of either officer, an Executive Committee member may sign. The officers, agents, shop stewards or other representatives of employees of this local who handle funds or property thereof shall be bonded in accordance with Public Law 95-454 and regulations issued by the Assistant Secretary of Labor pursuant thereto.

Section 4. This local will comply with the reporting requirements of Public Law 95-454.

ARTICLE IV

OFFICERS AND DUTIES

Section 1. The elected officers of this local shall consist of: an executive council of at least 3 members, Secretary, and Treasurer.

Section 2. The officers shall be elected by secret ballot and by a majority vote of the valid ballots cast. All officers must be elected in accordance with election provisions of the AFGE National Constitution. All election protests must be filed in accordance with the provisions of the AFGE National Constitution.

Section 3. To be qualified as a candidate for local office, a member must have been a member of the local for at least one (1) year and must have attended during the preceding year at least four (4) meetings or one-half (1/2) of the meetings officially held, whichever is fewer.

Section 4. No person who is identified with corrupt influences or who is affiliated with the Communist party or other totalitarian movements or who maintains membership in any labor organization not affiliated with the AFL-CIO may serve as an officer of this local.

Section 5. The membership shall elect an Election Committee to conduct the election. The Election Committee shall consist of not less than three (3) members; and if a larger Committee is required, it shall contain an odd number of members. No member of the Committee shall be a candidate for any local office. If a member is disqualified, a successor shall be elected from among those members of the local who are not candidates for office. It shall be the responsibility of the Committee to conduct all aspects of the election, including the mailing of notices of election to all members in good standing, printing the ballots, distributing the ballots, counting the ballots and adjudicating all conflicts which arise out of the election procedure.

Section 6. The election shall be conducted in accordance with the procedure designated in the appendix (election at regular membership meetings).

Section 7. At the candidate's expense, the local will comply with all reasonable requests to distribute, by mail or otherwise, campaign literature in aid of such person's candidacy to all members in good standing. Whenever the local or the officers authorizes such distribution of campaign literature on behalf of any candidate of the local, similar distribution at the request of any other bona fide candidate shall also be made, with equal treatment as to the expense of such distribution. The local will refrain from discrimination in favor of or against any candidate with respect to the availability of lists of members.

Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have observers of his or her choice (who are AFGE members) at the polls and at the counting of the ballots.

In any election held by secret ballot, a reasonable opportunity shall be given for the nomination of candidates. Every member in good standing and otherwise qualified shall be eligible to be a candidate and to hold office and shall have the right to vote for or otherwise support the candidate or candidates of his/her choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by the local or any member thereof. Not less than fifteen (15) days prior to the election, notice thereof shall be mailed to each member at his/her last known address. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by the employer for payment to the local pursuant to voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office by reason of alleged delay or default in the payment of dues. The votes cast by members of the local shall be counted, and the results published separately. The secretary shall preserve for one year the ballots and all other records pertaining to the election.

No monies by way of dues, assessment or similar levy shall be contributed or applied to promote the candidacy of any person in an election. Such monies may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of an election.

Section 8. The duly elected officers shall hold office until their successors shall have been elected and duly installed, unless sooner disqualified under Section 10 of the Article.

Section 9. In the case of a vacancy on the executive council (less than 3 members), a special election shall be held after due notice to members at the first meeting following such notice. Interim vacancies in any other office shall be filled by special election after due notice to members at the first meeting following such notice.

Section 10. Any officer who moves beyond the jurisdiction of the local during his/her term or office or who ceases to be a member in good standing shall thereby automatically forfeit said office. The vacancy caused thereby shall be filled under the provision of Section 9 of this Article.

Section 11. The members of the executive council shall be the executive officers of this local. As such, they shall preside at all local meetings; shall plan and pursue policies within the framework of the national Constitution which will promote the welfare of the local; shall sign all documents appertaining to their office; and shall make appointments of committees established by the local, provided that all appointments, if made between local meetings, shall be subject to approval at the next meeting of the local following such appointments.

Section 12: The executive committee shall designate one member as president pro tempore. The president pro tempore will receive official mail, faxes, and other materials deliverable to the union local's executive

council. The members of the executive council shall serve as ex-officio members of all committees except the election committee.

Section 13. The duties of the secretary shall be to keep a complete record of the minutes of all meetings; to keep up to date the official copy of the constitution and by-laws of the local and have custody of the local seal; to conduct correspondence when directed by the president; and to send out notices of meetings when required.

Section 14. The duties of the treasurer shall be to make a financial report at each regular meeting; to keep an up-to-date roll of the members; to receive all monies and/or dues paid into the local and receipt thereof; to keep records of all transactions; to deposit money in the bank to the credit of the local; to make regular monthly reports to the National Secretary-Treasurer, which includes furnishing names and addresses of all new members or members who have severed their affiliations with this local; to forward initiation fees and per capita tax to the national headquarters; and to perform additional duties and responsibilities as outlined in the AFGE Financial Officers Manual. Disbursements for payment of current bills (other than initiation fees and per capita tax) shall be authorized by the local.

ARTICLE V

COMMITTEES AND DUTIES

Section 1. Only elected officers of this local shall constitute the Executive Committee. They shall meet at the call of the executive council.

Section 2. It shall be the duty of the Executive Committee to devise and initiate such actions as may be necessary in the interim between the local meetings; but such actions shall not be inconsistent with the objectives of the Federation and shall be subject to local approval. Expenditures by the Executive Committee in excess of \$250 per month must have prior approval by the local membership. All expenditures authorized by the Executive Committee 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 in this local.

Section 3. In the case of vacancy in any office of this local, the Executive Committee may appoint a temporary officer to fill such vacancy until a duly qualified successor is elected in accordance with the provisions of Article IV, Section 9.

Section 4. Special committees may be established as the local may direct, and the membership of such committees, with the exception of the Election Committee, shall be appointed by the executive council with the advice and consent of the Executive Committee. Standing Committees shall be Audit, Legislative, Organizing, EEO and Program.

ARTICLE VI

MEETINGS

Section 1. Regular meetings of the local shall be held once a month at a time and place selected by the local.

Section 2. Special meetings may be called by the executive committee or upon written petition of at least 10 percent of the membership. A five (5) day written notice of the specific purpose of the meeting must be given to the membership. No business other than that specified in the notice will be discussed.

Section 3. Only members of the local in good standing shall be allowed to vote.

ARTICLE VII

DELEGATES

Section 1. Such delegates and alternates to the National Convention, District Caucus, Council Meetings or other meetings participated in by this local, as the local may be entitled, shall be elected at a meeting called for such purpose by majority vote by secret ballot of the members in good standing present and voting, providing proper notice of such election meeting has been given. The president protempore, by virtue of his/her office, is automatically a delegate.

Section 2. To be qualified as a candidate for local delegate, a member must have been a member of the local for at least one year and must have attended during the preceding year at least four (4) meetings or one-half (1~) of the meetings officially held, whichever is fewer.

ARTICLE VIII

OFFENSES, TRIALS, PENALTIES, APPEALS

Section 1. All offenses, trials, penalties and appeals shall be accomplished in accordance with the AFGE National Constitution.

Section 2. The constitution and by-laws of AFGE Local 3908 shall not be inconsistent with the National Constitution of the American Federation of Government Employees.

ARTICLE IX

AMENDMENTS

Section 1. With the exception of a change in dues, the constitution and bylaws of this local may be amended by a two-thirds vote of the members present at any regular meeting provided the amendment to be voted on has been presented in writing and read at the preceding regular meeting of the local.

Section 2. All amendments adopted by the local shall become effective immediately, following notice of approval by the National Executive Council.

Section 3. A change in dues structure will be accomplished by 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 by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot.

BY-LAWS

Section 1. Regular meetings of the local will be held on the second Tuesday of each month at 2205 Commonwealth Blvd., Conference Room, at 11:30 a.m.

Section 2. Special meetings may be called by the executive council when necessary to the interest of the local or when properly requested by the members as provided in Article VI, Section 2.

Section 3. The regular order of business will be:

- a. Roll call of the officers
- b. Reading of the minutes of the previous meeting
- c. Report of financial condition by local Treasurer
- d. Reports of committees
- e. Unfinished business
- f. New business
- g. Comments for the good of the local
- h. Adjournment

Section 4. A quorum of this local shall consist of not less than 5 members. A quorum of any committee shall consist of a majority of the members thereof.

Section 5. All questions before the local will be decided by vote of the members present first by voice vote, then by a showing of hands, and then by roll call if requested by 25 percent of the members present.

Section 6. The time allowed for debate of any particular issue before the local and the time allowed for speeches will be governed by circumstances and by majority vote of those present. Any limitation as to time allowed for debate may be extended by a majority of those present and voting.

Section 7. Nomination of officers shall be held in December, elections shall be held in January, and installation shall be held in January of each year.

Section 8. All officers will be administered the "Officers' Obligation" contained in the AFGE National Constitution upon their installation in office. The oath shall be administered either by an outgoing member of the executive council president, the national vice president, or his/her designee.

Section 9. Robert's Revised Rules of Order shall govern the proceedings of all meetings of the local, when not inconsistent with the provisions of the constitution and by-laws of this local.

Section 10. These by-laws may be amended by a two-thirds vote of members as provided in Article IX of the local constitution.

Section 11. Copies of this constitution and by-laws shall be available to all members in good standing upon request to the Secretary.

DATE OF ADOPTION: 20 October 1981

President

Vice President

Treasurer

Secretary

APPENDIX: ELECTION BY MANUAL BALLOT AT REGULAR MEMBERSHIP MEETINGS

1. The local shall give timely notice of nomination reasonably calculated to reach all members in good standing and informing such members of the offices to be filled as well as the time, place, and form for submitting nominations.
2. At the regular meeting prior to the election the local shall elect an Election Committee to conduct the election.
3. Nominations of candidates for officer positions shall also be made at this meeting.
4. The treasurer or secretary-treasurer shall furnish to the Election Committee the names and addresses of all members in good standing. The Election Committee shall mail notices of election to all such members not less than fifteen (15) days prior to the election meeting specifying the time, date and place of possible runoff elections.
5. The Election Committee will prepare ballots listing the candidates and will furnish to each member a ballot and an envelope in which the ballot should be placed. The Committee shall also provide locked ballot boxes in which members may deposit the envelopes containing the ballots. Each ballot box will be under the personal supervision of a member of the Election Committee. The Committee will make appropriate arrangements to insure that each members votes a secret ballot.
6. The officers shall be elected by the members in good standing present and voting, provided a quorum of the members in good standing is present. If a quorum is not present at this meeting, the election shall be held at the next regular meeting at which a quorum is present.
7. Members who, for acceptable reasons, will be unable to attend the election meeting, shall, upon written request to the Chairperson of the Election Committee, be furnished ballots and properly marked envelopes in which to send their ballots to the Election Committee Chairperson. The absentee ballots shall be opened and counted with the remainder of the ballots.
8. The Election Committee shall tabulate the ballots at the conclusion of the balloting and report the results to the local president. The results shall be posted on the union bulletin board.
9. A majority vote will constitute election.
10. If no candidate receives a majority of the votes cast, then a runoff election shall be conducted between the two candidates receiving the highest number of votes for each office until a candidate is elected by a majority of votes cast, provided the date, time and place for such election were included in the original notice of election.