

SOUTHWEST MARYLAND BAY AREA LOCAL

AMERICAN POSTAL WORKERS UNION, AFL-CIO

CONSTITUTION

PREAMBLE

WE BELIEVE Postal Service employees must rely upon their own organized efforts to improve their positions.

WE BELIEVE the most effective way of improving the salary and working conditions of the postal service employees and of promoting their general welfare is through a strong democratic union, affiliated with the American Trade Union Movement.

WE BELIEVE the best interest of all Postal Service employees can be served through a strong union and we pledge every effort to achieve this end.

ARTICLE 1 - NAME

SECTION 1. This organization of postal employees, by virtue of the July 1, 1971 national merger of the National Association of Post office and General Service Maintenance Employees, AFL-CIO; National association of Special Delivery Messengers, AFL-CIO; National Federation of Post Office Motor Vehicle Employees, AFL-CIO; National Postal union; and United Federation of Postal Clerks, AFL-CIO shall be known as the Southwest Maryland Bay Area Local (SWMBAL) of the American Postal Workers Union, AFL-CIO.

ARTICLE 2 - OBJECTS

SECTION 1. The object of this organization shall be to unite postal employees in a democratic labor union to promote the economic welfare of the working class everywhere, and to aid in the betterment of the postal service.

SECTION 2. It shall be the object of this Local to be in full affiliation with the American Federation of Labor Congress of Industrial Organizations (AFL-CIO); the American Postal Workers Union, AFL-CIO; the Postal Press Association; and the Maryland-DC State American Postal Workers Union, AFL-CIO.

ARTICLE 3 – MEMBERSHIP

SECTION 1. Any person employed in a non-supervisory position by the Post office is eligible for regular membership. No ineligibility shall be imposed because of race, sex, creed, color, or age.

SECTION 2. The local may issue Honorary Memberships, provided that such memberships be limited to persons actually being or having been employed in the Postal Service, and that no discrimination on account of race, sex, creed, color, or age shall be imposed. Honorary members shall have no vote in the proceedings of the Local nor shall they hold office.

SECTION 3. The local may issue associate memberships to those who desire to retain/obtain the APWU Health Plan, Accident Benefit Association, Voluntary Benefit Plan, or other such Union sponsored programs.

SECTION 4. Any employee having complied with Sections 1 and 2 of Article 3 shall automatically be a member.

SECTION 5. Retention of Membership: Members of this Local who retire from the Postal Service may maintain full membership with all rights of such membership by continuing to pay full per capita taxes to the APWU plus whatever the Local's dues may be.

SECTION 6. Membership of this Local who frequently serve as supervisors or who are promoted to a permanent supervisory position may retain their membership in this Local, however, they shall not be eligible to serve as a delegate or a representative of this Local. In addition, they shall not be entitled to a voice or vote on the proceedings or attend any business meeting of this Local.

#### ARTICLE 4 - DUES

SECTION 1. Member dues shall be determined by the Executive Board from time to time. Dues shall reflect the local's financial obligations including the payment of assessments and per capital taxes to affiliated organizations. Such organizations may include the American Postal Worker's Union, AFL-CIO, (National). Maryland state and District of Columbia APWU, the Postal Press, Accident Benefit Association and others as determined by the Executive Board.

SECTION 2. The dues of the Local for an honorary member must be in accordance with the National Constitution and by-laws of the APWU, Article 3, Section 3.

SECTION 3. The dues of the Local of an Associate member will be derived by the same formula in Article 4, Section 1.

SECTION 4. Any member who fails to pay their dues for three (3) consecutive months shall be suspended from the Local. Notice of such suspension shall be given him/her in writing by the

Secretary. If, at the end of four (4) months a member is still in arrears, s/he shall be dropped from the rolls unless extenuating circumstances are made known to the Executive Board.

SECTION 5. A member automatically suspended for non-payment of dues can only be reinstated to membership on application by a two-thirds (2/3) vote of members present in a regular meeting or by paying in full all dues and claims against him/her.

SECTION 6. Any special assessments, excepting those levied by organizations with whom we are in full affiliation and are therefore obligatory, shall be levied by a two-thirds (2/3) vote of the membership present and voting at a Special Meeting.

## ARTICLE 5 – MEETINGS

SECTION 1. Meetings will be held once a month with the exception of December. Meetings shall be rotated between various locales, but not limited to Annapolis/Crownsville, Glen Burnie, and the Frederick/Mt. Airy areas. The local president may cancel a regularly scheduled meeting for cause, such as inclement weather or other emergency or other unforeseen events. The President may change the time and location for a regularly scheduled meeting with one week's prior notice. The local secretary or president shall see to it that such notice shall be posted on the local's web site if possible and mailed to each member post office for posting.

SECTION 2. Regular meetings normally shall be called to order promptly at 7:30 PM, the second Tuesday of each appropriate month. Regular meetings shall not exceed three (3) hours except by two-thirds (2/3) vote of attending members in good standing.

SECTION 3. A quorum shall consist of six (6) members in good standing.

SECTION 4. Only regular members in good standing shall be allowed a vote at meetings of this Local.

SECTION 5. The President shall call a special meeting upon the written request of five per cent of (5%) of the members in good standing or by a vote of the members at a local meeting or by vote of the executive board.

SECTION 6. No criticism, reflection, argument, or debate touching on any member's creed, color, nationality, age, sex, or political affiliation, shall be allowed at any meetings of this Local. In addition, no offensive personal remarks shall be allowed at any meeting of this Local.

## ARTICLE 6 - OFFICERS

SECTION 1. The officers of this Local shall consist of President, Executive Vice President, Area

Vice-President, Vice-President at Large, Secretary, Area Vice- President, Treasurer, Director of Clerk Craft, Director of Maintenance Craft, Director of Motor Vehicle Craft, Sergeant-at-Arms, Health Plan Representative, Editor, and three (3) Trustees. If possible they will be selected from the clerk, maintenance and motor vehicle craft. No officer of this local may simultaneously hold a supervisory or acting supervisory position with the U.S. Postal Service.

SECTION 2. Appointed officers. The appointed officers of this local shall be Sergeant at Arms, Health Plan Representative and Editor.

SECTION 3. Area Vice Presidents. The Local Executive Board may establish "areas" - subordinate jurisdictions, reflecting the Local's changing needs, particularly with regard to the merger or assimilation of other entities or individuals into the local. Such areas shall be administered by an area vice-president who shall be elected from and have administrative authority for that jurisdiction. After the Executive Board has voted to establish an area, the President may appoint an area vice-president to administer that jurisdiction until the next regular election.

## ARTICLE 7 - DUTIES OF OFFICERS

SECTION 1. President:

(a) It shall be the duty of the President to preside at all meetings of this local, preserve order and enforce the Local's Constitution and By-Laws. S/he shall be the Associate Editor of the official organ of the SWMBAL, APWU and s/he shall direct and correlate the actions of the Editor when necessary. S/he shall be a member of all committees. S/he shall appoint all committees not otherwise provided for. S/he shall be responsible for all work of this Local. All Officers, Stewards, and Committee Members of this Local shall work under his/her supervision. S/he shall see that all Local officers, Stewards, and Committee Members perform their duties. In case of non-performance of duties or incompetence on the part of any Local officer, Steward, or Committee Member, the President shall have the power to suspend such Officer (elected or appointed), any Steward, or any Member of this Local for just cause until appropriate action may be taken as outlined under this constitution. The President shall at any time have the right to remove any committee member appointed by the President.

(b) The President shall fill all vacancies with the approval of the Executive Board.

(c) S/he shall be the official spokesperson for the Local.

(d) S/he shall sign all orders drawn by the Treasurer and counter-sign all checks. S/he may, with the approval of the Local Executive Board, designate a deputy to sign in his/her stead.

(e) S/he may, with approval by a majority of the members at any regular meeting, be empowered to employ such personnel as may be required to effectuate the programs of this Local.

(f) S/he shall by virtue of his/her office be a delegate to the APWU, AFL-CIO Convention; the Maryland-DC State APWU, and appropriate union function(s).

(g) S/he shall upon approval of the Executive Board be reimbursed for receipted expenses incurred during the performance of his/her duties. Mileage will be paid as per Article 10.

(h) The SWMBAL shall pay the necessary monies toward the President's Civil Service and the employer's share of the FICA retirement plan. Contributions and benefits shall not be less than those provided by the U. S. Postal Service, the Civil Service, and FICA Retirement Act as amended from time to time.

SECTION 2. Executive Vice-President: The Executive Vice-President shall perform the duties of the President in case of his/her absence or inability to attend to the duties of the office. S/he shall by virtue of his/her office be a delegate to the APWU, AFL-CIO Convention; the Maryland-DC State APWU, AFL-CIO Convention; and appropriate union function(s), if more than just the President attends. S/he shall be responsible for all phases of training and legislation. S/he shall be Chairperson of the Local Constitution and By-Laws Committee. S/he shall countersign all checks for this Local when the President or the Treasurer is absent or unable to attend to the duties of their office. She/he shall perform such other duties as may be assigned by the President.

SECTION 3. Area Vice-President. The Area Vice-President shall oversee the handling of all grievances in his/her area. He/she shall have the same responsibilities respective to his/her area as the Vice-President at Large or Craft Directors. He/She will have the authority to certify and decertify shop stewards with the approval of the President. He/She will be responsible for training and legislation with the approval of the President. He/she shall be a delegate to the National Convention, the State Convention, AFL-CIO Convention and other Union functions assigned by the President. (Example only, Frederick area Vice-President, shall retain administrative authority for employees of the Frederick Post Office; i.e., all offices formally represented by the Frederick local, # 2315)

SECTION 3. Vice-President at Large: The Vice-President-at-Large shall be responsible for crafts not covered by the Local's Directors of Craft. His/her duties will be the same as the Directors of Craft. S/he shall assist the Clerk Craft Director. S/he shall perform such other duties as may be assigned by the President.

SECTION 4. Secretary: The Secretary shall keep a correct and impartial record of the proceedings of the Local, read all communications and attend to the correspondence of the Local. S/he shall have charge of all papers, documents, and records not assigned to other officers. S/he shall have an up-to-date register of membership along with the name and

address of each member. S/he shall perform such other duties as may be assigned by the President.

SECTION 5. Treasurer: The Treasurer shall receive and deposit all monies for the Local. S/he shall also be the official custodian of all monies of the Local. S/he shall distribute all monies by check, countersigned by the appropriate officer. S/he shall keep a regular and systematic book account and make a written report at each regular Local Meeting of the monies received and paid out and balance on hand and shall be ready to submit same for examination. All securities and papers representing investments and funds of this Local shall be in the possession of the Treasurer who shall be responsible for their safekeeping. S/he shall perform such other duties as may be assigned by the President.

SECTION 6. Directors of Craft: The Director of each Craft shall be responsible for his/her craft. Each Director shall be responsible for the handling of all grievances from within his/her craft. Each Director may be a member of the Labor-Management Committee and may be a member of the Local's Negotiating Team. S/he shall perform such other duties as may be assigned by the President.

SECTION 7. Trustees: The Trustees shall, at least annually, audit all books and financial records of the Local. They shall submit a written report of their findings at the next regular meeting of this Local. S/he shall perform such other duties as may be assigned by the President.

SECTION 8. Editor: The Editor shall be responsible for preparation, publication, and distribution of the official organ of this Local, and s/he shall designate such assistants as s/he deems necessary for the successful completion of that work. S/he shall solicit ads, not to exceed 50% by volume of the official organ. S/he shall cause to have published up to twelve (12) issues of the official organ each calendar year. S/he shall perform such other duties as may be assigned by the President.

SECTION 9. Sergeant-At-Arms: The Sergeant-At-Arms shall have charge of the door and allow no unauthorized entry. They shall see that all members present sign the attendance record. S/he shall perform such other duties as may be assigned by the President.

SECTION 10. Hospital Representative: The Hospital Representative shall be responsible for the administration of the Hospital Plan for the Local. They must be a member of the Plan. S/he shall perform such other duties as may be assigned by the President.

SECTION 11. It shall be the duty of every officer at the expiration of his/her term of office, by resignation or otherwise, to turn over all the books, papers, records, monies, or other properties belonging to this Local to his/her successor or the Board of Trustees as directed by the President or Executive Vice-President.

## ARTICLE 8 - EXECUTIVE BOARD

SECTION 1. The Executive Board shall consist of the following officers: President, Executive Vice-President, Vice-President- at-Large, Area Vice-President, Secretary, Treasurer, and the Directors of Craft.

SECTION 2. Four (4) Executive Board officers shall constitute a quorum of the Executive Board.

SECTION 3. The Executive Board will meet at least quarterly and at other times deemed necessary by the President or by request of three (3) or more members of the Executive Board.

SECTION 4. The Executive Board shall be vested with the power to make or allow needed expenditures up to \$800.00. Any expenditures over \$800.00 must be brought before the Local Membership meeting and be approved by majority vote.

SECTION 5. Every Executive Board member shall notify the Secretary or Treasurer of their intended absence from the Executive Board meetings or inability to perform their constitutional duties. Upon failure of any Executive Board member to attend three consecutive meetings and/or seminars, or perform his/her duties during the term of office, without a valid reason approved by the Executive Board, that person shall be removed from office with said office declared vacant by the President subject to a two-thirds ratification vote of the Executive Board present and voting.

#### ARTICLE 9 - STEWARDS

SECTION 1. The Officers of this local may act in the capacity of a Steward as appointed by the President and approved by the Executive Board.

SECTION 2. Stewards shall be appointed by recommendation of the President, the Area Vice-President or the appropriate Director of Craft.

SECTION 3. Stewards shall meet qualifications, standards, and training requirements as set forth by the Executive Board.

SECTION 4. Stewards may only be removed upon the recommendation of the President or the appropriate Director of Craft, with the approval of the Executive Board. Any steward so removed shall have the right to appeal his/her case before the membership meeting. After through investigation the Executive Board shall render a final decision.

#### ARTICLE 10 - SALARIES AND COMPENSATION

SECTION 1. The Southwest Maryland Bay Area Local, APWU salary structure/cost per month:

Section 1. All salaries and compensation shall be based on the USPS pay rates (grade/step). Whenever there is a Cost of Living Adjustment (COLA) or salary increases via the USPS, The below rates will keep in step with these changes. In the case of a retired member, the pay rate shall correspond with the grade/step they had attained at the time of their retirement and shall be at that grade/step at the current GS grade/step rate (which also includes any COLA increases and salary increases via the USPS).

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President: Shall be paid by the hour at the USPS FTR rate of Grade 7 level O, including all Cost of Living Adjustments and salary increases, for all time spent representing the union. Such representation shall include but not be limited to: information source for members, acting as shop steward for offices without stewards, advocating grievances at arbitration, attending conferences, seminars and conventions.

Vice President: Shall be paid by the hour at the USPS FTR rate of Grade 7 level O, including all Cost of Living Adjustments and salary increases, for all time spent representing the union. Such representation shall include but not be limited to: information source for members, acting as shop steward for offices without stewards, advocating grievances at arbitration, attending conferences, seminars and conventions.

Area Vice President: Shall be paid by the hour at the USPS FTR rate of Grade 7 level O, including all Cost of Living Adjustments and salary increases, for all time spent representing the union. Such representation shall include but not be limited to: information source for members, acting as shop steward for offices without stewards, advocating grievances at arbitration, attending conferences, seminars and conventions.

Secretary: Shall be paid by the hour at the USPS FTR rate of Grade 7 level O, including all Cost of Living Adjustments and salary increases, for all time spent performing the duties of the secretary.

Treasurer: Shall be paid by the hour at the USPS FTR rate of Grade 7 level O, including all Cost of Living Adjustments and salary increases, for all time spent performing the duties of the treasurer.

Editor: Shall be paid by the hour at the USPS FTR rate of Grade 7 level O, including all Cost of Living Adjustments and salary increases, for all time spent performing the duties of the editor.

Stewards: Stewards mandated to attend educational classes or seminars on non-scheduled days shall be compensated for up to eight (8) hours pay per day on a straight time basis.

Any member/steward directed by the President (or authorized by the membership via referendum vote) to render services for or on behalf of the local, shall be compensated by the

local at their regular hourly rate for services rendered on behalf of the local.

Section 2. The Local shall reimburse officers, stewards, and members for lost annual leave incurred by using Leave Without Pay (LWOP) to perform union business. The Local will reimburse eight (8) hours straight pay for every eighty (80) LWOP hours incurred per calendar year.

Executive Board.

SECTION 3. Normal expenses incurred shall also be reimbursed by the Local upon approval of the Executive Board. Per Diem (meals) will be reimbursed at the prevailing GSA rate. Mileage shall be reimbursed at the prevailing GSA rate.

SECTION 4. Members, (except President, if involved in mergers or organizational drives) who sign up new members shall be compensated \$10.00 for each new member.

SECTION 5. It shall not be the policy of this Local to monetarily compensate members serving in other than a Local capacity.

SECTION 6. All vouchers or bills must be submitted to the Union by the end of January of the following year in which the expense occurred.

## ARTICLE 11 - ELECTIONS

SECTION 1. The officers of this Local's Executive Board shall be elected by secret referendum ballot. They will serve for a period of three (3) years.

SECTION 2. The officers of this Local not members of the Executive Board shall be the three (3) Trustees. They shall be elected by a secret referendum ballot. They shall serve for a period of three (3) years.

SECTION 3. The appointed officers of this Local shall include the Sergeant-At-Arms, the Health Plan Representative, and the Editor. All shall be appointed by the newly elected President and approved by the new Executive board. They shall serve for a period of three (3) years.

SECTION 4. All elected Delegates from this Local to the State and National Conventions shall be elected by secret referendum ballot. Elected Delegates to all other conventions shall be elected by secret ballot at the first regular meeting of the membership after the meeting at which nominations are made. Alternates to the requisite number of delegates shall be taken from

those candidates who poll the next largest number of votes.

SECTION 5. Delegates to the APWU National Convention shall be the President, Executive Vice-President, Area Vice-President and highest vote receiver in each craft. Delegates' seats and alternates not filled by the two smaller crafts with eligible candidates may be filled by eligible candidates from the clerk craft. The number of delegates and the compensation will be recommended by the Executive Board and voted on at a membership meeting. These delegates and alternatives will be nominated and selected by highest votes at a membership meeting.

SECTION 6. Delegates to the APWU State Convention shall be the President, Executive Vice-President, Area Vice-President and those nominated and voted on at a membership meeting. Delegates' seats and alternates not filled by the two smaller crafts with eligible candidates may be filled by eligible candidates from the clerk craft.

SECTION 7. By virtue of his/her office the President and Executive Vice President shall be a delegate to all appropriate special conventions of the APWU. The Editor, by virtue of his/her office, shall be a delegate to the Postal Press Association Convention. The Secretary and Treasurer, by virtue of their offices, shall be delegates to the Secretary/Treasurer convention and/or training. The Craft Directors, by virtue of their office shall be delegates to the All Craft Convention.

SECTION 8. A member shall be eligible to be nominated at the regular January meeting of this Local to hold an elective office, and/or be a delegate if the member is in good standing for six (6) consecutive months prior to the time of nomination. To be an eligible candidate for a craft position, the candidate must be a member of that craft. No member shall be eligible to run or to hold more than one (1) elective position in this local at any one time.

SECTION 9. The Local's Editor shall print in the February issue of the official organ articles contributed by candidates for contested positions, not exceed three hundred (300) words, and all such articles shall be submitted not later than January 30th to be valid for printing. The Editor shall print in the February issue of the official organ a sample ballot. All candidates must be treated fairly as to any publication of a paper, as well as being permitted to examine official membership lists within thirty (30) days prior to the election. Candidates must be permitted to examine but shall not be permitted to make copies of the same list.

SECTION 10. The President shall select, within five (5) days after the January meeting, an Election Board to consist of a Chairperson and two (2) additional members with alternates to be designated as needed. No member of the Election Board may be a candidate for or a holder of any elective position in the Local.

SECTION 11. It shall be the duty of the President to provide the Election Board with a mailing

list by January 20th so that the ballots will be mailed out by February 15th. To be eligible to vote a member must be in good standing according to the official records of the Local on January 19th. Ballots shall be accompanied by a copy of the printed voting instruction and two (2) envelopes. The larger envelope shall be stamped and have printed upon its closing flap on the back side, for the purpose of identification, the words: "Ballot of ..." (voter's name must be in blank space along with the craft designation, if necessary, of the voter) and shall be address to "Election Board, SWMBAL, APWU, AFL-CIO, P. O. Box ... (Post office box #, City, State and Zip code to be determined by the Election Board)". To be valid, returned ballots must be in the designated post office box after completion of the first class mail as verified by the designated post office on March 3rd or the first business day thereafter. The outer envelope in which the ballot, instructions, return envelope, and the small unmarked envelope are mailed to the members shall be prepared as follows: Printed in the upper left hand corner shall be "After five (5) days return to, Election Board, SWMBAL APWU, AFL-CIO, P. O. Box ..., designated City, Sate and Zip Code". The word "BALLOT" shall be printed in bold letters in the lower left hand corner of the envelope. No other matter shall be enclosed.

SECTION 12. The member voting shall indicate his/her choice for each of the candidates names by making a cross (x) or check ( ) opposite the name of the candidate for whom s/he wishes to vote. The voter shall then seal his/her ballot in the small envelope, without any writing, or other means of identification upon it, and enclose this envelope in the larger one in accordance with the instructions enclosed with the ballot.

SECTION 13. Write-in votes shall not be valid, counted, or considered. Any qualified unopposed candidate after nominations have been closed for that position shall be declared elected and his/her name shall not appear on the ballot.

SECTION 14. Ballots to be valid shall be in the designated Post Office Box after the completion of the first class mail on March 3rd or the first business day thereafter and retrieved on that day by two (2) or more members of the Election Board. The Chairperson of the Election Board shall be responsible for having tally sheets prepared, showing the votes by each craft if necessary. Counting of ballots must be completed by March 7th or first business day thereafter.

SECTION 15. The ballots must be counted with all three members or their appropriate alternates present. It shall be the duty of the election board to post the official election results upon APWU bulletin boards within seventy-two (72) hours after the results are known. It shall be the duty of the Chairperson of the Election Board to announce the results at the Local's regular March meeting of the membership. Upon completion of the counting of the ballots by the Election Board the results shall be declared official.

SECTION 16. Plurality vote shall elect in all cases except as enumerated in Article 11 Sections 5 & 6.

SECTION 17. In case of a tie vote, the Election Board shall take from the designated post office box those ballots received after the distribution of the first class mail on March 3rd or the first

business day thereafter through distribution of the first class mail on March 5th or the first business day thereafter. These late ballots shall only be used to break ties. If a tie vote still exists, a run-off election will be held.

SECTION 18. Elected officers shall be elected by mail ballot of members for a three (3) year term effective with installation at the regular March meeting of the Local

SECTION 19. Members of the Election Board, once appointed, are clothed with full power to conduct the election for which they are appointed, within the meaning of this Article. Members of the Election Board shall have the power to collect back dues and give receipts for the same, thus allowing the members to vote. The requisite number of delegates receiving the highest number of votes shall be declared elected. Alternates to the requisite number shall be those who poll the next highest number of votes. A ballot may be received by the Election Board under protest. Validity of the same to be determined afterwards by the member's standing. All such ballots shall be marked for identification and shall be certified by the Election Board.

SECTION 20. (a) An Election Committee consisting of a Chairperson and two additional members shall be appointed by the Executive board and announced at the January membership meeting. They shall act upon any controversies or grievances arising out of the election process. (For the purpose of this article the term "election process" shall include nominating procedures.) No member of the Election Committee shall be a member of the Election board nor shall they be a candidate for or a holder of any elective or appointive office in the Local. (b) Any member eligible to vote who feels aggrieved with the conduct of the election process has the right to file a grievance with the Election Committee within seventy-two (72) hours after his/her grievance arises, but not later than ninety-six (96) hours after the results have been declared official. Any decision made by the Local's Election Committee may be appealed to the National Election committee. This appeal shall be in writing setting forth all the relevant facts upon which the appeal is based. The appeal to the National must be made within five (5) days of the Local Election Committee's decision on the member's grievance. Elected officers elected through the Local's election procedure shall assume and hold the elected office pending final decision on the appeal to the National Election Appeals Committee. The SWMBAL Local Election Committee shall have authority to adopt rules and regulations as it deems desirable to promptly accommodate the objective of this article.

## ARTICLE 12 - VACANCIES

SECTION 1. In the event of the death, resignation, or removal of the President, the Executive Vice-President shall fill the vacancy of the unexpired term of said office.

SECTION 2. In the event of death, resignation, or removal of a Craft Director, the Secretary will, within five (5) days after the vacancy, post a letter on appropriate bulletin boards, requesting

applications from the appropriate craft members for said vacancy. Any applications must be submitted in writing to the Secretary of the Local within ten (10) days from the date of the posting of the notice. At the next regular meeting of the Executive Board, after the ten (10) day application period, the President will fill the vacancy with the approval of the majority of the Executive Board.

SECTION 3. The President shall fill all other vacancies from any cause whatsoever, subject to the approval by a majority of the members of the Local Executive Board.

#### ARTICLE 13 - INITIATIVE AND REFERENDUM

SECTION 1. Excluding the filling of vacancies under Article 12, should the action of the Local, at any of its regular or special meetings, prove unsatisfactory to any member; s/he may prepare and circulate a petition causing said action to be brought to a vote of the entire membership.

SECTION 2. Should any resolution, question or amendment be re-considered and withdrawn at any subsequent regular or special meeting, said petition shall be considered as not in force.

SECTION 3. Before the circulation of such petition the Secretary must be notified in writing of such action and shall be furnished with a draft or copy of the proposed question, resolution or amendment.

SECTION 4. Upon securing a number of signatures equal in number to fifteen percent (15%) of the members in good standing, as certified by the secretary, a referendum vote must be taken.

SECTION 5. Said petition must be filed with the Secretary at least one week before the following meeting of the Local, subsequent to the circulation of the petition, in order that the Secretary may certify that the requisite numbers of members in good standing have signed the petition and that the petition is valid.

SECTION 6. The Secretary shall read the petition at the next regular meeting following its circulation, and if valid, the President shall appoint a Board of Election consisting of a chairperson and two members.

SECTION 7. All voting shall be held at a place convenient to the membership, to be selected by the Board of Election. Such an election shall be held not later than the next meeting date, but by a two-thirds (2/3) vote, the election may be postponed not to exceed six (6) months.

SECTION 8. The balloting shall be conducted at a place or places of polling within the hours designated and ordered by the Board of Election. A member in order to exercise his/her right to vote, shall be required to visit a polling place and deposit his/her ballot in person, providing that an elector shall have the option of mailing his/her ballot to the Board of Election. Such mailed

ballot shall be received not later than the closing hour of polls.

SECTION 9. The Board of Election shall provide sample ballots of the question, resolution or amendment to be voted upon, and cause the same to be given publicity through the medium of the various stations and the bulletin boards of the Local.

SECTION 10. The Board of Election in the performance of their duties, shall be guided by the same powers granted the Board of Election under Article 11 of this Constitution where not herein provided for.

SECTION 11. Any member or members, who so desire, may submit arguments at the expense of this Local, of not more than five hundred words for or against such questions, resolutions or amendments, to the Board of Election, who shall have the same printed and furnish a copy in conjunction with the ballot to each elector. One argument on each side may be printed. In case more than one argument on either side has been submitted, the Board of Election shall return them to their authors with the instructions to condense them into one argument. Said arguments must be in the hands of the Board of Election at least two (2) weeks before the date of counting of the referendum vote.

SECTION 12. No question, resolution or amendment adopted by a referendum vote of the members in good standing of this local shall be repealed or amended within six (6) months after adoption, except by a referendum vote.

SECTION 13. Any member of this local, may by motion, submit any question, resolution or amendment, excluding issues dealing with the filling of vacancies, to a vote of the entire membership, said election to be held in the same manner as provided in this Article with the exception of the recall of others.

#### ARTICLE 14 - COMMITTEES

SECTION 1. All committees shall perform the duties assigned to them within a reasonable time and report back to this Local.

SECTION 2. No regular member shall be excused from committee work unless s/he can give reason, but no member shall be compelled to serve on two committees at any one time.

#### ARTICLE 15 - FINANCIAL POLICY

SECTION 1. The financial policy of this Local shall be to keep expenditures within the income derived from the dues of this Local. Extra assessments should be discouraged.

SECTION 2. If, in the opinion of the Executive Board, the action of any meeting of the local in appropriating funds endangers the above policy, the Executive Board shall withhold such funds until the matter can be settled by a secret referendum vote.

SECTION 3. The maximum allowance for delegates to APWU National Convention, APWU State Convention, Postal Press Association Convention, and any special conventions should not exceed the recommendation of the Budget Committee.

#### ARTICLE 16 - RECALL AND REMOVAL

SECTION 1. Recall proceedings may be instituted against any officer (elected or appointed) or any member of this Local by presentation at a meeting of the Local of written charges signed by thirty percent (30%) or more regular members of the Local in good standing to the effect that said officer or member has failed to perform the duties of his/her office and/or acted in a manner detrimental to the welfare of the union and the membership.

SECTION 2. Appeals system within the Local. (The appeals system under this Article shall not include the removal of stewards outlined under Article 9, Section 4.) The following are procedures that shall apply in the case the charges are levied against the officer(s) or against any member(s). Those protests on Local elections can be handled with the same procedures.

SECTION 3. The person(s) preferring the charge shall do so by writing specific and detailed charges and presenting those charges to the Local.

SECTION 4. The President shall appoint one member of the Hearing Committee, the appellant shall appoint one member of the Hearing Committee, and these two shall appoint, by mutual consent, a Chairman of the Hearing Committee. None of these three members is to be involved in any way with the incident.

SECTION 5. After a reasonable length of time to prepare a defense, a full and fair hearing shall be conducted by the Hearing Committee.

SECTION 6. The Hearing Committee shall report to the next meeting of the Local and that meeting shall accept or reject the committee decision.

SECTION 7. The meeting's decision may be appealed under the provisions of Article 15 of the National Constitution. Administrative assistance or advice for this appeal shall be provided by the Local, if requested by the appellant.

#### ARTICLE 17 - AMENDMENTS

SECTION 1. Amendments to the Constitution and By-Laws, unless submitted and approved by two-thirds (2/3) of the Executive Board, may only be submitted annually. Those members desiring to submit proposed amendments will submit them in writing and signed by not less than five (5) regular members in good standing. Such proposed amendments shall be submitted to the Constitution and By-Laws committee for their recommendation on or before September 10. The Constitution and By-Laws committee will give the first reading during the month of October. The proposed amendments shall be acted upon after the second reading and the recommendation of the Constitution and By-Laws committee which will be made during the month of November. The adoption of proposed amendments shall require a two-thirds (2/3) vote of all regular members present.

SECTION 2. When proposed amendments are submitted by the Executive Board other than at the regular annual meetings the proposed amendments shall be read at two consecutive meetings and acted upon after the second reading. Their adoption shall require the same approval as those submitted during the regular annual meeting.

SECTION 3. Whenever elections, dues, initiation fees, or assessments are involved, a secret ballot is mandatory.

## ARTICLE 18 - BY-LAWS

SECTION 1. Nothing in this Constitution and By-Laws shall conflict with the National Constitution and By-Laws.

SECTION 2. Members must notify the President of any changes of residence as soon as possible.

SECTION 3. During the temporary absence of any officers, the President may appoint a member to fill the vacancy, pro tem.

SECTION 4. Any member desiring to speak on a subject under consideration must arise and address the chair; such members cannot proceed until recognized by the Chair.

SECTION 5. All motions must first be stated by the Chair before they can be debated.

SECTION 6. A motion to lay on the table is not debatable.

SECTION 7. All members in good standing present shall be eligible to vote on all questions before the Local.

SECTION 8. A two-thirds (2/3) majority of the members present at the meeting shall decide in case the chair's decision is appealed.

SECTION 9. When an appeal is called for, the Executive Vice-President shall take the chair and shall put the question in the following manner: "Shall the decision of the chair be sustained?" The chairperson will then be given an opportunity of stating upon what grounds and authority his/her decision was based, after which a vote must be taken without further debate upon the question as stated by the Executive Vice-President.

SECTION 10. Robert's Rules of Order shall be the authority on all questions not covered by the Constitution and By-Laws.

SECTION 11. Any pertinent motions, excluding those which fall under Article 8 Section 4, adopted at the Executive Board meeting, shall be brought to the next Local meeting and be acted upon.

SECTION 12. Any amendment which falls under the purview of Article 17 Section 2, can only be changed in accordance with Robert's Rules of Order.

## ARTICLE 19 - ORDER OF BUSINESS

1. Meeting called to order
2. Roll call of officers
3. Reading of minutes
4. Executive Board report and Treasurer's report
5. Reports of officers and Committees

6. Unfinished business

7. New business

8. Communications and bills and action thereon

9. Good of the Local

10. Adjournment

The order of business may be transposed at any time by a majority vote of the members present at a meeting.

Revised October 2010