

# AFGE LOCAL CONSTITUTION

## ARTICLE I

### Name

**Section 1.** This Local Union shall be known as the American Federation of Government Employees, Local No. 644, AFL-CIO, as set forth in its charter. See National Constitution, Article XIV Section 1.

**Section 2.** The headquarters and mailing address of this local -shall be prescribed in the local's bylaws.

## ARTICLE II

### Objectives and Methods

**Section 1.** This local does not advocate the overthrow of the constitutional form of government in the United States. The local does not discriminate with regard to race, creed, color, national origin, sex, age, political affiliation, handicapped condition, marital status 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 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 National Constitution, Article XVI, Section 1.

**Section 3.** This local is a separate, independent organization functioning in conformance with AFGE's National Constitution. Neither the local nor its officers, employees, members, or other person, 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

All persons eligible for AFGE membership, as prescribed by Article III of the 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 per capita tax and sufficient funds for the operating expenses of the local. See 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 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.

(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.

(c) Local representatives, collectors and shop stewards shall make remittance of all dues and initiation fees collected to the treasurer within 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 National Constitution, Article XIX, Section 6 and 6(d).

**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 National Constitution.

**Section 5.** All books, records and financial accounts shall at all times 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 National Constitution, Article XIX, Section 7.

## ARTICLE VI

### Elected 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.

**(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 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 National Constitution, Article XVIII Section 2(b).

**Section 3.** The president shall be the executive officer of this local. He/she shall exercise general supervision over the affairs of the local and see that other officers comply with the responsibilities of their office and constitutional duties; comply with the National and Local Constitutions; keep the membership apprised of the goals and objectives of the Federation; serve as an ex-officio member of all committees; 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/her regular duties, either because of sickness, leave, TDY or for some other legitimate reason, he/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; 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 the local and furnishing notification of changes in members' addresses; to forward initiation fees and per capita tax to the National Headquarters in accordance with the requirements of the National Constitution (for regular locals dues are payable before the end of each month and all monies owed the Federation must be forwarded to the National Secretary-Treasurer not later than the 20th day of the following month, see National Constitution, Article XIX, Section 3 (a); for death benefit locals dues are payable in advance to the National Secretary-Treasurer before the first day of each month, see National Constitution, Article XIX, Section 3(b); 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, 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 the minutes of any meetings, all of which must be sealed and preserved for one year after the election), see National Constitution, Appendix A, Part 1, Section 5.1; to keep up-to-date the official copy of the bylaws of the local; to conduct correspondence when directed by the president; and to 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/her fiduciary obligation to the local.

## **ARTICLE VII**

### **Election Procedures**

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

**Section 2 . (a)** In accordance with Appendix A, Part 1, Section I.E. of the National Constitution, the sole qualifications for candidacy to local office are that a member must have been:

- a member of an AFGE local for at least one year, immediately preceding the closing of the nomination process;
- be a member in good standing; and

- must not be a member in any labor organization not affiliated with the AFL-CIO.

See National Constitution, Appendix A, Part I, Section I.E.

**(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.** 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 4.** 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 District Caucus, National Convention, and AFGE council meetings must be elected by name and in accordance with applicable provisions of the AFGE National Constitution. See National Constitution, Article VI, Article VI, and Appendix A, Part 1, Section 6.

**Section 2.** The local's president, if elected to that office, shall serve as a delegate to the District Caucus, National Convention, council meetings, and such other meetings at which the local is entitled to representation. If the local is entitled to additional delegates, as prescribed by Article VI of the AFGE National Constitution, 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

All offenses, trials, penalties and appeals shall be accomplished in accordance with the AFGE National Constitution. See National Constitution, Article XIV, Section 11; 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 calling special meetings, establishing 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 30 day 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.

## LOCAL 644 BYLAWS

**Section 1.** The headquarters of the local shall be the residence of the Local 644 President.

**Section 2 . (a)** Regular meetings of the local shall be held once per year during the week of the annual Stewards' training at the location of that training.

**Section 3.** Special meetings may be called by the president, two-thirds vote of the Executive Board, or upon written petition of at least 10% of the membership. Five (5) days 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 4.** Only members of the local in good standing shall be allowed to vote.

**Section 5.** The regular order of business will be:

(a) Roll call of officers

- (b) Reading of the minutes of the previous meeting
- (c) Report of financial condition by Local Treasurer
- (d) Report of committees
- (e) Unfinished business
- (f) New business
- (g) Comments for the good of the local
- (h) Adjournment.

**Section 6.** A quorum of this local shall consist of not less than four (4) members. A quorum of any committee shall consist of a majority of the members thereof.

**Section 7.** 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% of the members present.

**Section 8.** The time allowed for debate of any particular issue before the local and the time allowed for speeches will be governed by the circumstances and by majority vote of those present. The time allowed for debate may be extended by a majority of those present and voting.

**Section 9.** The General officers of this Local who comprise the Executive Board are as follows:

President

Executive Vice President

Treasurer

Recording Secretary

Agency Vice Presidents

**Section 10.** In any agency that has four (4) or more Stewards (i.e. ESA, MSHA, OSHA) that agency shall have an elected Vice President for that agency, and that Vice President shall be a member of that Agency and elected by members solely of that Agency. BAT shall have an elected Vice President regardless of the number of Stewards, and that Vice President shall be a member of BAT and elected by members solely of BAT. ***In MSHA there will be two Vice Presidents, one for Coal and the Technical Centers and one for Metal/NonMetal\****

---

\* Adopted by membership in General Election November 2001 and filled by Special Election February 2002.

**Section 11.** The duties of the Agency Vice President(s) shall consist of handling the day to day questions of members and Stewards of the Agency, and providing advice and counsel to members and Stewards of the Agency relative to representational matters.

**Section 12.** The duties of the Executive Vice President shall be to assist the President in the performance of the duties of that office. The Executive Vice President if elected to that office shall serve as delegate to the National Convention, district caucus, council meetings, and such other meetings at which the local is entitled to representation. 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/she shall delegate his/her responsibilities to the Executive Vice President. This delegation shall be in writing and must be communicated to the Executive Board and the membership. The delegation shall cease at the will of the President. See Local Constitution Article VI, Sections 3, 4.

**Section 13.** In the case of a vacancy in the office of President, the Executive Vice President shall fill the office for the unexpired term, and a special election shall be held to fill the office of Executive Vice President. Vacancies in any other office shall be filled for the unexpired term by appointment by the Executive Board. At the election of the Executive Board, vacancies in offices other than the Executive Vice President, may be filled by a special election rather than by appointment. The length of the unexpired term of the vacancy and costs of the special election will be taken into consideration in determining the filling of the vacancy by appointment or special election. Special elections will be conducted by mail ballot. See Local Constitution, Article VII, Section 4.

**Section 14.** Nomination of officers shall be held in October; elections shall be held, by mail ballot, in December; and officers shall take office on January 1, of the succeeding year; after proper notice to local members. (These functions may be combined if the local so desires). See National Constitution, Appendix A, Part 1, Section 3. Candidates shall not run for more than one elected office; however, the running as a delegate shall not be in conflict with an elected officer position. A runoff election, if necessary, shall be held.

**Section 15.** All officers will be administered the "Officers Obligation" contained in the AFGE National Constitution upon their installation in office. Officers shall serve for three (3) year terms beginning January 1, 1990, with elections held the preceding December, beginning December 1989. (Note: Terms shall not exceed three years from installation.)

**Section 16.** An Election Committee consisting of three (3) members shall be nominated and elected by majority vote of local members at the same time elections are held for the Local's officers. The same procedures shall be followed as specified in the Bylaws, Section 14. See National Constitution, Appendix A, Part 1, Section 2.

**Section 17.** The current edition of "Robert's Rules of Order" shall govern the proceedings of all meetings of the local, when not inconsistent with the provisions of the standard local constitution, the AFGE National Constitution, or these bylaws.

**Section 18.** The local's delegates to the National Convention, District Caucus, and national council meetings, after proper notice to the local's members, see National Constitution,

Appendix A, Part I, Section 3, shall be elected by mail ballot, excepting the local's President and Executive Vice-President, who if elected to those offices serve by virtue of office. At that or a subsequent meeting, the local shall vote upon the authorization of funds for the delegates' attendance at the National Convention, caucus, or council meetings. See National Constitution, Appendix A, Section 6.D. Members of Local 644 voted to fund only two (2) delegates, effective January 1996.

**Section 19.** Expenditures by the Executive Board in excess of \$250 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. See Local Constitution, Article VIII, Section 3. 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 of the local.

**Section 20.** All checks covering proper expenditures of the local shall require two (2) signatures. The Treasurer, President, and Executive Vice-President have authorized signature authority.

**Section 21.** Such committees as may be established by the local, shall be comprised of members "appointed by the President subject to the approval of the Executive Board" (except for the Election Committee, see Section 16 of these bylaws), or elected by the local's members. Standing committees shall be: Audit committee, Policy committee, Legislative committee, and Membership committee.

**Section 22.** The initiation fee for members shall be \$2.00 See National Constitution, Article XIV. Section 7(a)5 and 7(b)5.

**Section 23.** The dues shall be \$8.50 per pay period per active member, effective January 1996. Any increase in AFGE per capita will automatically result in an increase in the Local's dues, calculated as a \$1.50 increase in the Local's dues for each \$1.00 increase in the AFGE per capita. Any increase in the NCFLL per capita will automatically result in an increase in the Local's dues, calculated as \$1.00 increase in the Local's dues for each \$1 .00 increase in the NCFLL per capita This is an automatic pass through dues structure which was voted on and approved by mail ballot in December 1991, and became effective January 1, 1992. The dues for retired members shall be \$2.00 per month per member and, shall not be affected by increases in the AFGE and NCFLL per capita. Any other increases in the Local's dues will have to be brought before the membership and voted on at a special election or it a regular Local election.

**Section 24.** This Local prefers to use the Payroll deduction plan to the greatest extent possible for dues collection in accordance with applicable agreements with the U.S. Department of Labor. It shall be the responsibility of the member to forward the dues to the Treasurer if she/she can not use the payroll deduction plan.

**Section 25.** The Local will comply with the campaign rules met forth in the AFGE National Constitution, Appendix A, Put 1, Section 4.

PRESIDENT:

/s/ Jim Weyrauch

SECRETARY or SECRETARY/TREASURER:

/s/ Helen Williams

June 7, 2002