

APWU OF MAINE



AMERICAN POSTAL WORKERS UNION, AFL-CIO

**CONSTITUTION AND BYLAWS
2008-2010**

CONSTITUTION

ARTICLE I

TITLE

This organization shall be known as the American Postal Workers Union of Maine, AFL-CIO.

ARTICLE II

OBJECTIVES

Section 1. The objectives of the American Postal Workers Union of Maine, AFL-CIO shall be to unite the postal employees in one brotherhood for their social and economic advancement and to aid in the perfection of the Postal Service. It has been demonstrated by past experience that the trade movement as exemplified in the American Federation of Labor, AFL-CIO is the best and most practical method for advancing the interest of all wage earners. Therefore, we desire to remain in full affiliation with that body. It shall be the purpose of the American Postal Workers Union of Maine, AFL-CIO to advance the interest of the postal employees and Postal Service, and to aid all workers in distress.

Section 2. We favor an amalgamation of all postal employees organization and affiliation of this amalgamated body with the American Federation of Labor, AFL-CIO.

Section 3. We recognize the fact that arbitration is the last resort in the adjustment of our grievances.

Section 4. We favor an affiliation of all postal employees and the affiliation of this body with the AFL-CIO, the Maine State Labor Council AFL-CIO, and their local Central Labor Union Council.

ARTICLE III

ELIGIBILITY TO MEMBERSHIP

Section 1. Any non-supervisory employee, regardless of level or grade within the jurisdiction of the APWU is eligible for membership. Those accepted for membership shall pay full per capita tax plus whatever dues may be required by his/her local union. No person eligible under the above provisions shall be denied membership because of sex, age, creed, color, political affiliation, or nationality.

Section 2. A person may be elected to Honorary Membership by a majority vote of the convention.

Section 3. The local union shall be granted the right to allow members of their organizations, who have separated themselves from the Service or who may have been promoted to supervisory grades the right to retain their membership: provided that members promoted to the supervisory grades shall not be eligible to hold National or State office and cannot be seated as delegates at conventions. They must pay the per capita tax.

ARTICLE IV

TIME OF CONVENTION

Section 1. The American Postal Workers Union of Maine, AFL-CIO shall convene at such place as shall be determined by a majority of delegates assembled in convention. All locals are encouraged to bid for the convention, with the intent to utilize more areas of the state. The successful local shall be responsible for the convention arrangements with final approval as to which weekend (Sat. & Sun.) of the months of March, April, May, or June shall be made no later than the Fall meeting of the State Executive Board. The State Executive Board shall meet prior to the opening of the state convention.

Section 2. Money spent by convention cities for entertainment of visiting delegates shall be limited to comfort necessary for business sessions of the convention.

Section 3. Not more than **five hundred (\$500)** dollars each year shall be allowed from the Treasury of this Union to help pay the expenses of the local which entertains the convention.

Section 4. It shall be the responsibility of the State Organization to invite guests and speakers, keeping the interests of the host local in mind.

ARTICLE V

REPRESENTATION AND VOTING

Section 1. At least a thirty-day notice will be mailed to all Members-At-Large and to all member locals that there will be an election of officers in the election year.

Section 2. no local shall be represented by proxy. A delegate must be a member in good standing of the local, which they represent and must not be employed in any other office other than than of the Local, which they represent.

Section 3. Election of officers shall be by secret ballot.

Section 4. One or more delegates shall cast the full number of votes to which the local is entitled, on a roll call vote. At offices where Members-At-Large are located, and no local exists, such office shall be entitled to one vote. Locals will be eligible to cast votes under this section according to the following formula: 5% of the total states dues for the previous fiscal year with any percentage over one full vote being counted as another full vote.

Section 5. Representation shall be base on the average membership paid for one year, provided, however, that any Local upon originally joining this State Union, will be entitled to representation at the next following state convention. Locals or Members-At-Large who are delinquent will not be entitled to representation at conventions.

Section 6. Alternate delegates may be seated in the absence of regular delegates upon presentation of proper credentials.

Section 7. Locals are entitled to representation at state conventions at the ratio of one delegate for each five paid members or portion thereof.

Section 8. Voting for officers, for delegate or delegates to the National Conventions, and on Amendments to the Constitution, shall be in accordance with Section 4 of this Article, except that when there is no contest for an officer or delegate, the Secretary shall cast one ballot for such position. Voting on the routine business of the convention shall be by the members assembled, except that upon motion made and seconded if one-third or more of the delegates desire it, the procedures of Section 4 of this Article shall be followed on the subject then under debate.

Section 9. Each delegate in Committee shall have one full vote.

Section 10. Any delegate while conducting union business for this State will not be mandated on any vote.

ARTICLE VI

COMMITTEES

Section 1. Prior to the start of the convention, the President shall select and name from among the attending Delegates, members to serve on the committees necessary to conduct the business of the convention.

Section 2. An ELECTION COMMITTEE will prepare a slate of officers and/or delegates considered qualified to run for office by including the name of any member who has expressed such an interest to any committee member. Before having the name placed in nomination, committee members shall poll the named individual as to their willingness to accept a nomination. The committee shall not be comprised of anyone desiring to run for delegate or office thus avoiding a potential conflict of interest. They shall be responsible for preparing, distribution, and tallying of all ballots.

Section 3. The CONSTITUTION COMMITTEE as one of their duties shall select a qualified member in good standing to act as Parliamentarian for the convention, who shall serve in accordance with Robert's Rules of Order.

Section 4. A FINANCE COMMITTEE consisting of three members shall be responsible to audit the books of this organization. They shall examine and verify all records and assets of this organization.

Section 5. A CREDENTIALS COMMITTEE shall be responsible for verifying the accuracy of the credentials for all delegates assembled in convention. They will be responsible for preparing and distribution of credentials at the convention. They shall be required to give at least two daily reports which shall include at least the following information: # State Officers, # Delegates, # Alternates, # MALs, # Offices represented, # Locals represented, and # Guests present.

Section 6. A RESOLUTIONS COMMITTEE shall be made responsible for collecting and screening all resolutions submitted at the state convention. The Committee shall recommend concurrence, non-concurrence, or referral of all resolutions.

Section 7. A CONVENTION COMMITTEE shall be responsible for soliciting bids for future host locals for conventions, and/or seminars, and shall be responsible for presenting this information to the assembled delegates.

ARTICLE VII

UNTITLED

Section 1. Officers of the American Postal Workers Union of Maine, AFL-CIO shall consist of a President, Executive Vice-President, Secretary/Treasurer, Legislative Director, and OWCP Representative, and eight Area Vice-Presidents. Seven of these Area Vice-Presidents shall be employed in or retired from the district, which they represent and shall be elected by the delegates only from that district. Those districts shall be: 040 to include 045 & 048, 042, 043, 044, 046, 047, and 049. The eight Area Vice-President shall be considered an Area Vice-President-at-Large. All officers shall be duly elected by accredited delegates at conventions during even numbered years. A majority vote upon written ballot shall be necessary to elect. Officers elected shall hold office for two years or until their successors are elected.

Section 1a. That no candidate may be nominated for, or hold office in the American Postal Workers Union of Maine, AFL-CIO who is in an acting supervisory position. That any elected officer of the APWU of Maine, who commences to act in a supervisory position, shall relinquish that office.

Section 2. The Executive Board of the Union shall consist of all the elected officers of the Union. The President shall serve as Chairperson of this Board.

Section 3. The President shall submit all requests for attendance to out-of-state functions, meetings, seminars, etc. to a majority vote of the Executive Board except as provided in ARTICLE VII, Section 7 & ARTICLE VIII, Section 1.

Section 4. National Delegates - The State Organization may be represented at the National Convention by one or more delegates as recommended by the Executive Board, and subject to the will of the convention delegates. The Delegate(s) shall submit a written report to the Secretary of the State Organization covering his/her activities. A Copy shall be published in the edition of the MAINE STATE POSTAL WORKER following the convention. All legitimate expenses of the delegate(s) shall be paid by the State Organization, a copy of which must be filed with the State Treasurer.

Section 5. The Treasurer shall be authorized by the President to pay any reasonable expenses incurred by any member of the Executive Board while on this Union's business. Mileage payment will be at the current applicable IRS rate.

Section 6. All delegates in attendance at the state convention are encourage to wear clothing and other articles, in as far as possible bearing the union label and/or "Made in the USA".

Section 7. The President or his/her designee shall be authorized to attend three New England State Conventions with actual expenses and lost time paid, providing the funds are available.

ARTICLE VIII

DUTIES OF OFFICERS AND COMMITTEES

Section 1. (PRESIDENT). It shall be the duty of the president to preside at all conventions and meetings of the Executive Board. He/she shall appoint all the necessary committees at each convention He/she shall be a member ex-officio of all committees. He/she shall fill any vacancies for any cause whatsoever, subject to the approval of the Executive Board, until such vacancy is filled by election. He/she shall submit to each convention a written report of his/her official acts during his/her term and perform such other acts as this Organization may require of him/her. The State President shall be a delegate to the national convention, providing the funds are available.

He/she shall designate territory to any state officer of the Organization for the specific purpose of organizing, and furthering the aims and growth of this organization. It shall be his/her responsibility to publish the state newsletter with whatever help he/she may feel necessary to appoint. He/she shall be allowed all expenses incurred in the administration of this office and shall be allowed such additional sums as agreed upon at convention. His/her salary shall be **\$750.00** annually, providing funds are available.

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 the duties of his/her office. He/she shall, under the supervision of the President assist in handling grievance matters, organization, and legislative matters and such other duties as may be assigned to him/her by the President. his/her salary shall be **\$450.00** annually, providing the funds are available.

Section 3 (a). (AREA VICE-PRESIDENTS). Vice-Presidents shall be employed in an office of the district they represent and shall be elected only by members of that district. The recognized districts are as follows: PORTLAND to include BATH and ROCKLAND, AUBURN, AUGUSTA, BANGOR, ELLSWORTH, HOULTON, and WATERVILLE. The Vice-Presidents shall have jurisdiction over legislative, grievance, and organizational matters within their district under the supervision of the President. It shall further be the duty of the Vice-Presidents to increase the membership, reinstate delinquent locals, induce cooperation between members and promote the good and welfare of the Organization. Each Vice-President shall be paid the current IRS rate for all mileage and necessary expenses, as well as lost time during the performance of these duties. Each Vice-President should further endeavor to keep abreast of all procedures and instructions relative to the Executive Order on Union recognition and with full knowledge in negotiations and arbitrating issues. They shall assist in all matters that may arise relative to this problem. Their salary shall be **\$375.00** annually, providing the funds are available.

Section 3 (b). (AREA VICE-PRESIDENT at LARGE). This Area Vice-President at Large shall be employed and or retired from any district. He/she shall be elected by all delegates. The duties and responsibilities shall remain the same as the other Area Vice-Presidents with the inclusion that the At-Large Area Vice-President shall act as additional coverage for any of the other Area Vice-Presidents, or act at the discretion of the President. His/her salary shall be **\$375.00** annually providing the funds are available.

Section 4 (a). (SECRETARY/TREASURER). SECRETARY. The Secretary shall keep and maintain a record of correct membership of each local and Member-At-Large as well as name and address of each member. He/she shall keep a record of all meetings and all other records of this Union. He/she shall submit a written report to the convention showing the number of locals and Members-At-Large of all changes in the Constitution and By-laws within (60) days of the annual convention. In the event of death or resignation of the President, the Secretary shall call a meeting of the entire Executive Board for the purpose of selection of a new President. A majority of the Executive Board shall prevail in the selection, by a secret ballot. He/she shall further be responsible for all communication transpiring within the State Organization. He/she shall be allowed all expenses incurred in the administration of his/her office and shall be allowed such additional sums as agreed upon at the convention.

Section 4 (b). TREASURER. The Treasurer shall receive and deposit all money from all of the locals of the Union and Members-At-Large. He/she shall be the official custodian of all moneys of this Organization. He/she shall disburse all money by check.

He/she shall submit a written report to the convention and to all Executive Board members and Local Presidents on a quarterly basis of all moneys received and disbursed. He/she shall notify all locals and Members-At-Large who become three (3) months in arrears. At least thirty (30) days prior to the annual convention, he/she shall notify each local of the number of delegates to which it is entitled. Expenses incurred in the administration of his/her office shall be allowed. His/her salary shall be **\$750.00** annually, providing the funds are available.

Section 5. (LEGISLATIVE DIRECTOR). The Legislative Director shall have charge of and, under the supervision of the President, shall direct all activity of the Union in regard to legislation of interest to members and perform such other duties as the Union may require of him/her including full participation in conferences, or meetings that may be called for legislative purposes. He/she shall serve as liaison with Senators and Congressman and will coordinate the activities of the membership in their districts in respect to our legislative objectives. He/she shall prepare a publicity program, whenever deemed necessary by the Union, expenses of which would be paid by the State Organization. Other expenses will be paid as approved by the State President. His/her salary shall be **\$300.00** annually, providing the funds are available.

Section 6. (OWCP REPRESENTATIVE). He/she shall familiarize himself/herself with the rules and procedures governing the Injury Compensation Program. He/she may attend any classes, seminars, and other appropriate training programs, which will assist him/her in the performance of his/her duties, subject to the approval of the Executive Board. Other expenses will be paid as approved by the State President. His/her salary shall be **\$300.00** annually, providing the funds are available.

Section 7 (a). (EXECUTIVE BOARD). The Executive Board, consisting of all elected Maine Union Officers, shall oversee all business of the Union not otherwise called for. The President shall serve as Chairperson of the Board. The actions of the Executive Board shall be determined by a majority vote of its members present.

Section 7 (b). The entire Executive Board must meet as needed.

Section 7 (c). It shall be the duty of the Executive Board to administer all property of this Union. They shall have the power to invite a limited number of guests. Members of the Executive Board shall be allowed all necessary expenses and lost time for attendance at board meetings and conventions that such Board members are authorized to attend. A quorum for all Executive Board meetings shall be two-thirds of all elected officers.

Section 8. State officers shall be reimbursed at their current applicable straight time rate for LWOP used on official business for the State organization. If LWOP exceeds 79.99 hours, that affected officer will be reimbursed lost leave.

Section 9. All officers' salaries will be paid semi-annually, on April 1st and October 1st, providing the funds are available.

ARTICLE IX

REVENUES AND CHARTERS

Section 1. The fiscal year of this Union shall begin on April 1st and end on March 31st.

Section 2 (a). The revenues of this Union shall be derived from a per-capita tax of 75 cents per quarter, per member, payable annually.

Section 2 (b). Dues from participating locals will be \$3.00 per represented member, payable annually.

Section 2 (c). Dues for Members-At-Large (MALs) shall be that established by the National Union with the amount in excess of the per capita rebated to the State Organization. This is adjusted periodically. The rebate per Member-At-Large (MAL) as of 4/01/2007 was \$10.14 biweekly.

Section 3. Special assessments shall be voted on by delegates at convention. A 2/3 majority vote of all delegates present shall be required for approval of the assessment before it shall be levied.

Section 4. Any local which becomes delinquent in payment of dues shall be notified in writing by the Treasurer of this delinquency and given thirty (30) days to rectify this delinquency. If the delinquency is not rectified within thirty (30) days they shall be suspended from membership.

Section 5. A suspended local may be reinstated in this State Organization upon full payment of all arrears.

Section 6. No local shall be assessed more than \$300.00 per fiscal year.

ARTICLE X

MEMBERS-AT-LARGE

Section 1. Any APWU bargaining unit employee eligible for membership in this State Organization may become a Member-At-Large (MAL) provided, however, that no local union exists in that office where employed.

ARTICLE XI

PROHIBITIONS

Section 1. No criticism, reflection, argument or debate touching any member's creed, color, sex, or nationality or political party discussions, shall be allowed at any meeting of this State Organization or any of its Executive Committee meetings.

ARTICLE XII

INITIATIVE AND REFERENDUM

Section 1. Any local or state convention assembled of the American Postal Workers Union of Maine, AFL-CIO may prepare and circulate a petition for the purpose of causing a question of importance or amendment to the Constitution to be brought to the vote of the whole organization. The question or amendment may be wholly new or be one rejected, only the rejected part shall be brought to a vote.

Section 2. Before circulating such a petition the Secretary of this Union shall be notified in writing of such action and furnished a copy or draft of the proposed question, resolution, or amendment. If such petition is subscribed to by a majority vote of the delegates in convention assembled or by signatures of two locals in good standing, the Secretary must submit such question or amendment to a referendum vote.

Section 3. Said petition shall be filed with the Secretary at least sixty days before referendum election. The Secretary shall notify the different locals so that the secretaries of each local may obtain record of the vote of his local. He/she shall also submit a ballot to each Member-At-Large in good standing.

Section 4. All elections shall be held by the locals according to their constitutions and the results shall be forwarded to the State Secretary in sealed and attested envelopes not later than ten days after the election has been ordered. Locals shall vote by referendum. The Secretary shall turn the seal and attested envelopes over to the President intact. The President shall open and tabulate the contents in the presence of the other members of the Executive Committee. The Secretary shall then notify all members of the Union as to the final results.

Section 5. It shall require a majority of votes to decide all questions other than amendments to the constitution, which shall require a 2/3 affirmative vote to carry and decide.

Section 6. The referendum election shall be held during the first week in November of each year.

Section 7. Each local shall be considered as having cast as many votes as are cast by their respective membership. Members-At-Large shall be entitled to a 1/3 vote each.

Section 8. No question, resolution, or amendment adopted by a referendum vote of the State membership may be repealed or amended within one year after election except by a referendum election.

ARTICLE XIII

RECALL

Section 1. A majority vote of the membership locals who have sufficient proof at hand to show that a State Officer or Officers have acted dishonestly or otherwise in a manner detrimental to the best interest of the rank and file of members may file a petition for recall with the Executive Committee. A copy of the charges, which shall be made in duplicate form, must be submitted with the petition for recall.

The Executive Committee shall send one copy of the charges to the officer against whom charges have been filed.

The officer who has had recall proceedings filed against him/her shall be given opportunity for defense. Fifteen days shall be allowed for him/her to reply to the charges. The reply must be in writing.

If after fifteen days the Executive Committee has failed to receive a reply, they shall proceed with the recall election. Copies of the charges and the reply shall be sent out with each ballot and shall not contain more than one thousand words each.

ARTICLE XIV

STATE PAPER

Section 1. The official publication of the American Postal Workers Union of Maine, AFL-CIO shall be known as the MAINE STATE POSTAL WORKER. It shall give adequate publicity to the policy formulated by the convention: to advance our legislative aims, to disseminate information of general interest, to publicize all activities sponsored by the Union. It shall be sent out to all APWU offices, branches, and stations throughout the state.

ARTICLE XV

AMENDMENTS

Section 1. This constitution shall not be amended except by a 2/3 majority vote of all votes cast at the State Convention or by referendum of the whole membership.

Section 2. Changes to this constitution shall become effective at the end of each convention.

BY-LAWS

ARTICLE 1 *ORDER OF BUSINESS*

Section 1.

1. Roll-call of Officers
2. Report of Committee on Credentials
3. Roll-call of Delegates
4. Report of Officers
5. Report of Finance Committee
6. Report of Special Committees
7. Unfinished Business
8. Report of Standing Convention Committees
9. Naming of place of next Convention
10. Secretary's Report - if current meeting
11. Election of Officers
12. Adjournment

ARTICLE II *QUORUM*

Section 1.

Twenty Delegates shall constitute a convention quorum, but less than that number may adjourn to meet at a later, future specified time.

ARTICLE III *RULES OF ORDER*

Section 1.

In the absence of other authority the deliberations of this Union shall be governed by Robert's Rules of Order.

ARTICLE IV

AMENDMENTS

Section 1.

Amendments to these By-Laws may be made in the same manner as prescribed for Amendments to the Constitution.