

CONSTITUTION & BY-LAWS

NORTHEASTERN WISCONSIN AREA-LOCAL, AFL-CIO OF THE AMERICAN POSTAL WORKERS UNION, AFL-CIO

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VERSION: August, 2013

NOTE – Current version is dependent upon the latest alteration(s) to our constitution & By-Laws. Latest version has been ratified by vote at a Membership Meeting per these Statutes

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PREAMBLE

We, the postal workers of America, in order to form a more perfect Union, establish this Constitution.

We, who have come from the diverse crafts, believe that: IN UNITY THERE IS STRENGTH.

All postal workers and all members of labor have the right to economic, political and social justice.

All members have the inherent right to earn a living and to be justly paid for the services they perform.

All members have the right to expect to have decent shelter, food, and clothing. They have the right to see that their children have the best of education. The investment of the worker's lifeblood in giving service gives them that right.

All members are created equal with the right to determine their own destiny and to participate in the forces and events that affect them.

All postal workers have the right, regardless of race, color, creed, sex, age, or national origin to hold their heads high and to have respect for themselves as individuals.

We believe, therefore, that in the spirit of the Declaration of Independence and the U.S. Constitution, all members are free and have the right to come together to promote the common cause of all.

We also believe that all members have certain basic rights within our Union and shall secure in those rights. In order to give life to the Preamble to this Constitution itself, the Members Bill of Rights has been established.

OFFICERS' OATH OF OFFICE

I, (name) , having been duly elected to office in the (state) (local) of the American Postal Workers Union, AFL-CIO, do solemnly pledge to uphold the Constitution and Bylaws of the American Postal Workers Union, AFL-CIO and of the (state) (local) .

I further pledge to perform the duties of my office to the best of my ability. I promise that at the conclusion of my term of office, I will turn over to my successor all books, papers, records, and documents that are the property of the APWU (state) (local) .

And I further pledge that once I no longer hold an office with the American Postal Workers Union and am no longer a bargaining unit employee, I will never testify in support of the United States Postal Service in any United States Postal Service Arbitration or administrative hearing about internal Union discussions and/or decisions that are made by the Union or Union leaders in regard to the American Postal Workers Union's contractual positions and/or American Postal Workers Union's internal policies.

I further subscribe and affirm that if I resign or enter into an EAS position, whether detailed or permanent within one year of resignation or completion of term of office, I will subject myself to full reimbursement to the American Postal Workers Union for any and all training I received during the preceding year whether National, State, or Local.

Last but not least, I promise to purchase only union made articles, whenever available. Failure to perform any of the above will mark me as an individual devoid of honor and destitute of integrity.

MEMBERS' BILL OF RIGHTS

1. Every member has the right to be respected as a human being.
2. Every member has the right to be respected as a brother or sister of this Union.
3. Every member has the right to freedom of speech and the right to be heard.
4. Every member has the right to the freedom to listen.
5. Every member has the right to the freedom of the press.
6. Every member has the right to participate in the activities of this Union.
7. Members shall not be denied the right to seek any office or the right to vote in this Union because of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion.
8. Every member has the right to support the candidate of his/her choice and to participate in that right with others.
9. Every member has the right to a fair trial, to be represented by an individual of his or her choice and to proper appeal procedures.
10. Every member has the right to be secure in his or her basic rights without fear of political, economic, physical or psychological intimidation.

Article 1

Name

The name of this organization shall be the
Northeastern Wisconsin Areal-Local,
AFL-CIO, hereinafter known as the Local.

Article 2

Objects

Section 1. It shall be the object of the Local to secure, through collective bargaining and legislative effort, a better standard of living for the members of the Local and their families.

Section 2. The Local affirms its belief in a single Union of all postal workers in non-supervisory levels. The Local will make every effort to bring into being a single Union of all postal workers by merger with other postal Unions, and initiating intense all-out organizing campaigns reflecting the Local philosophy.

Section 3. The Local will vigorously oppose any Labor Union outside the postal service moving into the postal service Union field.

Section 4. The Local will continue to organize the unorganized.

Section 5. To unite within one organization, regardless of sex, race, creed, color, age, political affiliation, or nationality, all employees under the jurisdiction of the Local.

Section 6. To educate our membership in the history of the labor movement and to develop and maintain an intelligent and dignified membership; to vote and work for the election of candidates who favor the passage of improved legislation in the interest of labor, to work for the repeal of laws which are unjust to labor and to the postal workers such as the denial of the right to strike and the denial of the right to support political candidates of their choice; and to educate all members in the area of economic, political, and social justice.

Section 7. To engage in legislative, political education, civic, welfare, and other activities which further, directly or indirectly, the joint interests of the membership of this Union in the improvement of the general economic and social conditions of the United States of America.

Section 8. To work as an autonomous Union affiliated with the American Federation of Labor-Congress of Industrial Organizations, together with other local and state Unions for the solidification of the entire Labor movement, i.e., Wisconsin State AFL-CIO and the Greater Green Bay Labor Council.

Article 3

Membership

Section 1. Any person not exercising supervisory authority in the United States Postal Service is eligible for active membership.

Section 2. No person eligible under the above provisions shall be denied membership because of sex, race, age, creed, political affiliation or nationality.

Section 3. Application to membership in this Local shall be by written application.

Section 4. There shall be three categories of members in this Local: Active, Associate and Honorary.

1. Active membership shall be any person employed by or retired from a bargaining unit position in good standing.
2. Associate membership:
 - a. non-bargaining unit employees
 - b. employees not under APWU jurisdiction
 - c. retired members not desiring active status.
3. An honorary membership is conferred by a majority vote at a regular meeting.

Article 4

Finance

Section 1. Revenues

- A. Active membership dues shall be \$22.74 per pay period.
- B. Associate membership dues shall be \$22.74 per pay period
- C. PSE membership dues shall be \$12.00 per pay period.

Section 2. Membership in the Northeastern Wisconsin Area-Local shall include LOW Option membership in the American Postal Workers-Accident Benefit Association.

Section 3. Change in dues status shall be automatic upon official change in member status.

Section 4. Donations may be accepted if such donations do not conflict with laws, rules of the postal service, or rules of the APWU.

Section 5. Special Assessments:

Notice of special assessments shall be printed in the Local's Organ and shall be brought before the body at the next meeting of the Local. It shall take two-thirds vote of active members voting for adoption of an assessment.

Section 6. Union LWOP

- A. Any member who suffers a loss of annual leave or sick leave due to approved LWOP hours for local Union business shall be made whole for the lost leave.

Section 7. Expenditures

A. All payments of monies of this Local must be accompanied by a voucher signed by the President and Secretary-Treasurer. An expenditure, not otherwise provided for, of more than \$300.00 shall be subject to approval of the membership.

1. All credit card charges will be accompanied by receipts, bill of sales, i.e., all applicable paperwork.
2. All credit card charges will be paid in full as soon as possible after the purchase to avoid interest or penalty payments.
3. The President and Secretary-Treasurer shall be authorized to use, and are responsible for the Local's credit cards. The Local's name shall be on credit cards. The President and Secretary-Treasurer's names shall also appear on all credit cards.
4. Upon leaving office, all credit cards shall be immediately returned to the local.
5. All credit card transactions shall be solely for the official business of the Local.

B Delegates to seminars, conventions and approved Union business will be paid per diem, lost time wages, and mileage or air fare. Delegates must attend all general business meetings of the convention or seminars or forfeit Union funding expenses.

Article 5

Meetings

Section 1. Membership meetings shall be held on the 4th Sunday of each month with the following exceptions. In May, the meeting will be held on the Sunday preceding Memorial Day weekend and there will be no meeting in December. Meeting times for January, February, March, April and May shall be 1:00PM. Meeting times for June, July, August, September, October, and November shall be 7:00PM.

Section 2. A two-thirds vote of all members present and voting at any regular membership meeting shall be sufficient to change the time, date and/or place of any future regular schedules meeting. A 2/3 vote of all members present and voting at any regular membership meeting shall be sufficient to suspend a regular monthly membership meeting.

Section 3. Special meetings may be called by the President or upon request to the President by 10% of the active members in good standing. The members so requesting that meeting are obliged to attend. Written notice of all special meetings shall be posted not less than 48 hours before the opening of the meeting. Only such business as the special meeting is called to consider shall be transacted.

Section 5. Meeting attendance shall be restricted to active, honorary and retired members.

A. Voting at local meetings shall be restricted to active members.

B. Members who hold managerial, supervisory or EAS position with the responsibility of issuing or recommending discipline or applying or interpreting the National Agreement shall not be eligible to attend meetings of the Local while on such assignment.

Article 6

Elected Officers

- A. President
- B. Executive Vice-President
- C. Secretary-Treasurer
- D. Recording Secretary
- E. Editor
- F. Craft Directors
 - 1. Clerk Craft
 - 2. Motor Vehicle Craft
 - 3. Maintenance/Custodial Craft.

Article 7

Duties of Officers

Section 1. President

The President shall preside at all meetings. The President shall be the spokesperson for the Local. The President shall be responsible for appealing all grievances to step 3. The President shall be a member of all committees. By virtue of the office, the President shall be a delegate to conventions. The President shall be elected by the general membership. The Presidents monthly salary shall be the equivalent of 25 hours of pay at the level 9 step P rate. The President shall be compensated for up to 120 hours of LWOP per year. Payment of the LWOP shall be subject to an approved 3971 and shall be utilized for negotiations regarding the Local Memorandum of Understanding, arbitrations, representing the Local before the National Labor Relations Board, and those unforeseen circumstances where it is necessary for the President to miss work in order to perform constitutional duties; those unforeseen cases will require prior E-Board approval. This LWOP is not intended to be used to receive payment for those duties which the President is already compensated a monthly salary. Should the need arise for additional LWOP the issue will be brought forth at a membership meeting for action.

Section 2. Executive Vice-President

The Executive Vice-President shall perform the duties of the President during his or her absence. The Executive Vice-President shall, under the supervision of the President, assist in handling grievances, organizational matters, and other duties as assigned by the President. The Executive Vice-President shall be a member of the negotiating committee. The Executive Vice-President shall be elected by the general membership.

Section 3. **Secretary-Treasurer**

The Secretary-Treasurer shall keep a record of all members, their names, addresses, and their financial standing in the Local. The Secretary-Treasurer shall receive and deposit all monies of the Local. The Secretary-Treasurer shall pay all monies owed by check or credit card. The Secretary-Treasurer shall submit the books for an annual audit by the Finance Committee at the times specified and will assist with the annual budget. The Secretary-Treasurer will also be responsible for other duties assigned by the President. The Secretary-Treasurer shall be elected by the general membership. The salary for the Secretary-Treasurer shall be 14 hours per month at the level 7 step 0 rate.

Section 4. **Recording Secretary**

The Recording Secretary shall take and keep minutes of all meetings of the Local. The Recording Secretary shall keep the attendance of meetings and keep a record of attendance of each member and other duties as assigned by the President. The Recording Secretary shall be elected by the general membership. The salary for the Recording Secretary shall be \$80.00 per membership meeting. In months when a meeting is schedule but does not take place, i.e.; no quorum, the Recording Secretary shall receive Officer meeting pay.

Section 5. **Editor**

The Editor shall be responsible for the printing of the Local Organ and other duties assigned by the President. The Editor shall be elected by the general membership. The salary of the Editor shall be 14 hours per month at the level 7 step O rate. The Editor shall be paid only in months when a paper is printed. The Editor shall be paid Officer Meeting pay when he attends meetings in those months that a paper is not printed.

Section 6. Craft Directors

A. **Clerk Craft Director** shall be responsible for the clerk craft under the supervision of the President. The clerk Craft Director shall be the Steward for that craft, a member of the labor-management committee, the negotiating team, responsible to ensure that the grievances of the craft are timely, and other duties as assigned by the President. The Clerk Craft Director will be responsible for assisting the Stewards of the clerk craft and ensure that the Stewards have the proper training and materials for handling grievances. The Clerk Craft Director will be elected by the clerk craft members only.

B. **Motor Vehicle Director** shall be responsible for their craft under the supervision of the President. The Motor Vehicle Craft director shall be a Steward for that craft, a member of the labor-management committee, the negotiating team, responsible to see that the grievances for the craft are timely and other duties as assigned by the President. The Motor Vehicle Craft Director will be responsible for assisting the Stewards of the motor vehicle craft and ensure that the Stewards have the proper training and materials for handling grievances. The Motor Vehicle Craft director shall be elected by the motor vehicle craft members only.

C. **Maintenance Craft Director** shall be responsible for the maintenance craft under the supervision of the President. The Maintenance Craft Director shall be a Steward for the craft, a member of the labor-management committee, a member of the negotiating team, responsible to see that the grievances for the craft are timely and other duties as assigned by the President. The Maintenance Craft Director will be responsible for assisting the Stewards of the maintenance craft and ensure that the Stewards have the proper training and materials for handling grievances. The Maintenance Craft Director shall be elected by the member of the maintenance craft only.

Section 7. Elected Officers may be excused from attending the general membership meeting by contacting the Local president before noon on the day of the meeting. Officers not following this procedure will be considered absent from the meeting. If the Secretary-Treasurer or the Recording Secretary cannot be present at any meeting, they shall see to it that their reports will be at the meeting. If the President is to be excused, the President must contact the Vice-President.

Section 8. The Craft Directors will be responsible for assisting the Stewards in their craft and ensure that the Stewards have the proper training and materials for handling grievances.

Article 8

Forfeiture of Office

There shall be no recall provision in this constitution and by-laws.
Removal of Officers is governed by Article 15 of the National
Constitution and by-laws.

Article 9

Elections

Section 1. Elections

A. In the odd numbered years the Local President shall appoint an Election Committee Chairperson and committee sufficient in number to ensure proper representation from all crafts. No candidate for office may serve on the election committee. The Election Committee Chairperson will submit for publication in the September issue of **The Bay Breeze** or posted on APWU bulletin boards at all stations, branches, and member associate offices and/or on the N.E.W.A.L. website. All efforts will be made to include all three forms of media. This notice will include: a list of elective positions, procedures for becoming a candidate and eligibility requirements. This notice shall also be posted on the Local's bulletin boards.

B. The election Committee Chairperson will present a slate of eligible candidates for each office at the September Union meeting. Other eligible candidates may be nominated from the floor at the meeting. The election committee shall put a list of all candidates on the Local's bulletin boards and submit same to the Editor for printing in the next issue of **The Bay Breeze**, or to post on N.E.W.A.L. website and/or all bulletin boards at all stations, branches and member associate offices. Candidates may submit articles for their positions in the next **Bay Breeze**.

C. The election shall be by mail referendum. The Election Committee Chairperson shall rent a post office box for the return of ballots in an AO outside of the Green Bay Post Office.

D. Ballots will be mailed out during the first week in November to all active members who were on the rolls as of October 1. The Election Committee Chairperson will be furnished two (2) current sets of address labels and the latest membership roster.

E. There will be two (2) types of ballots.

1. A general ballot which will be sent to all eligible voting members of the Northeast Wisconsin Area-Local.
2. A craft ballot, which will be sent to all eligible voting members of the craft for which the election is being held.

F. The name of the incumbent shall be placed first on the ballot under the office sought. The remainder shall be placed in alphabetical order, by last name. In the event there is no incumbent for a particular office, the names of candidates for that elected position shall be listed in alphabetical order, by last name.

G. Appropriate ballots shall be accompanied by a copy of printed voting instructions (including the ballot deadline) and two envelopes. The large envelope shall be a postage-paid envelope and shall have printed on it in the upper left corner, the words "Ballot of:" (the address label with the voters name and address shall be placed immediately below these words) and shall be pre-addressed to the election committee with the proper post office box address. Any ballot received without the return address affixed by the election committee shall not be valid, opened, or counted. The word "Ballot" shall be printed in bold letters on the face of the small envelope. No other matter shall be enclosed in the envelope except the ballot(s), two envelopes and a copy of the voting instructions.

H. The member voting shall indicate their choice by marking a cross (X) or check (✓) opposite the name of the candidate selected. The voter shall then enclose their ballot in the small envelope (marked ballot) without writing or other means of identification upon it, seal and enclosed the envelope in the postage-paid envelope.

I. Any candidate that is unopposed shall be declared the winner and their name shall not be placed on the ballot.

J. Write-in votes shall not be valid, counted, or considered.

K. Ballots in order to be valid must be in the designated post office box no later than 8:00 AM on the Monday following Thanksgiving.

L. At least two members of the election committee will pick up and count the ballots on the Monday after Thanksgiving after 8:00 AM. The Committee Chairperson will advise all candidates of the time and location of the ballot counting. Each candidate or his/her designated observer may be present to witness the counting.

M. The committee will check-off the returned ballots on the roster that was provided.

N. Candidates receiving the greatest number of votes for their respective elected position shall be declared the winner. All elected Officers except the Secretary-Treasurer shall assume office on January 1. The Election Committee Chairperson shall retain the ballots on file for one year.

O. In the event of a tie affecting the final selection of one or more candidates, the Election Committee Chairperson shall prepare a ballot and conduct another mail referendum election to conclude prior to December 31. Only the names of the tied candidates shall appear on the ballot. Ballots will be prepared as per Article 9, Section 1, E.

Section 2. Eligible Candidates

A. The candidate must be an active member. Any member who voluntarily holds a managerial, supervisory or EAS position with the responsibility for issuing or recommending discipline or applying or interpreting the National Agreement for the equivalent of one pay period in a year shall be ineligible to hold office in any capacity, so long as the member continues to serve in such position and for a period of one year from the time the member vacates such position. Any member who has submitted an application to a managerial, supervisory or EAS position with responsibility or for applying or interpreting the National Agreement shall withdraw such application prior to acceptance of nomination for any office in the Local.

B. Any member who shall voluntarily, after August 31, 1984, accepts or applies for any managerial or supervisory position, EAS position or the PASS program, for any period of time, whether one (1) day or a fraction thereof, either detailed, acting, probationary or permanently, shall immediately vacate any office held by the member in the Local or its equivalent.

C. No member will be eligible to run for more than one office in the same election.

Section 3. Appeals

A. The person preferring the charges shall do so by writing specific and detailed charges and present these charges to the hearing committee.

B. The President shall appoint a hearing committee consisting of three members that are not involved in any way with the incident.

C. After a reasonable time to prepare a defense, a full and final hearing shall be conducted by the hearing committee.

D. The hearing committee shall report to the next meeting of the Local and that meeting shall accept or reject the committee decision.

E. This decision may be appealed under the provisions of the National Constitution. Administrative assistance or advice for this appeal shall be provided by the Local if requested by the appellant.

Article 10

Delegates

Section 1. Delegates to conventions, not otherwise provided for, shall be elected by the general membership in accordance with the election procedures in Article IX. Section 1, 2 and 3.

- A. The membership, at the September meeting of the election year, will determine the number of delegates to attend each convention at local expenses.
- B. Alternate delegates will be taken from the unsuccessful candidates receiving the largest number of votes.
- C. Only members in good standing may be funded as delegates by this local..

Article 11

Term of Office

Section 1. All Officers shall hold office for 2 years or until such time as their successors have been duly appointment.

Section 2. In case any elected Officer resigns or becomes unable to perform the duties, or is removed from office, the position shall be declared vacant at the first regular meeting following such resignation, disability or removal. The Executive Committee will make every effort to appoint a member to fill the vacancy within 10-days after the position is declared vacant. In the event a regular monthly membership meeting does not take place after the vacancy, the Executive Committee shall post a notice of the vacancy on all NEWAL-APWU official bulletin boards at all applicable Green Bay Wisconsin postal facilities and affiliated Associate Offices. This shall be posted for a 10-day period. At the conclusion of the 10-day period the Executive Committee will make every effort to appoint a member to the vacated position.*

Section 3. In the event an Officer is temporarily unable to perform the duties of their office, due to certified medical, legal, or for indisputable reasons presently unknown, and this period is 30-days or more, the President and Executive Committee will perform the following steps:

A. The President or his/her designee will validate that the Officer incapacitated for office and submit such proof to the Executive Committee.

B. The Executive Committee will make every effort to appoint a member to fill the vacancy within 10-days after the office has been declared, "*temporarily vacant.*"*

C. The Officer who was temporarily incapacitated will inform the President in writing of their ability to resume their constitutional Officer obligations. The President will immediately provide the Executive Committee said proof. The Officer so incapacitated will be reinstated by written notice from the Executive Committee.

Article 12

Appointments of Committees

Section 1. Appointments

The President, with the approval of the Executive Committee, shall make all appointments to committees. All committees shall submit a report at regular meetings following appointment.

Section 2. Stewards

Stewards shall be appointed by the President and approved by the Executive Committee. The duties of the Stewards will be to assist with grievances to the National Agreement.

Section 3. Legislative Representative

The Legislative Representative shall be appointed by the President. The Legislative Representative shall keep the Local informed of all legislation of interest to the members. The Legislative Representative shall, when so directed by the members or the President, contact our members of Congress to secure passage of favorable legislation.

Section 4. Hospital Plan Representative

The Hospital Plan representative shall be appointed by the President. The Hospital Plan Representative shall keep current on hospital plan information and aid members in processing claims. The expenses allowed for this office will be \$.50 per hospital plan member per year.

Section 5. Executive Committee

The Executive Committee shall consist of all elected Officers. The Executive Committee shall be the highest-ranking body of the Local between meetings. The Executive Committee shall supervise all activities of the Local not otherwise provided for. The President shall chair the Executive Committee. A majority vote of the committee shall be required for approval of its activities. The Executive Committee shall report its activities and recommendations to the general membership meeting each month. A majority vote of members present and voting at the general membership meeting shall be required for approval of the Executive Committee report.

Section 6. Representative to Post Office Committees

- A. Scheme Committee
- B. Automation Committee
- C. Safety Committee

Section 7. Membership and Promotion Committee

- A. Picnic
- B. Annual Dinner Dance
- C. Other Social Events

Section 8. Delegates to the Greater Green Bay Labor Council

Section 9. OWCP Representative

Section 10. Finance Committee

This committee will consist of three (3) members not Officers, appointed by the President at the November meeting. They shall meet with the Secretary-Treasurer between December 31 and February 28 to audit the books and accounts. Part of the audit shall consist of a written report of such audit submitted for approval to the membership at the March meeting.

Article 13

Fiscal Year

Section 1. The fiscal year of this Local shall be from January 1 through December 31.

Article 14

Amendments

Section 1. The Constitution shall stand as the supreme authority of the Local and shall not be amended or annulled except when such change is proposed in the exact wording and in writing as the propos-see would have it appear in the Constitution and By-Laws and be accepted as a motion by the body. A 2/3 majority vote of the members present at the following regular meeting will be required to enact the change or amendment. The motion of the meeting cannot be changed but may be debated prior to the vote of the second meeting. The amendment or change must be printed in the Local Organ or posted on APWU bulletin boards at all stations, branches and associate offices prior to the second meeting.

Section 2. With E-Board approval any language that is found to be typographically in error shall be immediately corrected as long as it does not change the intent of the original language.

By-Laws

Article 1

Order of Business

1. Invocation
2. Roll Call of Officers
3. Report of Officers
 - A. Minutes of previous meeting
 - B. Secretary-Treasurer's report
 - C. Executive Committee's report
 - D. Labor-Management report
 - E. Grievance report
4. Committee reports
5. New members
6. Reading of communications
7. Unfinished business
8. New business
 - A. Vote on the Executive Committee report
 - B. Other
9. Adjournment

Section 1. The order of business may be changed by majority vote of the members present.

Article 2

QUORUM

Section 1. A quorum shall consist of at least 10 members in good standing at any regular meeting and 15 members present at a special meeting.

Article 3

Rules of Order

Section 1. In absence of other authority the deliberations of this Union shall be governed by **Roberts Rules of Order**. Any person accepted for membership shall be given a copy of the Constitution & By-Laws.

Article 4

Amendments

Section 1. Amendments to these By-Laws may be made in the same manner as prescribed for amendments to the Constitution.

Version: January,2013

NEWAL Officers at time of January, 2013 version

President, Lucy Hauser
Executive Vice-President, Steve Paradise
Secretary-Treasurer, Diane Vaile
Recording Secretary, Donna Hansen
Editor, Steve Winnowski
Clerk Craft Director,
Motor Vehicle Director, Bernie Haen
Maintenance Craft Director, Jeff Hackl