

**CONSTITUTION**  
**FOR**  
**DEPARTMENT OF JUSTICE EMPLOYEES**  
**LOCAL 3097**

**ARTICLE I**  
**NAME**

The name of this organization shall be Department of Justice Employees Local Number 3097 of the American Federation of State, County and Municipal Employees, AFL-CIO.

**ARTICLE II**  
**AFFILIATIONS**

This local union shall be affiliated with Capital Area Council of Federal Employees Council Number 26 of the American Federation of State, County and Municipal Employees; the Maryland State and D.C. AFL-CIO; and the Washington Central Labor Council AFL-CIO.

**ARTICLE III**  
**OBJECTIVES**

The objectives of this local union shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

**ARTICLE IV**  
**MEMBERSHIP AND DUES**

Section 1. All employees of the U.S. Department of Justice, Justice Management Division, Washington, D.C., excluding employees of the U.S. Parole Commission, are eligible for membership in this local union, subject to the requirements of the constitution of the International Union.

Section 2. Any member who is affected by a reduction in force or other adverse separation action will retain full membership in the local by the direct payment of dues until all appeals have been completed. Any incumbent executive board member affected by a RIF or other adverse separation action will continue to serve during the course of all appeal proceedings provided that dues are paid.

Section 3. The annual membership dues of the local shall be 65 percent of 1 percent of a member's annual gross JMD salary, with the minimum rate being \$3.50 per pay period. Membership dues for any member who is affected by a reduction in force or other adverse separation action will be \$3.50 bi-weekly and will be paid directly to the treasurer.

Section 4. Applications for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the applications shall be accompanied by the current month's dues.

Section 5. Membership dues shall be payable monthly in advance to the local secretary-treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who

is paying dues through a system of regular payroll deduction shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 6. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages up to and including the current month.

## **ARTICLE V MEETINGS**

Section 1. There shall be a minimum of nine regular meetings with no more than twelve per year with only one meeting per month, at a time and place to be fixed by the local executive board.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by 20% of the members of the local. Special meetings may also be called by the International President or his authorized representatives.

Section 3. The quorum shall be 10% of the persons eligible to vote as of the last general local election of officers. In the event of fractional numbers, this figure shall be rounded up to the next odd number. At no time shall the quorum be less than 11.

## **ARTICLE VI OFFICERS, NOMINATIONS, ELECTIONS, AND REMOVAL**

Section 1. The officers of this local shall be a president, a vice-president, a recording secretary, a secretary-treasurer, three executive board members, and these seven shall constitute the local union executive board. In addition, there shall be elected three members who shall serve as trustees. The trustees shall be elected to three-year terms of office, except that in the initial election, one shall be elected for a one-year term, one for a two-year term, and one for a three-year term. All other officers shall be elected for a term of one year.

Section 2. Nominations shall be made at a regular or special meeting of the local. At least fifteen days' advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. All regular elections shall be held in the month of November.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held in this local; provided, however, that no retired member shall be a candidate for office.

Section 4. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. At least fifteen days' advance notice shall be given the membership prior to the holding of the election.

Section 5. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 6. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

**ARTICLE VII  
DUTIES OF OFFICERS AND EXECUTIVE BOARD**

Section 1. The president shall:

- a. preside at all meetings of the local union and of the executive board.
- b. be a member of all committees except election committees.
- c. countersign all checks drawn against the funds of the local.
- d. appoint all standing committees and all special committees of the local, subject to the approval of the executive board.
- e. report periodically to the membership regarding the progress and standing of the local and regarding the president's official acts.

Section 2. The vice-president shall:

- a. assist the president in the work of the president's office.
- b. in the absence of the president or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- c. upon approval by the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.

Section 3. The recording secretary shall:

- a. keep a record of the proceedings of all membership meetings and of all executive board meetings.
- b. carry on the official correspondence of the local, except as the executive board may direct otherwise.
- c. perform such other duties as the executive board may require.

Section 4. The secretary-treasurer shall:

- a. receive and receipt for all monies of the local union.
- b. deposit all money so received in the name of the local union in a bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer.
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board.
- d. prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer.
- e. keep an accurate record of receipts and disbursements and shall, once each month, submit to the membership a monthly operating statement of the financial transactions of the local for the previous month.
- f. act as custodian of all properties of the local union.

- g. give a surety bond for an amount to be fixed by the executive board of the local union, at the expense of the local union and through the International Union.
- h. see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution.

Section 5. The trustees shall make or cause to be made at least semi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of such local, and shall report to the membership on the results of such audit.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

## **ARTICLE VIII GRIEVANCES AND APPEALS**

Upon request, any member in good standing will be provided advice and assistance about any grievance or appeal in connection with his employment at JMD. As a minimum, basic advice in such matters will be provided by the respective shop stewards, and the grievance committee. The respective steward will brief the executive board on all proposed and active cases and recommend subsequent action. The board shall retain the authority to determine the direction and level of effort for each case, considering the respective steward's recommendations and all other appropriate factors.

## **ARTICLE IX MISCELLANEOUS PROVISIONS**

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

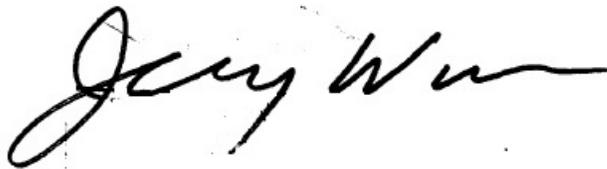
Section 3. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this Constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

## **ARTICLE X AMENDMENTS**

This constitution may be amended, revised, or otherwise changed by 2/3 of the members of the local in good standing voting on such proposed change and such change

shall take effect only upon written approval of the International President. A written copy of the proposed amendment shall be furnished to every eligible member/voter in good standing at least fifteen days prior to the vote on any amendments to this constitution. Proposed amendments to this constitution must be read at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken.

APPROVED BY:

A handwritten signature in black ink, appearing to read "Jerry Wurf". The signature is fluid and cursive, with a long horizontal stroke at the end.

JERRY WURF  
International President

Approval date: December 19, 1980

*(Jurisdiction Changed: 1/1/2007)*  
*(Constitution Updated: 2/12/2015)*