

## CONSTITUTION

FOR

LOCAL 3870

### ARTICLE I NAME

The name of this organization shall be Department of Agriculture Employees Union Local Number 3870 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 #26 of the American Federation of State, County and Municipal Employees; the Maryland State and D.C. AFL-CIO; and the Metropolitan Washington Council, AFL-CIO.

### ARTICLE III OBJECTIVES

Local 3870 shall maintain the same basic objectives as AFSCME Council 26.

Additionally, this union shall strive to:

- a. improve working conditions for all FmHA and USDA employees for the common benefit except those in the jurisdiction of another AFSCME union;
- b. organize other FmHA and USDA employees for the common benefit except those in the jurisdiction of another AFSCME union;
- c. ensure fairness and equitable treatment;
- d. monitor employment safety and security; and
- e. negotiate with FmHA management to ensure that the client public and the American taxpayer are well served.

### ARTICLE IV MEMBERSHIP AND DUES

Section 1. All employees of the Farmers Home Administration of the U.S. Department of Agriculture are eligible for membership in this local union, subject to the requirements of the Constitution of the International Union.

Section 2. Application for membership shall be made on a standard Form 1187, Application for Dues Withholding. However, an employee may elect to pay dues quarterly, in advance directly to the treasurer.

Section 3. The monthly membership dues are established at the greater of:

- a. \$10.60 biweekly of sixty-five hundredths of one percent (.65%) of each member's gross biweekly salary; or
- b. the minimum dues amount shall be adjusted annually by the International Union in accordance with the International Constitution.

Section 4. To the extent possible, monthly membership dues shall be payable through regular payroll deduction. Dues shall also be payable monthly in advance to the local treasurer and in any event shall be paid not later than the 15<sup>th</sup> day of the month in which they become due. Any member who fails to pay dues by the 15<sup>th</sup> 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 5. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages.

## ARTICLE V MEETINGS

Section 1. Regular meetings shall be held at a minimum, once per quarter, but shall be done monthly whenever possible with the time and place to be established by the local executive board.

Section 2. Special meetings may be called by the local president, the executive board, or by petition filed with the president and signed by fifteen members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President.

Section 3. The quorum for executive board meetings shall be a majority of the members of the executive board. The quorum for regular meetings of this local shall be ten members in good standing.

## ARTICLE VI OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. The following officers shall be authorized to provide leadership to the local: a president, an executive vice-president, two vice-presidents, a secretary, a treasurer, a chief steward and four board members at-large. These eleven 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 two-years in the even-numbered years, beginning in 2002.

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 October.

Section 3. To be eligible for office, a member must be in good standing for six months 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. For a member who is transferred or promoted into this local from another AFSCME local, this requirement shall be satisfied if such member's combined membership in good standing in both locals is one year at the time of election.

Section 4. A notice of nominations and elections shall be mailed to each union member at his/her last known home address at least 15 days prior to the scheduled nominations and elections.

Section 5. 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 6. 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 7. If a vacancy occurs in a union officer position, the executive board shall elect an officer to serve for the remainder of the unexpired term.

Section 8. 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 and general meetings of the local;
- b. countersign all checks drawn against the funds of the local;
- c. determine the necessity for committee and appoint committee members, subject to the approval of the executive board;
- d. provide leadership, direction and guidance to the local;
- e. provide monthly reports of union activities and actions to the members; and,
- f. be a member of all committees except election committees.

Section 2. The executive vice-president shall:

- a. assist the president in the work of the president's office;
- b. in the absence of the president or in his inability to serve, preside at all meetings and perform all duties otherwise performed by the president;
- c. countersign checks in the absence of either the president or the treasurer.

Section 3. The vice-presidents shall:

- a. assist the president in the work of the president's office.
- b. perform other duties as the executive board may require.

Section 4. The 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. countersign checks in the absence of both the president and treasurer.

Section 5. The treasurer shall:

- a. maintain, thorough records, all receipts and expenditures of the local funds;
- 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 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 6. The trustees shall:

- a. conduct an annual audit of the local funds and records, including any health and welfare, pension, insurance or other benefit programs covering local members; and,
- b. issue an audit report to the membership.

Section 7. The executive board shall consist of the president, executive vice-president, two vice-presidents, secretary, treasurer, chief steward and four members-at-large. The board shall:

- a. govern the local union except when meetings of the members are in session;
- b. determine all policies which are not specifically covered in the constitution, the contract, or by action of the membership at a regular or special meeting;

- c. meet once per month or conduct special meetings as determined by the local president or a majority of the members of the board;
- d. submit all completed board actions to the members through special flyers or the union newsletter, and submit all board actions or decisions at the next general meeting.

## ARTICLE VIII 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 the constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

## ARTICLE IX AMENDMENTS

This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. 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. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.