

**CONSTITUTION AND *BY-LAWS*
OF THE
FARGO NORTH DAKOTA AREA LOCAL
(AFL-CIO)
AMERICAN POSTAL WORKERS UNION**

CONSTITUTION

Article # 1

Title

SECTION 1: This organization shall be known as the FARGO NORTH DAKOTA AREA LOCAL AMERICAN POSTAL WORKERS UNION.

Article #2

Objectives and Affiliations

SECTION 1:

(a) The objectives of the Fargo North Dakota Area Local APWU shall be to unite postal workers into one union 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 union movement as exemplified in the American Federation of Labor ~ Congress of Industrial Organizations (AFL-CIO) is the best and most practical method of advancing the interests of all wage earners. Therefore, we desire to belong to, and remain in full affiliation with, that body. This local may affiliate with such other organizations that advance the cause of Labor.

(b) It shall be the purpose of the Fargo North Dakota Area Local APWU to advance the interests of postal workers, postal service, and of all workers in distress.

SECTION 2: We favor the amalgamation of all postal worker organizations.

Article #3

Membership & Dues

SECTION 1: Any person in the *category* of part-time, full-time, or transitional employment in the Postal Service shall be eligible for membership upon proper application to this local.

SECTION 2: Members of this local organization who have resigned from the employer or who have been promoted to a non-bargaining unit position and whose dues were paid up to the time of such separation or promotion (or any other person) may, upon the motion of a member and properly seconded, be elected to honorary membership.

SECTION 3: Honorary members may be exempt from dues and may be allowed all privileges of active membership, except they shall **not** be allowed to vote, hold office, or be delegates to conventions.

SECTION 4: Members retiring from the Postal Service shall, upon paying National Per Capita Tax, retain all rights and privileges of active members.

SECTION 5: The revenues of this local shall be derived from dues established by the Local and National APWU. At such times when any APWU organization or AFL-CIO organization with whom this local is affiliated shall increase the dues structure payable to them. the dues structure of the Fargo Area Local APWU shall be increased to the appropriate increment with the same effective date, unless approval to absorb such increase is made by the Local.

SECTION 6: A member's good standing shall not be affected by reason of the fact that his/her paycheck for the payroll period in which his/her dues deductions are made is insufficient to permit such dues deductions by reason of illness, injury, pregnancy leave, lay-off, or disciplinary suspension. The Local shall not charge for Local dues from these employees during said period, and shall through their own resources keep that member in good standing, as necessary.

Article #4

Meetings

SECTION 1: General membership meetings shall be held at least once a month.

SECTION 2: A two-thirds vote of all members present and voting at any general membership meeting shall be sufficient to suspend the general membership meeting for a period not to exceed 2 calendar months in any one year.

SECTION 3: Five active members shall constitute a quorum for the transaction of the business of the local.

SECTION 4: Special meetings may be called by the President upon 24 hours notice, and business to be transacted at such meeting is to be stated in the call. Upon the signing of a petition by 10 members of this local for a special meeting, the President shall be required to issue the call for such a meeting. Members signing such a petition must attend the meeting, and only business for which the meeting is being called can be transacted upon.

Article #5

Officers

SECTION 1: Officers Defined.

The officers of this local shall consist of a President, Vice-President, Financial Secretary, Recording Secretary, and three (3) trustees.

SECTION 2: Terms of Office.

The offices of President and Vice-President shall be elected in odd numbered years for a two year term: the offices of Financial Secretary and Recording Secretary shall be elected in even numbered years for a two year term. Trustees shall be elected for a term of 3 years, their terms to be staggered so that one is elected each year. Officers shall assume office beginning April 1st of the year elected, and shall remain in office through March 31st of the year their term expires.

SECTION 3: Officers Duties.

- (a) President: The President shall preside at all meetings of this local and shall be an ex-officio member of all committees. The President, by virtue of this office, shall be a delegate to the ND State APWU Convention, the National APWU Convention, the AFL/CIO Central Labor Council. and the ND State AFL-CIO Convention. The President shall fill by appointment all vacancies in elective offices occasioned by resignation (or otherwise) until filled by the next election. The President shall be empowered to appoint/remove members to/from non-elective positions (e.g. stewards, Safety Rep. etc.) as necessary. The President shall perform such other duties as the rules and usage of the local require.
- (b) Vice-President: The Vice-President (VP) shall assume the duties of the President resulting from the latter's absence, neglect, resignation, death or refusal to discharge the duties of that office. The VP shall assist the President in carrying out the necessary business of the Local, including those tasks related to the areas of organization , education and legislation. The VP shall perform such other duties as the rules and usage of the Local require, including the duties of the Financial Secretary in the latter's absence, or as necessary.
- (c) Financial Secretary: The Financial Secretary (FS) shall attend to all financial affairs of the Local pertaining to the collection and disbursement of all funds, and keep adequate and permanent records of such. The FS shall see that an updated membership list is kept on file and shall report to the President the names *of* all applicants for membership to be voted on at each meeting. The FS shall render an annual report to the Local in January of each year showing the number *of* members in good standing and the amounts of collections/disbursements of the various funds. The FS shall perform such other duties as the rules and usage of the Local require.
- (d) Recording Secretary: The Recording Secretary shall keep a correct record of all proceedings of this Local, attendance records of all members, reports of officers and committees: shall attend to the official correspondence of the Local and shall perform such other duties as the rules and usage of the Local require, including the duties of the Vice-President in the latter's absence, or as necessary.
- (e) Trustees: The Trustees of the Local shall audit the books of the Financial Secretary at least once each year. They shall audit the annual report of the Financial Secretary and report their findings to the membership at a regularly scheduled membership meeting. Trustees shall be provided training appropriate to the performance of their duties.

SECTION 4: Salaries/Compensation/Reimbursements.

- (a) Officers of the Local shall be paid the following amounts: President: \$850/yr.; Vice-President: \$360/yr.; Financial Secretary: \$750/yr.; Recording Secretary: \$360/yr. Salaries shall be paid quarterly. Adjustments shall follow the regular proceedings in amending the Constitution.
- (b) Members in good standing on official union business shall be compensated at his/her current rate of pay for that time used which is within their regular work schedule. In addition, those members shall be reimbursed for any annual leave and sick leave lost as a result while engaged in official union business.

(c) Delegates and representatives to official functions (e.g. conventions, seminars, state or national meetings. etc., shall be reimbursed for reasonable and necessary air fare. Delegates will provide proper receipts. Travel expenses shall be allowed, but not to exceed the IRS allowance per mile for vehicles.

Normally, at least two delegates shall travel in the same vehicle. In order to receive expenses paid by the Local, delegates must be in attendance for all meetings, if possible. Registration fees for delegates will normally be paid directly to the host Local by the Financial Secretary. Expenses may be subject to review by the Executive Board.

SECTION 5: Presidential Succession.

The Order of succession to the office of President for the Local shall be as follows: (1) Vice-President; (2) Financial Secretary; and (3) Recording Secretary. If this order of succession cannot be followed, the office(s) shall be filled, as necessary by/under the direction of the National APWU.

Article #6

Committees

SECTION 1: Standing Committees.

(a) Executive Board: The Executive Board shall consist of the President, Vice-President, Recording Secretary, Financial Secretary, and Trustees. They shall meet quarterly at a minimum. They shall also act upon any necessary business of the Local that arises between general membership meetings.

(b) Social and Recreation Committee: This committee shall meet annually at a minimum, and as needed.

SECTION 2: Special Committees.

The President shall appoint other committees as may be deemed necessary.

Article #7

Elections

SECTION 1: No member shall be eligible to hold office or to be elected as a delegate who is not a member in good standing.

SECTION 2: Candidates for office, for delegate to ND State APWU and National APWU conventions, and for delegate to the Central Labor Council (CLC) shall be nominated at the regular meeting in January of each year. Delegates to the ND State AFL-CIO Convention will be members who are delegates to the CLC. CLC delegates shall be elected for a term of 1 year. Any candidate for office or delegate who is unopposed for that office shall be elected by a motion to have the Recording Secretary cast a unanimous ballot on behalf of the Local, and his/her name shall not appear on the ballot.

SECTION 3: The President shall appoint an election board of three or more members who are not candidates for office. The election board shall prepare and distribute ballots to all members in good standing. They shall be furnished with an up-to-date mailing list from the Financial Secretary. Ballots shall be sent to all members at least 15 days before the regular meeting in February. The board shall count the ballots on the day of the February meeting prior to the meeting and shall certify the election results to the membership at the meeting. They shall seal the ballots and deliver them to the Financial Secretary who will keep them for a period of not less than one year.

SECTION 4: All elections of officers, delegates, and alternates and all voting on referendum measures shall be by secret ballot.

SECTION 5: A plurality of votes cast shall decide an election for officers, delegates, and alternates. In the event of a tie the winner will be decided by a hat draw. A majority of votes cast shall decide all initiative and referendum questions.

Article #8

Resignation and Recall of Officers

SECTION 1: Any officer resigning from office must present a written resignation to the Executive Board, and shall have 15 days in which to withdraw their resignation.

SECTION 2: Officers and Stewards of this union who voluntarily accept temporary positions (204-B, OIC, etc.). Their position or office shall be resigned immediately and shall be filled as provided for in the Constitution.

Article #9

Initiative and Referendum

SECTION 1: Upon written petition of five members stating in writing the question to be voted upon, the Recording Secretary at the next regular meeting of the Local will bring the matter up under new business. The membership will then decide if a referendum vote of the entire membership should be ordered.

Article # 10

Prohibited

SECTION 1: No criticism, reflection, argument, or debate touching any members sex, creed, physical characteristics, or cultural identity shall be allowed at any meeting of this Local.

Article # 11

Amendments

SECTION 1: The Constitution shall be amended as follows:

- (1) The President appoints a Constitution Committee as deemed necessary.
- (2) The Committee gives *notice* of proposed revisions as least 15 days prior *to* a regularly scheduled monthly meeting.
- (3) At said monthly meeting, proposed revisions are given a reading, *to* which there will exist no discussion or debate.
- (4) At the following monthly meeting, proposed revisions will be read again and may be acted upon.
- (5) A 3/5 vote *of* those members in attendance will be necessary for final adoption.

SECTION 2: Past Amendments.

Constitution approved: September 1970

Amended: Sep 1970: Article #5

Amended: Feb 1975: Officers Salaries

Amended: May 1975: Article #3, Sect. 6 ~ 7. Article #6, Sect. 3 & 4

Amended: Oct 1975 Article #3, Sect. 6

Amended: May 1976: Article #6, Sect. 2 & 5

Amended: June 1976: Article #3, Sect. 6(a)

Amended: Sep 1979: Article #6, Sect. 2 & 5

Amended: Nov 1980: Article #3, Sect. 5 & 6; Article #5, Sect. 1 & 2;

Article #6, Sect. 1 (d & g) & 2: Article #7, Sect. 1 & 1(a);

Article #8, Sect. 1(b); Article #10, Sect. 2 & (add) 5

Amended: May 1984; Article #2, Sect. 1: Article #3, Sect. 7 (add); Article #4, Sect. 2:

Article #6, Sect. 1 (b & c); Article #6, Sect. 5 & 6 (add);

Article #8, Sect. 1 (a); Article #9 (delete); Article #10 through

Article #13 Renumbered as Article #9 through # 12 respectively;

Article #9, Sect. 1; Article # 11, Sect. 1

Amended: Dec 1988; Article #1, Sect. 1; Article #2, Sect. 1 (a & b); Article #3,

Sect. 1, 3, 6, 7; Article #5, Sect. 1 & 2; Article #5, Sect. 3 & 4 & 5 (add);

Article #6 delete; Article #7, Sect. 1 (a & b & c) & 2 & 3; Article #8,

Sect. 1 & 2 & 3; Article #9, Sect. 5: Article #12, Sect. 1 (add) & 2;

Article #7 through #12 renumbered as Article # 6 through # 11

Respectively; By-Laws: Article #1

Amended: Jan 1993; Title; Article 1, Sect. 1; Article 2, Sect 1 (a & b); Article 3, Sect. 1 & 6;

Article 5, Sect. 1, 2, 3 (a, b, c, d, e & f), 4, (a & c) & 5; Article 6, Sect. 1

(a & b & c); Article 7, Sect. 2 & 3; Article 9, Sect. 1;

By-.Laws; Article 1, Sect. 1.

Amended: Jan 1999: Article 5, Sect. 1, 2, 3 (a, b, c, d, e & f; eliminate e); Sect. 4 (a); Sect. 5;

Article 6, Sect. 1 (a); Article 7, Sect. 2; Article 8, Sect. 1;

By-Laws; Article 1, Sect. 1

Amended: Jan 2005; Article 5, Sect. 4(a)

Amended: July 2007; Article 3, Sect. 2 (delete) renumber sections 2 through 6;

Article 5, Sect. 3(a); Sect. 4(b); Sect. 5 (title); Article 6, Sect. 1(a);

Article 8, Sect. 2, 3 & 4 (delete) renumber 2

Amended: April 2009; Article 5, Sect. 3(a); Sect. 4(a); Article 6 Sect. 1(a)

Amended: April 2010; Article 5, Sect. 4(a); Article 7, Sect. 5

BY-LAWS

Article # 1

Order *of* Business

SECTION 1: The order of business of this Local shall be as follows, and may be altered only by a majority of members present at a regular meeting:

1. Call meeting to order
2. If Recording Secretary is not present, appoint replacement as necessary
3. Appoint Sergeant(s)-at-Arms
4. Roll call of officers
5. Approval of minutes of last meeting
6. Consideration of applications for membership
7. Report of Financial Secretary
8. Report of Officers
9. Report of committees (if any)
10. Unfinished business
11. Reading of communications and bills
12. New business
13. Date, time and place of next meeting.
14. Adjournment (all meetings shall be limited to 2 hours duration unless 2/3 of Members present vote to continue)

Article #2

Quorum

SECTION 1: Five members shall constitute a quorum, but less than that number may adjourn to meet at a future specified time.

Article #3

Disposal of Records

SECTION 1: All obsolete records of this Local shall be turned over to the Trustees who will destroy such records only when directed to do so by act *of* this Local.

Article #4

Amendments

SECTION 1: The By-Laws may be amended in the same manner as the Constitution.