

CONSTITUTION

ADOPTED: March 23, 2014

ARTICLE 1

Name

Section 1. This organization, by virtue of a Charter granted by the American Postal Workers Union AFL-CIO, On November 1, 1980, shall be known as the Western Colorado Area Local, American Postal Workers Union AFL-CIO.

ARTICLE 2

Objects

Section 1. It shall be the objective of this Local to secure through collective bargaining and legislative effort a safe and healthy work environment, better working conditions and a better standard of living for the members of the APWU and their families.

Section 2. To continue to organize the unorganized.

Section 3. To unite within one organization, regardless of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age, or religion, all employees under the jurisdiction of the APWU.

Section 4. To educate our membership and the general public on the history of the Labor Movement.

Section 5. To vote and work for the election of candidates who favor the passage of improved legislation in the interest of all labor.

Section 6. To work for the repeal of laws which are unjust to labor and to the postal workers such as the denial of right to strike and the denial of the right to support political candidates of their choice.

Section 7. To educate all members in the area of economic political and social justice.

Section 8. It shall further be the object of the Area Local to be in full affiliation with the American Postal Workers Union AFL-CIO; the Colorado State Labor Council, and the Colorado State American Postal Workers Union.

ARTICLE 3

Membership

Section 1. Any non-supervisory employee, regardless of level or grade, within the jurisdictional claim of the APWU is eligible for membership.

Section 2. Application for membership must be in writing on Form 1187. Dues check off blank to be completed.

Section 3. The dues of newly elected members shall begin on the first day of the next month after they are elected to membership.

Section 4. Any applicant fulfilling the requirements of Section 1 and 2 of this article shall be declared a member of this Area Local.

Section 5. A member in good standing shall be defined as a member who has paid his or her dues and is not under suspension by the Union. All dues paying members in good standing shall have voting rights in the Western Colorado Area Local APWU.

Section 6. The Area Local may issue Honorary Membership, providing that such membership be limited to persons actually being or having been employed in the Postal Service. Honorary members may not hold office; vote or be appointed as a delegate to any national convention.

ARTICLE 4

Dues

Section 1. The dues of the Area Local shall be derived from the membership dues base of **\$25.64** per pay period as of November **2013 for career employees. Dues will be \$13.71 for PSE's**. This includes the per capita tax of the affiliates of this local. Area local dues will be updated in accordance with the escalator clause outlined in Article 16. Section 2a of the APWU National Constitution. State dues shall be paid by the Area Local.

Section 2. Any member who fails to pay his or her dues for three (3) consecutive calendar months shall be suspended from the Area Local. Notice of suspension shall be given him or her in writing by the Secretary. If, at the end of four (4) months a member is still in arrears he or she shall be dropped from the rolls unless extenuating circumstances are made known to the Executive Board. A member suspended shall be denied all privileges of membership during suspension.

Section 3. A member automatically suspended for non-payment of dues can only be reinstated to membership on application by a 2/3 vote of the membership or by paying his or her dues and all claims against him or her.

Section 4. Any special assessments, except those levied by organizations with whom we are in full affiliation and therefore obligatory, shall be levied by a 2/3 vote of the membership present and voting at a Special Meeting.

Section 5. Any PTF or PSE member who receives less than 40 hours of pay during any pay period shall be entitled to a refund of ½ his or her dues for that pay period. Refund forms will be made available to all members requesting a refund at the end of the calendar year. A refund will be granted to each eligible member who submits the required request and documentation by March 31st of the following year.

ARTICLE 5

Meetings

Section 1. Meetings of this Area Local shall be held bi-monthly, at such a time and place voted on at any regular meeting of the Area Local. Time and place can be changed by majority vote of the Executive Board or membership vote, notifying the membership at least one (1) week in advance by notices posted on all bulletin boards.

Section 2. Meetings shall be called to order promptly at the posted time.

Section 3. A quorum consists of at least 50% of the members present and voting.

Section 4. Only members in good standing shall be allowed a voice or vote in meetings of this Area Local.

Section 5. Upon the request of 10% or more of the membership in good standing or by the vote of the Area Local or the Executive Board, the President shall call a special meeting. A notice of such meeting, stating the time and place selected and the object for which the meeting is called shall be placed on all bulletin boards, at least three (3) days prior to the date that such meeting is to be held. No other business shall be transacted other than that for which the meeting is called.

ARTICLE 6

Officers

ELECTED

Section 1. President/Delegate to national, regional and state conventions.

- A. The President shall preside at all meetings, preserve order and enforce the Constitution and by-laws. He/She shall appoint all committees not otherwise provided for, cast the deciding vote when a tie occurs, sign all contracts or other documents authorized by the Area Local and perform such other duties as the Area Local may require.
- B. It shall be the duty of the President to be the coordinator of all local negotiations.
- C. The President shall fill, by appointment, all elected vacancies with the approval of the Executive Board.
- D. The President shall retain an outside auditor (at a reasonable cost) whenever he/she deems necessary with the approval of the Executive Board or when requested by the Audit Committee.
- E. The President shall appoint all committee members.

Section 2. Executive Vice President

- A. The Executive Vice President, in the absence of the President, shall be vested with the same power and authority as the President and shall perform the duties of said office. The Executive Vice President shall chair the financial audit committee and budget committee each year.
- B. The Executive Vice President shall be responsible for Education and Organization.
- C. The Executive Vice President must by virtue of his/her office perform such duties as may be assigned him/her by the President.

- D. In case the President resigns, becomes disabled or otherwise vacates said office for any other reason except as provided in Article 10 of this Constitution, the Executive Vice President shall succeed to the office of President.

Section 3. **Maintenance Craft Director.**

- A. The Maintenance Craft Director shall be responsible for his Craft.**
- B. The Maintenance Craft Director shall be responsible for the handling of all grievances from within his Craft.**
- C. The Maintenance Craft Director shall be a member of the Labor-Management Committee and be a member of the Local's Negotiating Team.**
- D. They shall perform such other duties as may be assigned by the President.**

Section 4. Secretary

- A. The Secretary shall keep a correct and impartial record of the proceedings of the Area Local.
- B. The Secretary shall have charge of official documents, records and other property, read all communications and attend to all correspondence of the Area Local. The Secretary shall furnish the President with a copy of all correspondence generated in the performance of these duties.
- C. The Secretary shall keep the official record of attendance at meetings.
- D. The Secretary shall process Form 1187 new membership request.
- E. The Secretary shall process all paper work required for merger applications.

Section 5. Treasurer

- A. The Treasurer shall collect or cause to be collected all dues or other money due the Area Local and shall receipt therefor and disburse same.
- B. Pay all bills and expenses sanctioned by the Area Local.
- C. Sign all checks ancillary to the performance of the duties of the Treasurer.

Section 6. Director of Industrial Relations

- A. The Director of Industrial Relations shall be responsible for overseeing the everyday activities associated with the administration of the National Agreement.
- B. The Director of Industrial Relations shall recommend to the President for appointment, candidates for Area Coordinators and be responsible for the activities of the Area Coordinators.
- C. The Director of Industrial Relations shall chair any Steward Meetings.

Section 7. Any elected officer who absents him/herself from three (3) consecutive meetings, unless excused for a valid reason by vote of the Area Local, shall have his office declared vacant and will be replaced as provided in Section 1, of this Article.

Section 8. Each officer at the end of his/her term shall surrender all properties and papers belonging to the Area Local.

APPOINTED

1. Area Coordinators

Area Coordinators shall be responsible for overseeing the everyday activities of the affiliated offices of the Area Local, within the following zip codes: 813, 814, 815, and 816.

Section 2. Stewards

Stewards shall be responsible for overseeing the everyday activities associated with the administration of the National and Local Agreements (LMOU) in their respective installation/section/tour.

- A. Stewards shall be appointed and released by the President. Recommendations for consideration shall usually be made by the Area Coordinators and/or the Director of Industrial Relations. Any member in good standing may also make recommendations for consideration.
- B. Stewards shall process grievances and work under the direction of the Area Coordinator(s), Director of Industrial Relations and/or President.
- C. Stewards shall attend all steward and membership meetings, unless properly excused by the President.
- D. Stewards shall take the union position on issues pertaining to policy, grievances and contract interpretation on the workroom floor.

Section 3. Associate Editor(s)

(An) Associate Editor(s) will be appointed by the Vice President (with the approval of the Executive Board) to assist the Editor in the publication of the local newsletter.

ARTICLE 7

Executive Board

Section 1. The Executive Board shall consist of the elected officers as listed in Article 6 of the Constitution.

Section 2. Three (3) members shall constitute a quorum Executive Board

Section 3. The Executive Board shall meet whenever the business of the Area Local requires, at such time and place as the President or majority of the Board designates. They shall, during the interim of meetings, be vested with the authority to initiate such measures as may be most effective for the interest and protection of the membership.

Section 4. The President shall preside at all meetings. The Secretary shall keep records of the proceedings and shall report the same for approval at the following meetings of the Area Local.

ARTICLE 8

Elections

Section 1. Any member in good standing shall be eligible to hold any elective office or be a delegate to a convention under this Constitution who shall have at least been a member for one (1) year prior to the

meeting at which nominated; provided that no member shall be a candidate for more than one of the elective positions listed in Article 6 of this Constitution.

Section 2.

- a) Nominations for elected officers shall be made at the regular January meeting. Officers shall be elected for a three (3) year term of office.
- b) Nominations for delegates to the State, National, **& Regional Conventions/Conferences** shall be made in January in the year of those conventions/**conferences**

Section 3. The President shall appoint, for each election, three (3) members in good standing to act as election judges, and such judges shall provide a printed ballot upon which the names of all nominees appear. A blank space shall be provided on the printed ballot to allow for one (1) write-in candidate for each office, and should write-in candidate receive majority, vote shall be valid.

Section 4. Judges of the referendum election shall conduct the election by mail. Each member in good standing shall receive a ballot by first class mail with a self-addressed stamped envelope and a blank envelope. The ballot must be placed inside the blank envelope, the ballot and the envelope containing the ballot should be placed inside the stamped self-addressed envelope. To be valid, the outer envelope must have the voters name and address in the upper left corner. For a ballot to be valid, it must be received in the designated P.O. Box by the Friday preceding the regular March Union meeting. Ballots will be retained for one year in case of protests.

Section 5. Judges of election, once appointed, are clothed with full power to conduct the election for which they are appointed, within the meaning of this Article, and shall permit only members in good standing to cast a ballot. Eligibility to ballot shall be determined by a roster of members in good standing previously submitted by the Secretary. Judges of election shall have the power to collect back dues and give receipts for the same, thus allowing the member to vote.

Section 6. Should there be a tie vote, where only one could have been elected, it shall be decided by another vote taken at the March meeting or by such methods chosen by the Area Local, at the time of the election results. In the case of delegates to State, Regional, & National Convention/Conference, the requisite number of candidates receiving the highest number of votes shall be elected. Alternates to the requisite number shall be those who poll the next highest number of votes. The number of alternates shall not exceed the number of delegates.

Section 7. A ballot may be received by the judges under protest. Validity of the ballot to be determined afterwards by the members in good standing.

Section 8. All officers elected in March will be installed at the March meeting and assume office at the end of the meeting.

Section 9. Plurality vote shall elect in all cases except as provided for by Section 6 of the Article. All expenses necessary to conduct any election shall be borne by the Area Local.

Section 10. In the event that the delegates are given mandated instructions in writing by the Area Local in a regular or special meeting, or by referendum vote, to any convention or conference, etc., at which the delegates are in attendance, all moneys advanced to the delegate or representative for expenses shall be subject to immediate refund to the Area Local in the event a mandate is not followed.

ARTICLE 9

Initiative and Referendum

Section 1. It shall require a majority vote to decide all questions other than amendments to the Constitution, which shall require a 2/3 affirmative to decide and carry.

Section 2. No question, resolution, or amendment adopted by referendum vote of the members in good standing of this Area Local shall be repealed or amended within six (6) months after adoption, except by a referendum vote.

Section 3. At any meeting of this Area Local, any member may by motion submit any question, resolution, or amendment to a vote of the entire membership, said election to be held in the same manner as provided in Section 1 of this Article with the exception of the recall of officers.

ARTICLE 10

Recall of Officers

Section 1. There shall be no recall provision in this Constitution and By-laws, or in the Constitution or By-laws of any APWU subordinate body. Removal of officers is governed by Article 15 of the National Constitution and by-laws.

ARTICLE 11

Appeals System within the Area Local

Section 1. The following are procedures which shall apply in the case that charges are levied against the Officers or against any members. Those protests on local elections can be handled with the same procedures with the Election Committee being substituted for the Hearing Committee itself.

- a) The person preferring the charges shall do so by writing specific and detailed charges and presenting these charges to the Hearing Committee.
- b) The President shall appoint a Hearing Committee consisting of three members not involved in any way with the incident.
- c) After a reasonable time to prepare a defense, a full and fair hearing shall be conducted by the Hearing Committee.
- d) The Hearing Committee shall report to the next meeting of the Area Local and at that meeting shall accept or reject the committee's decision.
- e) This decision may be appealed under the provisions of Article 15, Section 3 and 4 of the National Constitution. Administrative assistance or advice

for this appeal shall be provided by the Area local if requested by the applicant.

ARTICLE 12

Discipline of Members

Section 1. Any member of the Area Local may be disciplined for violation any Article of this Constitution or for falsifying any report or spreading rumors that cause discord in the Area Local.

Section 2. Such member or members may be reprimanded, suspended or expelled in accordance with the procedure as the recall of Officers. If found guilty, he or she shall be penalized, if allowed to remain in the Area Local, from holding office or acting as a delegate or representative of the Area Local for at least one year.

Section 3. He or she may appeal in the same method as outlined for appeals of Officers.

Section 4. Any member, after being expelled from the Local, may re-apply for membership. A majority vote, at a regular meeting, is required for reinstatement.

ARTICLE 13

Financial Policy

Section 1. The financial policy of this Area Local shall be to keep expenditures within the income derived from the dues of the Area Local. Extra assessments shall be discouraged.

Section 2. A financial audit committee shall be appointed at the January meeting each year to audit the books of the treasury and present the results of the audit at the March meeting of the Local.

Section 3. A budget committee will be established in November of each year to formulate a budget for the following calendar year. The budget will be presented at the January meeting to be amended and voted on by the members present.

Section 4. It will also be the policy of this Area Local to abide by Section **501.C.5** of the Internal Revenue Service Code to insure that this Local operated strictly as a non-profit organization. If for any reason said local dissolves, after all outstanding debts are paid in full, any remaining moneys will be distributed in accordance with IRS rules for non-profit organizations.

Section 5. Expenses of members of the Western Colorado Area Local while attending authorized Union functions shall be limited to per diem and transportation and lodging by the most logical means. The transportation and per diem will be determined by prevailing IRS expense schedules. For computation, a day shall be construed as a twenty-four hour period, and the duration of the function will include the actual time necessary to travel to and return from the function.

Section 6. Members of the Western Colorado Area Local shall be reimbursed for leave without pay(LWOP) time due to conducting legitimate Union business, such as but not limited to the following; Labor/Management meetings, Grievance work, State, (Regional) and National Conventions/(Conferences), and other Meetings and seminars. This pay is to be equal to the member's regular hourly rate without regard to night differential or overtime. (No pay for NS days will be paid for LWOP). **Members will be paid whether they are on LWOP or annual leave."**

Section 7. Any Officer or member who loses sick leave or annual leave because they were in a leave without pay status while performing Union business for the Western Colorado Area Local; will be reimbursed in money for the amount lost on a pro-rated basis. A written request must be made to the Treasurer at the end of each calendar year. Request must be made in writing to the WCAL Treasurer by March 31st following the end of the calendar year in which annual and sick leave were lost.

Section 8. Nominees to Conferences/Conventions must stay for the duration of such Conferences/Conventions. If Nominees fail to stay, they shall reimburse the Local of All expenses and barred from going to further Conferences/Conventions for at least 1 year. Some exceptions (illness, family emergency, etc.) can be approved by the approval of the executive board. Proper documentation must be provided by the nominee.

ARTICLE 14

Amendments to the Constitution

Section 1. Any Article or Section of this constitution and by-laws may be amended at the written request of three (3) members in good standing. The proposed amendment will be posted on the bulletin board for ten (10) days prior to a general meeting. It may then be approved by a vote 2/3 membership present at the meeting, **providing a quorum of at least 5% of the members are present.**

ARTICLE 15

SEPARABILITY

Section 1. Nothing in this Constitution or by-laws shall conflict with the National Constitution or by-laws.

By-Laws

Section 1. Members must notify the Secretary, of any changes of residence as soon as possible. Changes to this information can be done through the lite.blue website.

Section 2. During the temporary absence of any officer, the President shall appoint a member to fill the vacancy, pro-tem.

Section 3. Any member desiring to speak on a subject under consideration must address the Chairman; such members cannot proceed until recognized by the Chair.

Section 4. All motions must first be stated by the Chairman before they can be debated.

Section 5. All motions to lay on the table are not debatable.

Section 6. All members shall be required to vote on all questions before the Area Local.

Section 7. A 2/3 majority of the members present at the meeting shall decide in case the Chair's decision is appealed.

Section 8. When an appeal is called for, the Executive Vice President shall take the Chair and shall put the question in the following manner: "Shall the decision of the Chair be sustained?" The President will then be given an opportunity of stating on what grounds and authority his decision was based, after which a vote must be taken without further debate upon the question as stated by the Executive Vice President.

Section 9. Robert's Rules of Order shall be the authority on all questions not covered by the constitution and by-laws.