

**CONSTITUTION AND BY-LAWS
OF THE
PHILADELPHIA BULK MAIL CENTER
LOCAL 7048
AMERICAN POSTAL WORKERS UNION**



As Amended March 15th 2017

*Amended language is in **boldface** type*

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PHILADELPHIA BULK MAIL CENTER
LOCAL 7048
AMERICAN POSTAL WORKERS UNION, AFL-CIO

Preamble

We the Postal Workers of Local 7048 in order to form a more perfect union, establish this Constitution and by-laws.

We, who come from diverse crafts, believe that in unity there is strength. We believe that all postal workers and all members of labor have the right to economic, political and social justice.

ARTICLE I - NAME

The name of this organization shall be the Philadelphia Bulk Mail Center Local #7048, American Postal Workers Union. Let it be understood that all words in the Constitution indicating masculine gender shall also refer to the feminine gender.

ARTICLE II - OBJECTIVES

We desire to conform to the Constitution of the American Postal Workers Union, AFL-CIO and that instrument shall apply in all matters not expressly covered by the Constitution of this Local #7048. APWU Local #7048 affirms its belief in a single union of all postal workers in non-supervisory levels. Local #7048 will make every effort to bring into being a single union of all workers by mergers with other postal unions, and initiate intensive all out organizing campaigns reflecting the APWU philosophy.

ARTICLE III - MEMBERSHIP

SECTION 1. All bargaining unit postal employees properly assigned to the jurisdiction of Local #7048 shall be eligible for membership in this Local.

SECTION 2. No person eligible under the above provisions shall be denied membership because of sex, race, creed, color, age, religion, physical or mental handicap, political affiliation, nationality or sexual orientation.

SECTION 3. Any non-bargaining unit employee of the Postal Service, in order to join or retain any of the Group Benefits Plans offered by the APWU, Local or National must pay full dues of the Local. They shall be honorary members, but with no right to hold Local Office, attend meetings [or] be seated as a convention delegate. Honorary Members shall have no right to a voice or a vote, Locally or Nationally.

SECTION 4. Members of this Union who retire from the Postal Service may maintain full membership with all rights of such membership by continuing to pay full dues. They shall receive a ballot from the Craft last served.

SECTION 5. All candidates for membership must be submitted on a SF Form 1187.

SECTION 6.a. To be in good standing, a member's dues must be paid up as of the first day of the current month. A member's good standing status shall not be affected by reason of the fact that his/her paycheck from 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. If there is any question of good standing of a member, the Executive Board will refer to the records of this Local to make such determination.

SECTION 6.b. Members not in good standing shall be ineligible for any Union benefits and shall not be permitted to hold any elected or appointed office, nor shall they be seated as delegates to any convention nor have voice or vote in this Local.

SECTION 7. All members of this Local shall be in their respective craft divisions.

SECTION 8. All members must be provided with a copy of our Local Constitution and any new amendments.

SECTION 9. Any member working in a non-bargaining unit position with responsibility for issuing or recommending discipline, or applying or interpreting the National Agreement loses their rights to voice and vote in General Membership meetings and Local Elections for the time they are acting in the non-bargaining unit position and for a period of thirty (30) days thereafter. If there is any question of such members eligibility to have voice or vote the Executive Board will refer to the records of this Local to make such determination.

ARTICLE IV - JURISDICTION

The APWU, Philadelphia Bulk Mail Center Local, #7048, claims jurisdiction over all postal and mail processing operations including but not limited to all work on operations directly or indirectly related to postal or mail processing operations, including any operations that transmit or receive messages by electronic or other means performed at the Philadelphia Bulk Mail Center, Fairless Hills Post Office, Levittown Post Office and/or Annexed facilities both present and in the future.

ARTICLE V - CONVENTIONS

SECTION 1. a. The President and Vice-President shall be delegates to the National and State Conventions for the APWU, if otherwise eligible. The **Secretary-Treasurer** and all craft directors shall be delegates to the State Convention, if otherwise eligible. These delegates shall be termed "automatic delegates." The President, subject to Executive Board approval, may appoint additional or replacement delegates as needed to the State or National Conventions and authorize additional funding for same.

SECTION 1. b. In addition to the automatic delegates to the National Convention, there shall be a delegate from the rank and file membership to include those elected officials

not termed "automatic delegates." This delegate shall be elected by the membership.

SECTION 1. c. In addition to the automatic delegates to the State Convention, there shall be three delegates from the rank and file membership to include those elected officials not termed "automatic delegates". These delegates shall be elected by the membership.

SECTION 2 All delegates must be automatic, appointed or elected and all delegates shall be members of the local delegation as chaired by the President.

SECTION 3. The Executive Board shall, at its January meeting in the even year, recommend to the next General Membership meeting the total amount to be expended for delegates to be sent to a State Convention.

SECTION 4.a. All nominations for delegates to the State Convention shall be made at the regular January meeting in the even years. Election by secret ballot of eligible nominees shall take place on the day of the next regular March meeting, at times to be determined by a majority vote of the Executive Board, to ensure members on all tours have the opportunity to vote. These times will be posted on all Union bulletin boards with the regular General Membership meeting notice. Voting will close at the adjournment of the General Membership Meeting.

SECTION 4.b. The President shall appoint, prior to the January meeting, three (3) tellers who shall count and tally the ballots for election of State Convention delegates and the results of the election shall be announced to the membership immediately after the completion of the tally. The three (3) tellers may not be candidates for election as State Convention delegates.

SECTION 4.c. In case of a tie between two or more delegates wishing to attend the State Convention, the Executive Board will meet within 72 hours to discuss procedures to break the tie.

SECTION 5. The Executive Board shall, at its March meeting in the even year, recommend to that month's General Membership meeting the total amount to be expended for delegates to be sent to a National Convention.

SECTION 6.a. All nominations for delegates to the National Convention shall be made at the regular March meeting in the even year. Election by secret ballot of the eligible nominees shall take place on the day of the next regular April meeting, at times to be determined by a majority vote of the Executive Board, to ensure members on all tours have the opportunity to vote. These times will be posted on all Union bulletin boards with the regular General Membership meeting notice. Voting will close at the adjournment of the General Membership Meeting.

SECTION 6.b. The President shall appoint, prior to the March meeting, three (3) tellers who shall count and tally the ballots for election of National Convention delegates and the result of the election shall be announced to the membership immediately after the completion of the tally. The three (3) tellers may not be candidates for election as National Convention delegates.

SECTION 6.c. In case of a tie between two or more delegates wishing to attend the National Convention, the Executive Board will meet within 72 hours to discuss procedures to break the tie.

SECTION 7. In the event of a special Convention, the President with the approval of the majority of the Executive Board shall appoint the delegates.

SECTION 8.a. A delegates meeting shall be called prior to leaving for the convention. At this meeting duties and responsibilities will be explained to all delegates. Failure of a Convention delegate to attend a called delegates meeting prior to the convention shall be considered sufficient cause for removal from the delegation.

SECTION 8.b. During the course of the Convention, delegates are responsible for attending called delegates meetings and daily convention sessions. A delegate's failure to attend a called delegate meeting or a daily convention session may be considered sufficient cause for removal from the delegation.

ARTICLE VI - EXECUTIVE BOARD

SECTION 1. The Executive Board shall consist of all officers holding elective positions. The Executive Board shall oversee all of the Union's business not otherwise provided for and shall have authority to conduct the business of this Union between regular membership meetings by majority vote. Actions of the Executive Board shall be subject to approval of a regular membership meeting.

SECTION 2. The President shall, whenever the circumstances require, be empowered to call a special meeting of the Executive Board.

SECTION 3. The Executive Board shall meet monthly and shall, prior to adjournment, determine the date, time and place of its next monthly meeting.

SECTION 4. For Executive Board meetings, a quorum shall consist of six (6) members of the total Executive Board complement.

SECTION 5. The business of this Local shall be conducted on the basis of a fiscal year, beginning July 1 and ending June 30.

SECTION 6. An Executive Board member who arrives more than thirty (30) minutes after the stated starting time of a regularly scheduled Executive Board or General Membership meeting shall be carried as absent. All officers of this Local are expected to attend all regularly scheduled Executive Board Meetings, regularly scheduled General Membership Meetings and any special meetings called by the President, unless said officer is on valid union business with the prior approval of the President. Any exception must be approval by a majority vote of Executive Board members present.

SECTION 7. Each elected member of the Executive Board shall have (1) vote.

SECTION 8. The elected Executive Board shall consist of the President, Vice President, Secretary/Treasurer, three (3) Trustees, Craft Directors, and a Political Director.

SECTION 9. A majority vote shall be the majority of the members present at an Executive Board meeting.

ARTICLE VII - OFFICERS DUTIES

SECTION 1. PRESIDENT.

It shall be the duty of the President to call for and preside at all Executive Board, Special and General Membership meetings. He shall appoint all committees and be chairman Ex-Officio of all committees. He shall be Executive Editor of the Local's newsletter. He shall be chairman of the Local Negotiation Team and at all Labor-Management Meetings. He shall be chairman of Delegates to all Conventions. He shall authorize and countersign all checks, vouchers and orders made by the Local. He shall fill all vacancies by appointment occurring in the Union during his term of office in conformity with the Articles of the Local Constitution and By-Laws. He shall be responsible for all work of the Union and all Officers, with the exception of the Trustees, who shall work under his direction. He shall be empowered to order a general membership referendum. He shall be an automatic delegate to the National and State Conventions for the APWU.

SECTION 2. VICE PRESIDENT.

The Vice President shall work under the direction of the President. The Vice President shall perform the duties of the President in case of his absence or inability to attend to the duties of his office. **It shall be his responsibility to keep an active log and files on all grievances processed by this Local.** He shall be Chairman of the Safety and Health Committee and shall coordinate the Safety and Health programs of this Local. He will be the Local's Human Relations Director and will be responsible for referring members who need assistance to the proper community services. He shall be the liaison in dealing with the Employee Assistance Program (EAP). He shall be the liaison with the Department of Labor for Injury Compensation. He will, in the absence of the President or Treasurer, countersign all checks drawn by this Local. He shall be an automatic delegate to the National and State Conventions for the APWU.

SECTION 3. SECRETARY/TREASURER.

The Secretary/Treasurer shall work under the direction of the President. The Secretary/Treasurer shall receive and deposit all moneys of this Local and give receipt for same to the President. His records shall determine the members' good standing. He shall pay all bills sanctioned by the Local Union upon presentation of the voucher signed by the President. He shall administer the Local's participation in the 401(k) Retirement Plan, which shall include submitting all enrollment information, withholding employees' contributions, and distributing them in accordance with the Plan reporting requirements and the Plan Adoption Agreement. **He will be the administrator for any local Dental Plan that may exist.** He shall prepare all vouchers authorizing disbursement of moneys from the Local Treasury for approval by the President. He shall keep a regular and systematic book of accounts and shall be ready to submit to an examination of the same whenever desired by the Trustees. He shall submit the books of the organization to an attested accountant, who has been approved

by the Executive Board, at the end of each fiscal year and a report of accounting shall be verified by the Trustees. He shall be responsible for filing all tax returns that are due and payable for the Local. He shall, at the close of his term of office, turn over to his successor all moneys, books, papers and documents belonging to the Local Union. He shall submit a monthly treasurer's report at membership meetings. He shall keep a correct and impartial account of the proceedings of the Local. He shall record and read the minutes of all Executive Board, General and Special Membership Meetings of the Local Union. **He shall be an automatic delegate to the State Convention for the APWU.** He shall perform all other duties that may be delegated to him by the President.

SECTION 4. CRAFT DIRECTORS.

Each Craft division shall be headed by its own Director, who shall be a member of the particular Craft division and shall be elected only by members of that Craft division. The Craft Directors shall work under the direction of the President and shall submit to the President all recommendations for stewards in his craft. They will be responsible for overseeing the work of stewards **and to assist and advise in the processing of all grievances at all levels** in their respective craft. **It shall be their responsibility to keep an active log and files on all grievances processed by this Local for their craft. They shall, under the direction of the President, educate the respective craft stewards of this Local. It shall be their duty to remain informed of all matters relating to the interpretation of the National and Local contracts for their craft.** They shall be responsible for ensuring that an item of interest to their respective craft members is submitted for each edition of the Philly Parcel. They shall represent their craft at Labor-Management meetings and shall be a member of the Local Negotiating Team. The Craft Directors shall be automatic delegates to the State Convention for the APWU.

SECTION 5. POLITICAL DIRECTOR.

The Political Director shall work under the direction of the President, advising him on public relations matters. He shall conduct rank and file labor education efforts. He shall coordinate a local Committee on Political Activity, with responsibility for the collection and submission of COPA funds, and be responsible for contacting and communicating with our local, state and national representatives on legislative issues that are pertinent to postal employees. He shall establish and maintain links with print and television media. He shall organize and publicize informational picketing activity as required. He shall assist the Editor in preparing local publications. He shall establish links with consumer and community groups to promote favorable public perception of Local #7048.

SECTION 6. TRUSTEES

The three (3) Trustees shall work under the direction of the President. They shall check and ascertain that all laws and regulations of the Department of Labor, Landrum-Griffin Law, and the Taft-Hartley Law are being complied with by the Local. The Trustees shall have general supervision over the property of the Union. They shall submit written annual reports making recommendations of the physical condition of the

Union property. They shall examine the Union expenditures, after receipt of all supporting documentation and submit written a report to the next General Membership meeting. They shall take a yearly physical inventory of the Local's property and assets, making annual written reports together with recommendations.

ARTICLE VIII – FILES, RECORDS & DOCUMENTS OF THE LOCAL

All officers, stewards, and employees of the Local will, at the end of his/her term of office or assignment, turn over to the Local all files, records and documents of this Local.

ARTICLE IX - APPOINTIVE POSITIONS

SECTION 1. STEWARDS

a) Appointing/Deleting stewards or changes to a steward's designation will require a recommendation by the Craft Director to the President. If there is a need to take action regarding steward appointments/designations in the absence of a craft director, the **Vice President** may make the recommendation to the President. If accepted by the President the recommendation will need to be passed by a majority vote of the Executive Board present.

b) All Stewards shall receive a salary, not to exceed the dues paid, by the Local on a semi-annual basis. The amount of salary to stewards will be determined and presented for approval at the June and December Executive Board meetings, by the craft directors.

c) All Officers will be available to act as stewards if the need should arise.

SECTION 2.

The Sergeant-at-Arms shall be appointed prior to the General Membership Meeting by the President, as needed.

SECTION 3. EDITOR.

The Editor will be appointed by the President. He shall work under the direction of the President and shall be responsible for the publication of all newsletters or papers on a regular basis not to exceed **four (4)** months between publications. He shall maintain a complete and up-to-date mailing list of this Local at all times. He may attend Executive Board meetings with no vote.

ARTICLE X. - NOMINATIONS AND ELECTIONS

SECTION 1. The officers and members of the Executive Board as set forth in Article VI, Section 8 herein, shall be elected for a term of two (2) years. Nominations for such offices shall take place at the April General Membership Meeting every other year during the odd years. Election procedures are as hereinafter set forth. The newly elected official shall be installed in office at the June General Membership meeting.

SECTION 2. A Judge of Elections and three (3) Tellers for the elections of officers shall

be selected by the Executive Board subject to approval of the General Membership Meeting in March of the election year. A notice must be posted on all Bulletin Boards naming the Judge of Elections and the Tellers notifying the membership that nominations of officers will be held the following April. The Judge of Elections and Tellers cannot be candidates in that election. Upon appointment he shall be given written authorization as Judge of Elections and furnished with a copy of the Local and National Constitutions.

SECTION 3. Notice of the time and place of the nomination and/or elections and of the offices to be filled shall be posted on all bulletin boards not less than fifteen (15) days prior to same.

SECTION 4.a. At the April General Membership meeting, to be held no later than April 15th, at which time nominations are made, every member in good standing and present at said meeting shall be given ample opportunity to nominate the candidates of his choice for any and all offices for which nominations are to be made. Every member in good standing shall be eligible to be a candidate for, and to hold office, provided, however, that such member shall have complied with all of the provisions contained in the Constitution of the American Postal Workers Union and in the Constitution of the Local Union relating to eligibility and qualifications for nomination and election to the office or positions to be filled.

SECTION 4.b. Any postal employee eligible to be a member of the American Postal Worker's Union who voluntarily holds a managerial, supervisory or EAS position with responsibility for issuing or recommending discipline, or interpreting the National Agreement for the equivalent of one pay period in a year shall be ineligible to hold office at any level of the American Postal Workers Union (APWU) or to be a delegate to any convention held by the APWU or any subordinate body of the APWU, so long as the employee continues to serve in such position and for a period of one (1) year from the time the employee vacates such position.

Any postal employee who has submitted an application to a managerial, supervisory, or EAS position with responsibility for issuing or recommending discipline or applying or interpreting the National Agreement shall withdraw such application prior to the acceptance of nomination for any office in the APWU.

SECTION 4.c. Any postal employee who shall voluntarily hold, accept or apply for any managerial or supervisory position, EAS position, for any period of time, whether one day or a fraction thereof, either detailed, acting, probationary or permanently, shall immediately vacate any office held by that member in the national, local, area local, district council, state or regional organization, any department of the APWU, the Postal Press Association, or any subordinate body of the APWU which receives financial support or uses the name of the American Postal Workers Union.

SECTION 5. A member to be eligible for office must be a member in good standing as defined in Article 3, Section 6 (a).

SECTION 6. A current mailing list, as maintained by the Secretary/Treasurer cross-checked against the most current dues check off list, of all eligible voters that are dues paying members as of April 1st of the election year, must be made available for use by the Judge of Elections. This mailing list shall contain the name, current address and social security number of the member. The mailing list shall be broken down by craft.

At the April General Membership Meeting of the election year, the Judge of Elections shall report the condition of the mailing list.

SECTION 7. The mailing list must be current and correct by the April General Membership Meeting. This must be attested to in writing by the Judge of Elections and the Secretary/Treasurer. All communications must be through the Judge of Elections. He/She will be the liaison between the Local and the Printers.

SECTION 8. No member shall hold more than one elected office in this Local Union, and no one shall be permitted to run as a candidate for more than one Local Office.

SECTION 9. It shall be the duty of the Judge of Elections/designee to secure signed letters of acceptance from the nominees and determine the eligibility of the nominees. The Letters of Acceptance must be mailed to the nominees no later than five (5) days after the nominations. Letters of Acceptance bearing the nominees' signatures must be postmarked to the Judge of Elections not later than ten (10) days after the date on which the acceptance letters were sent. Nominations may be accepted in writing at the General Membership Meeting in the presence of the Judge of Elections or designated tellers pending eligibility.

SECTION 10. Election of officers shall be conducted by a secret ballot-referendum. Write-in votes shall not be valid, nor shall they be considered or counted in the election.

SECTION 11.a. The incumbent shall be on the first position on the ballot and the other candidates selected by lot under the supervision of the Judge of Elections and at least one teller. The incumbent Trustees shall be selected by lot for the first ballot position. Their opponents shall be selected by lot in the same manner as above and listed in the order selected behind the incumbents.

SECTION 11.b. In the event that only one (1) eligible candidate is nominated for an office, the Secretary/Treasurer shall cast one (1) ballot for such candidate whereupon the Judge of Elections shall declare such candidate duly elected to the respective position and his/her name shall not appear on the ballot.

SECTION 11.c. A notice shall be posted five (5) days after the deadline for receiving letters of Acceptance for nominations showing the names of all candidates.

In the event a candidate is running unopposed and verified eligible by the Judge of Elections a notice shall be posted showing that the candidates(s) is unopposed/elected according to the procedures in Section 11 (b).

SECTION 12.a. The Judge of Election shall order a sufficient number of ballot kits to conduct the election. Each ballot kit must contain the following: (1) a ballot and instructions, color coded (by craft and location); (2) a blank ballot envelope; (3) a numbered color coded return inner addressed envelope; (4) outer envelope. All ballot kits must be mailed first class. The Judge of Election shall supervise addressing the blank outer envelopes furnished by the printer.

SECTION 12.b. A notice shall be posted on all Union Bulletin Boards informing the membership that if a ballot is not received four (4) days after the mailing they must request in writing a duplicate ballot from the Judge of Elections or designated Teller. This notice shall include the date ballots are mailed and the date ballots must be

returned. The notice will also include place, date and time ballots are to be counted.

SECTION 12.c. Candidates and their certified observers shall be allowed to be in attendance at the polls, the counting of the ballots and any physical movement of the ballots from the collection of the ballots through the final storing of the ballots. This shall be granted through the written request of the candidate to the judge of elections. The actions of the observers shall be in accordance with the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA). The name of the certified observer may be given to the Judge of Elections, in writing, with the return of the nominees' acceptance."

SECTION 13. A Post Office Box Number or Post Office Addresses shall be the return address on the outer and inner envelopes. The outer envelope shall, under the return address, include "address correction requested". All ballots, to be valid must be postmarked no later than midnight of the third Thursday in June of each odd year. The Members' name, address and the last four (4) digits of the members' social security number shall be requested to be printed, typed, or legibly written on the return envelope to be valid. For ballot security and identification, the ballots shall be numbered according to article X. Section 12. The sequential numbering of ballots and envelopes matched to the members name shall be used to identify members' ballots. If the ballot and the envelope can be matched with the voter to the satisfaction of the judge of elections and /or the elections committee, it shall be declared a valid ballot. The Judge of Election and at least one teller shall receive from the printer all of the overrun and mutilated ballot kits. The Judge of Election and at least one teller shall supervise the transportation of all completed ballot kits from the printer to the Post Office for mailing.

SECTION 14. Balloting for election of officers shall be conducted by mail. Ballots shall be mailed to members in good standing at their last known address, no earlier than eighteen (18) days nor later than fifteen (15) days prior to the closing date of balloting. The conduct and supervision of the election shall be as hereinafter set forth under Judge of Election. Within two (2) days after the certification of the election results signed by the Judge of Elections and the tellers, it shall be the duty of the Recording Secretary/Treasurer to post on all Union bulletin boards the results of said election. The results of the election shall be posted before the June General Membership meeting. All elected officers shall be installed at said meeting.

SECTION 15. Candidates for election to craft office must be members of the craft they wish to represent.

SECTION 16. The candidate receiving the highest number of votes for each office shall be declared the winner.

SECTION 17. All election documents shall be retained by the Judge of Elections in a safety deposit box for a period of one (1) year following the election.

SECTION 18. A special election edition of the Philly Parcel shall be published and mailed no later than May 23rd. It shall contain only articles submitted by candidates for contested positions, not to exceed 500 words. All such articles must be submitted by certified mail to the Judge of Elections and received by May 12th. No submissions received later than May 12th shall be published in the special edition. All articles must be on white paper, typed and double spaced. Articles will be printed as submitted, with

both grammatical and spelling errors unchanged. Article review and word count will be done by the Editor of the Philly Parcel. One copy of the Special Election Edition of the Philly Parcel shall be sent to every member in good standing of APWU, Local 7048 by First Class Mail.

ARTICLE XI - DUES AND ASSESSMENTS

SECTION 1. The dues of this Local shall be a minimum of twenty (20) dollars per member per month to include the National per capita tax.

SECTION 2. Whenever the financial need arises, a dues increase shall be recommended by the Executive Board and must be approved by a majority vote of secret ballots taken at a general membership meeting, provided that it be posted continually for 15 days on all union bulletin boards prior to that meeting stating the date, time and place of the meeting and that a dues increase will be voted on at that meeting. Any member in good standing has the right to request an absentee ballot from any union officer that will be due at the union post office box prior to that meeting. An absentee ballot will be notarized and the trustees will assure that no member votes more than once.

SECTION 3. All increases in the National per capita shall be automatically added to the Local's due structure. Future per capita tax and Local dues increases are to be derived by deducting three percent (3%) of each negotiated salary increase, one percent (1%) for the APWU, and two percent (2%) for the Local.

SECTION 4. Special assessments may be levied when it becomes absolutely necessary to carry out organizational work after recommendation of the Executive Board and guidelines as set forth in Article XI, Section 2.

ARTICLE XII - MEETINGS

SECTION 1. This Local Union shall meet once in January, March, April, June, September and November, at such time and place as the Executive Board may decide.

SECTION 2.

- (a) Special meetings may be convened by the President, whenever he may deem it necessary to the best interest of the Local Union, or at the written request of fifty (50) members in good standing or by vote of the General Membership Meeting. No business but that for which the meeting, stating the time and place selected and the object for which called, shall be posted on all bulletin boards. There must be at least three (3) days notice prior to such meeting.
- (b) Informational meetings shall be called by the Executive Board on an as needed basis.

SECTION 3. Roberts Rule of Order shall decide all questions of order not herein provided at all meetings to include Executive Board Meetings.

SECTION 4. The order of business at all regular meetings shall be as follows:

- (a) Opening of meeting with Pledge of Allegiance to the Flag.
- (b) Roll call of Officers.
- (c) Reading of Minutes of previous meeting.

- (d) Executive Board Minutes.
- (e) Secretary/Treasurer's Report.
- (f) Craft Directors Reports.
- (g) Political Director Report.
- (h) Vice President and appointed position reports.
- (i) Communications.
- (j) Report of Committees.
- (k) Unfinished Business.
- (l) New Business.
- (m) Trustees Report.
- (n) Adjournment.

This order of business may be transposed at any time by a majority vote of the members present at the meeting.

SECTION 5.

In the absence of the President and Vice President, the **Secretary-Treasurer** shall preside. If the need arises, the President shall appoint an Executive Board member to fill pro tem any vacancy caused by the absence of any other officer.

SECTION 6. Donations, contributions, or subscriptions of any nature from the local treasury, other than what is provided for in the Constitution and By-Laws of this Union shall require a two thirds (2/3) vote of the members present at any regular meeting of this Union.

SECTION 7. No criticism of any member's race, sex, religion, creed, age, color, physical or mental handicap, political affiliation, nationality or sexual orientation shall be allowed at any meeting of this Union.

SECTION 8. Individual grievances shall not be presented as a subject for discussion at the meeting of this Union.

SECTION 9. An itemized list of all expenses incurred and paid for by this Local for the month preceding the General Membership Meeting must be included in the Secretary/Treasurer's Report for the meeting.

ARTICLE XIII - MEMBER CHARGES AND PROCEDURES

SECTION 1. All charges of misconduct against an officer or member of this Local shall be processed in accordance with Article XV of the American Postal Workers Union, AFL-CIO, National Constitution and By-Laws.

ARTICLE XIV – LOCAL AND MEMBERSHIP PROTECTION

SECTION 1. a. Any position, elected or appointed, held by a member working in a non-bargaining unit capacity for any period of time, shall be declared vacant and shall be filled by the provisions in article XV of this Constitution.

SECTION 1. b. Any postal employee eligible to be a member of the American Postal Workers Union who voluntarily holds a managerial supervisory or EAS position with 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 at any level of the American Postal Workers Union (APWU) or to be a delegate to any convention held by the APWU or any subordinate body of the APWU, so long as the employee continues to serve in such position and for a period of one (1) year from the time the employee vacates such position.

Any postal employee who has submitted an application to a managerial, supervisory, or EAS position with the responsibility for issuing or recommending discipline or for applying or interpreting the National Agreement shall withdraw such application prior to acceptance of nomination for any office in the APWU. Enforcement, except where to conduction of an election is involved, of Article XIII, Section 7 of the Local Constitution shall be the responsibility of the Trustees of this Local.

SECTION 2. All records, books, files, etc., pertaining to Union members' business or committees must be kept in the Union Office at all times. If work must be done at home with these records, books, files, etc., they can only be removed from the Union Office with the approval of the President and for a period not to exceed five (5) calendar days.

SECTION 3. All officers shall, at the close of their term of office, turn over to their successor all books, papers and documents that belong to this Local Union.

ARTICLE XV - SUCCESSION OF OFFICERS

SECTION 1. PRESIDENT

In the event of a vacancy in the Office of the President, the Vice President shall succeed him for the unexpired term.

SECTION 2.

All other vacancies on the Executive Board will be filled by Presidential Appointment, except as otherwise provided, with the approval of the majority vote of the members of the Executive Board. Appointment to a non-elective position will not require approval of the Executive Board, except as outlined in Article IX, Section 1 (a).

ARTICLE XVI - ELECTION APPEALS

SECTION 1. The appointment of the election committee shall take place at the March Executive Board meeting prior to the biennial election for local offices. No member of the committee may be a candidate in any election. The President shall appoint (5) members to the election committee subject to Executive Board approval. No committee member may serve in a non-bargaining unit position as per Article III, Section 9 of this Local Constitution. The Election Committee shall be responsible for the conduct of local elections and shall decide all controversies arising out of election processes. Any member who feels aggrieved in connection with the conduct of a Local election shall file a written protest with the Election Committee within seventy-two (72) hours after his grievance arises. (For the purpose of this Article, the term "election" shall include nominating procedures).

Appeals from decision of the Local Election Committee shall be made to the National Election Appeals Committee described in Section 3 of this Article, shall be in writing, shall set forth all the relevant facts on which the appeal is based and shall be filed with the National Election Appeals Committee within five (5) days from the decision appealed from.

SECTION 2. Any member who feels aggrieved in connection with the conduct of a national election shall file his grievance with the National Election Appeals Committee within seventy-two (72) hours after his grievance arises.

SECTION 3. The President of the APWU, with the approval of the National Executive Board, shall appoint a National Election Appeals Committee which shall consist of the President and four (4) additional members. This committee shall have final authority to decided disputes, controversies and appeals arising out of Local, State, Regional and National Elections. The National Election Appeals Committee shall have authority to adopt rules and regulations as it deems desirable to promptly accomplish the objective of this Article. Where the National Appeals Committee finds merit in an appeal it shall have full authority to direct and impose such remedy as it considers necessary or proper.

SECTION 4. Officers declared elected through applicable procedures of local organization shall assume and hold office pending final determination under the appeals procedure provided in this Article.

ARTICLE XVII - AMENDMENTS TO THE CONSTITUTION

SECTION 1. Any amendment to this Constitution, except as provided for in Article XI, shall be signed by twenty-five (25) members in good standing as certified by the Secretary/Treasurer presented in writing and read at a General Membership Meeting and then read at the next meeting. All members shall then be notified by a posting on all Union bulletin boards of the amendment as presented and the date of the next meeting when it shall be voted upon. Approval by two-thirds (2/3) of those voting at the membership meeting shall be necessary for its adoption.

SECTION 2. The Executive Board shall have authority to amend the Constitution and By-Laws to remove any conflict between its provision and those of any applicable federal or state law. The Board is also empowered to modify such provision as

necessary to conform to amendments adopted by the membership.

SECTION 3. The Executive Board shall have authority to resolve questions relating to constitutional interpretation.

ARTICLE XVIII - GENERAL MEMBERSHIP REFERENDUM

SECTION 1. Any member/members of the Local may prepare and circulate a petition for the purpose of causing a resolution of Local-wide importance to be brought to a vote of the whole organization.

SECTION 2. Before the circulation of such a petition the Secretary/Treasurer shall be notified, in writing, of such action and furnished with a copy of the draft of the proposed question or resolution.

SECTION 3. If such petition is subscribed to by signatures equal to 35% of the total membership in good standing as of the time of the last General Membership meeting, the Secretary/Treasurer must submit the proposed question or resolution to the President for a referendum vote as hereinafter prescribed.

SECTION 4. Upon receipt of a petition for a referendum vote, the Recording Secretary shall verify its validity, and having done so, shall certify to the President and Executive Board that a petition has been duly filed.

SECTION 5. A referendum election may also be ordered by the President, pursuant to Article VII, Sec. 1.

SECTION 6. Three (3) tellers shall be appointed by the President at the Executive Board meeting prior to the election. The text of the referendum question or resolution shall be posted on all Union bulletin boards within one week of certification.

SECTION 7. The referendum shall take place within two (2) months of certification by the Recording Secretary, at times to be determined by a majority vote of the Executive Board, to ensure members on all tours have the opportunity to vote.

SECTION 8. It shall require a majority of votes cast to decide the question.

SECTION 9. No resolution or question adopted by a referendum vote of the General Membership may be repealed or amended within one year after the election.

ARTICLE XIX - OFFICERS EXPENSES

Any Union official when without personal choice is required to officiate or conduct Union business, with the approval of the Executive Board, will be reimbursed for any wages or leave lost for this purpose at the Straight Time rate. Further. Any Union Official required to officiate or conduct union business with the authorization of the president and approval of the Executive Board, will be paid for all authorized time worked on Union Business on their nonscheduled day. Union officials will be paid at their current postal straight time rate up to eight (8) hours, on their non-scheduled day. However, Union Officials will not be compensated by the local union more than their normal work hours in a service week or more than the hours normally worked in a service day.

ARTICLE XX - OFFICERS SALARIES

The salaries for the Officers, Trustees and Appointed positions of this Local will be derived from fourteen and seven tenths (14.7%) percent of this Local's real income annually. This figure will be based on the previous year's financial statement. Real income will consist of dues reimbursement, new member reimbursement and interest. Dues reimbursement shall not include any optional payments by members (i.e., dental premiums, ABA premiums, etc. The percentage breakdown of the above stated fourteen and seven tenths (14.7%) percent for each salaried position is as follows:

- (a) President: Eighteen (18%) percent.
- (b) Vice-President: Sixteen (16%) percent.
- (c) Secretary/Treasurer Sixteen (16%) percent.
- (d) Director, Clerk Craft: **Twelve (12%)** percent.
- (e) Director, Maintenance Craft: **Twelve (12%)** percent.
- (f) Director, Motor Vehicle Craft: **Ten (10%)** percent.
- (g) Political Director: **Six (6%)** percent.
- (h) Trustees (three positions): Two (2%) percent (each).
- (i) Editor: Four (4%) percent.

ARTICLE XXI – RETIREMENT PLAN – 401(k) PROGRAM

SECTION 1. PARTICIPATION

Local 7048 shall participate in the APWU Nationally Sponsored 401(k) Retirement Plan. All employees (those who receive salaries or LWOP) shall be eligible.

SECTION 2. MATCHING CONTRIBUTIONS

Local 7048 will make a matching contribution for each Participant's Elective Deferral Contributions during each pay period up to:

- (a) FERS EMPLOYEES: Dollar for dollar up to a maximum 5% of the Participant's lost USPS wages (code 84) each pay period.