

**Constitution**  
**for**  
**Connecticut State Prison Employees**  
**Local 391**

**Article I**  
**Name**

The name of this organization shall be Connecticut State Prison Employees Local Number 391 of the American Federation of State, County and Municipal Employees, AFL-CIO.

**Article II**  
**Affiliations**

This local union shall be affiliated with AFSCME Connecticut Council 4 of the American Federation of State, County and Municipal Employees; the Connecticut AFL-CIO; and the appropriate central body of the AFL-CIO.

**Article III**  
**Objectives**

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

**Article IV**  
**Membership and Dues**

Section 1. All employees of the Connecticut Correctional Institution, Somers; the Connecticut Correctional Institution, Enfield; the Carl Robinson Correctional Institution, the Willard Correctional Institution, and the Walker Correctional Institution; excluding persons with the rank of lieutenant or above and employees with the authority to fire, suspend or take disciplinary action against another employee, 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 application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The biweekly membership dues of this local shall be \$24.00, which is based upon the following formula: biweekly membership dues, upon the ratification of the successor NP-4 Bargaining Unit Contract and the bargaining unit receiving a general wage increase, shall increase to the correctional officer pay grade, step one, hourly rate. Successive general wage increases shall adjust the dues accordingly.

Section 4. To the extent possible, membership dues shall be payable by payroll deduction. Dues shall be payable monthly in advance to AFSCME Connecticut Council 4 and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is paying his/her dues through a system of regular payroll deduction shall for so long as he/she 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 plus the current month's dues. Delinquent dues shall be paid through Council 4.

## **Article V Meetings**

Section 1. Regular meetings of this local shall be held once each month, at a time and place to be fixed by the membership or the local executive board.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by ten percent (10%) of the members of the local. Special meetings may also be called by the International President or his/her authorized representatives.

Section 3. Quorum shall be defined as five percent (5%) of total active membership of Local 391 as of January 1 of each calendar year.

## **Article VI Officers, Nominations and Elections**

Section 1. The officers of this local shall be a president, a vice president, a recording secretary, a secretary-treasurer, and five executive board members, and these nine (9) officers shall constitute the local union executive board. These nine (9) officers shall be elected for a term of three (3) years, beginning May 2017. In addition, there shall be elected three members who shall serve as trustees. The trustees shall be elected to overlapping three-year terms of office.

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 May.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held in this local; provided, however, that no retired member shall be a candidate for office. 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. Officers shall be elected by secret ballot vote, in accordance with AFSCME International standards in the AFSCME Local Union Election Manual. Balloting shall be conducted so as to afford to all members a reasonable opportunity to vote. At least fifteen days' advance notice shall be given the membership prior to the holding of the election.

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

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

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

**Article VII**  
**Duties of Officers and Executive Board**

Section 1. The president shall preside at all meetings of the local union and of the executive board. He/she shall be a member of all committees with the exception of the election committee if he/she is a candidate in the current election. He/she shall countersign all checks drawn against the funds of the local. He/she shall appoint all standing committees and all special committees of the local, subject to the approval of the executive board. He/she shall report periodically to the membership regarding the progress and standing of the local and regarding his/her official acts. He/she shall be an automatic delegate to AFSCME Connecticut Council 4 and to all conventions, conferences, and other functions where the local is entitled to be represented. He/she shall appoint all those who shall represent the local union at all conferences, conventions, and any other functions that are not specifically described in the International Union Constitution.

Section 2. The vice president shall assist the president in the work of his/her office. In the absence of the president or in his/her inability to serve, the vice president shall preside at all meetings and perform all duties otherwise performed by the president. He/she may, with approval of the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.

Section 3. The recording secretary shall keep a record of the proceedings of all membership meetings and of all executive board meetings. He/she shall carry on the official correspondence of the local, except as the executive board may direct otherwise. He/she shall perform such other duties as the executive board may require.

Section 4. The secretary-treasurer shall receive and receipt for all monies of the local union. He/she shall deposit all money so received in the name of the local union in a bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer. He/she shall prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board. He/she shall 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. He/she shall act as custodian of all properties of the local union. He/she shall, at the expense of the local union and through the International Union, give a surety bond for an amount to be fixed by the executive board of the local union. He/she shall 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. He/she shall 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.

Section 5. The trustees shall make or cause to be made at least semi-annually an audit of the local's finances, and shall report to the membership on the results of such audit.

Section 5(a). On an annual basis, all paperwork pertaining to the local's finances shall be forwarded to a Certified Public Accountant for a review and audit of financial statements, preparation of surety bond report, and preparation and filing of Organization Exempt Return.

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

Section 7. The local chief steward shall be appointed by the executive board. He/she shall update all steward rosters and keep the agency current on the status of all local stewards on a quarterly basis. He/she shall ensure all stewards have all necessary material and information to administer the bargaining unit contract and any agreements reached during the life of the contract. He/she shall receive and investigate all complaints about stewards and then make his/her report to the executive board. He/she shall assist in steward training and development. He/she shall perform such other duties as the executive board requires.

Section 8. Facility chief stewards shall be at each facility as a liaison between the local executive board, the stewards, and the administration at each facility. The facility chief steward shall schedule labor/management meetings, and prepare and submit the union's agenda, maintain the union's bulletin board at their respective facility and ensure that all correspondence is posted and kept current. He/she shall ensure that all completed steward applications are promptly forwarded to the local chief steward for review by the Steward Committee. The facility chief stewards shall be appointed by the local union president. He/she shall perform other duties as the executive board requires, such as monitoring probationary stewards.

Section 9. Stewards shall be the local union representatives at their assigned facility or workplace. Any member in good standing with a minimum of two (2) years employment in the bargaining unit, who wishes to become a steward, shall complete the proper application form and forward it to their facility chief steward. Any exception to this provision must be approved by the executive board. Proposed stewards of the local union shall be appointed by the executive board to a one (1) year probationary period. Upon acceptance, he/she shall complete the required training. He/she shall act as a representative of the local's members and enforce the bargaining unit agreement. All stewards are required to act within the bounds of the International Union and local union constitutions.

## **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. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. If any member of the executive board has three consecutive unexcused absences from scheduled meetings, i.e., executive board meetings, monthly membership meetings, tri-local executive board meetings, he/she shall be removed from office at the discretion of the executive board.

Section 5. The following executive board members shall be automatic delegates to the AFSCME International and Council 4 conventions: president, vice president, secretary-treasurer and recording secretary. Executive board member(s) shall be automatic alternates to the AFSCME International and Council 4 conventions in order of who received the highest number of votes in the last election. If a situation should arise and the allowable amount of delegates/alternates cannot attend, then a nomination and

election process shall be initiated in accordance with Appendix D of the International Union Constitution.

**Article IX  
Amendments**

This constitution may be amended, revised, or otherwise changed by a two-thirds 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.

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive style with a large, stylized initial "L".

LEE SAUNDERS  
President

Approval date: April 1, 2016



Lee Saunders  
President

Laura Reyes  
Secretary-Treasurer

**Vice Presidents**

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Portland, OR

Richard L. Caponi  
Pittsburgh, PA

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San Dimas, CA

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Jeanette D. Wynn  
Tallahassee, FL

April 1, 2016

Collin J. Provost, President  
AFSCME Local 391  
165 Southampton Road  
Holyoke, MA 01040

Dear Brother Provost:

We have completed our review of the amendments to the Local 391 Constitution, which were submitted by AFSCME Council 4 Executive Director Salvatore Luciano on your behalf. The amendments have been approved with the following exceptions and/or revisions:

1. Article II. We have revised this section to reflect the official name of the state body of the AFL-CIO with which Local 391 is affiliated.
2. Article IV, Section 1. We have revised this section to reflect the local's official charter jurisdiction. However, we are investigating the proposed jurisdiction changes and, should they be approved, we will forward you a notice and a revised constitution reflecting the local's new charter language.
3. Article IV, Section 3. For clarity, we have revised the submitted dues language to accurately reflect the current rate provided by Area Field Services Director Tim Birch.
4. Article VI, Section 4. We have retained necessary Appendix C language regarding election procedures. The section has been modified to read: "Officers shall be elected by secret ballot vote, in accordance with AFSCME International standards in the AFSCME Local Union Election Manual. 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."
5. Article VII, Section 1, second and sixth sentences. We have modified language regarding the president as a member of the election committee. As explained in the *AFSCME Local Union Election Manual* (copy enclosed) on Page 9, under "The election committee": "The president may not serve as a member of an election committee in any election where the president is a candidate [opposed or unopposed]." The second sentence has been modified to read: "He/she shall be a member of all committees with the exception of the election committee if he/she is a candidate in the current election." In addition, in the sixth sentence, we approved automatic delegate language for the president. However, be aware that this language commences with the 2017 officer elections. Members must know they are electing the president as an automatic delegate when elections take place.

**American Federation of State, County and Municipal Employees, AFL-CIO**

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6. Article VII, Section 4, fourth sentence. We have retained language from the previously approved Local 391 Constitution regarding per capita tax and membership reporting. Though Council 4 may perform these functions on behalf of the local, it remains the local's responsibility to see that such reporting occurs.
7. Article VIII, Section 3. We have updated your reference to *Robert's Rules of Order* to comply with the current language in Appendix C.
8. Article VIII, Section 5. For clarity and to comply with current language in Article IV, Section 6, of the *International Constitution* and Article VI, Section 1, of the AFSCME Connecticut Council 4 Constitution regarding number of delegates allowed, we have modified this section to read as follows: "The following executive board members shall be automatic delegates to the AFSCME International and Council 4 conventions: president, vice president, secretary-treasurer and recording secretary. Executive board member(s) shall be automatic alternates to the AFSCME International and Council 4 conventions in order of who received the highest number of votes in the last election. If a situation should arise and the allowable amount of delegates/alternates cannot attend, then a nomination and election process shall be initiated in accordance with Appendix D of the International Union Constitution." The number of members in Local 391, which is approximately 1,841, entitles the local to have no more than five delegates/alternates. In addition, be aware that this language commences with the 2017 officer elections. Members must know they are electing these officers as automatic delegates/alternates when elections take place.

Enclosed are two complete copies of the local constitution, as amended, with my signature of approval on the final page. Should the local amend this constitution in the future, please submit the amendments for approval after they have been adopted by the membership.

In solidarity,

  
LEE SAUNDERS  
President

LS/MMcC/JR:ljw

Enclosures

cc: Mike Sukal, Director, Organizing and Field Services  
James Howell, Eastern Regional Director, O&FS  
Tim Birch, Area Field Services Director, O&FS  
Salvatore Luciano, Executive Director, Council 4  
Pat Gordon, Office Assistant II, AFSCME New England  
Dave Caron, Vice President, Local 391  
Robert O. Beamon, Recording Secretary, Local 391