

The Auxiliary Pledge

God, give us the inspiration to accomplish the work of this Auxiliary and the strength to overcome difficulties. May we work together to promote the interests of the union and Auxiliary. Help us to understand each other and work in harmony for the growth of our organization.

**CONSTITUTION AND
BY-LAWS
OF THE
AUXILIARY
TO THE
AMERICAN POSTAL
WORKERS UNION**

As revised August 2018

Merger of Auxiliaries to UFPC, NASDM, NPU,
NFPOMVE,
NAPO and GSME at Washington, D.C.
July 1, 1971

For the promotion of all interests of the postal
employees of the United States.

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**CONSTITUTION AND BY-LAWS OF THE
AUXILIARY TO THE AMERICAN
POSTAL WORKERS UNION**

MEMBERS' BILL OF RIGHTS

1. Every member has the right to be respected as a human being.
2. Every member has the right to be respected as a brother or sister of this Auxiliary.
3. Every member has the right to freedom of speech and the right to be heard.
4. Every member has the right to the freedom to listen.
5. Every member has the right to the freedom of the press.
6. Every member has the right to participate in the activities of the Auxiliary.
7. Members shall not be denied the right to seek any office or the right to vote in this Auxiliary because of race, color, creed, sex or sexual orientation, nationality, handicap, political affiliation, age or religion (except for those restrictions in Article. V, Section. 1(c) and Article VI, Section 5(b).
8. Every member has the right to support the candidate of their choice and to participate in that right with others.
9. Every member has the right to a fair trial, to be represented by an individual of their choosing and to proper appeal procedures.
10. Every member has the right to be secure in their basic rights without fear of political, economic, physical or psychological intimidation.

ARTICLE I - TITLE

This body shall be known as the Auxiliary to the American Postal Workers Union, AFL-CIO.

ARTICLE II - OBJECTS

The objects of this organization shall be:

1. To bring together persons interested in the efforts of the American Postal Workers Union for better working conditions.
2. To extend a knowledge of political operations of government and the responsibilities and duties of citizenship.
3. To render effective aid in securing the passage of desired remedial legislation.
4. To support all programs of the National American Postal Workers Union.
5. To support workers generally in their efforts to secure a higher standard of living.

ARTICLE III - MEMBERSHIP

SEC. 1:

(A) The following shall be eligible for membership in this organization:

1. A sponsored person or a relative of any active, retired or deceased APWU member.
2. Any retired APWU member.

(B) Membership shall be continuous as long as dues are paid, unless the APWU member enters a supervisory position. An auxiliary member may not be in a supervisory position with the United States Postal Service unless they are the relative of an APWU member.

- (C) Auxiliary membership may be held in the local of the qualifying member or retiree or may be held in the place of legal residence of the Auxiliary member where an Auxiliary exists, or the applicant may become a member-at-large, if appropriate.
- (D) Each Auxiliary which has at least one Auxiliary member per Union member, shall be considered a 100% Auxiliary.

SEC. 2: MEMBER AT LARGE

Any person eligible to membership in this Auxiliary may become a member at large, and shall have the right to vote and hold office as an active member, provided that no such membership be granted from offices where a local Auxiliary exists and provided further that not more than three (3) member at large memberships be granted in any one local. The member at large may pay the regular per capita to the state treasurer who then will remit to the national treasurer.

SEC. 3: LOCALS WITHOUT LEADERS (LWOL)

Locals Without Leaders shall be the designation when there are four (4) or more members without the following; a constitution, charter, officers and EIN.

SEC. 4: RETENTION OF MEMBERSHIP

In the event of the retirement or death of a sponsoring person of the American Postal Workers Union, the sponsored person may retain full membership in the Auxiliary, or become eligible for Honorary Membership, provided the retired or deceased was a member in good standing at the time of retirement or death and provided said member otherwise fulfills regular obligations.

SEC. 5: DEFINITION OF A LOCAL AUXILIARY

A local Auxiliary shall have four (4) or more members and meet all of the following conditions: hold a charter, have officers, a constitution and an EIN.

SEC. 6: DEFINITION OF A STATE ORGANIZATION

A state organization shall hold a charter, have officers, and have a constitution. An Auxiliary shall be considered a state organization if they meet one or more of the following criteria:

- (A) A minimum of three (3) Auxiliaries
- (B) Two (2) Auxiliaries and one (1) Member at Large
- (C) One (1) Auxiliary and five (5) Members at Large
- (D) Four (4) LWOL chapters
- (E) Three (3) LWOL chapters and one (1) Local Auxiliary
- (F) Two (2) LWOL chapters and one (1) Local Auxiliary and one (1) Member at Large
- (G) Three (3) LWOL chapters and two (2) Members at Large
- (H) One (1) Auxiliary, one (1) LWOL chapter and three (3) Members at Large
- (I) Two (2) LWOL chapters and four (4) Members at Large
- (J) Twelve (12) LWOL members from a minimum of four (4) Locals
- (K) Twelve (12) Members at Large

These organizations shall conform to the National Constitution and By-laws and cannot make any laws not in accord with the basic laws of the Auxiliary to the American Postal Workers Union. They shall be fully autonomous except for above restrictions and as hereinafter provided.

SEC. 7: LIFETIME MEMBERSHIP

The National Executive Board with a 2/3 vote shall have the power to present lifetime membership with all privileges to those persons who have dedicated their lives to the Auxiliary. Local and state Auxiliaries of this organization shall have the privilege of submitting name(s) with supporting resumes to the National Executive Board for its consideration.

SEC. 8: HONORARY MEMBERS

- (A) Honorary Membership shall be awarded to a person who has contributed outstanding service to the Auxiliary and who is unable to continue as a full dues paying member, due to age, infirmity, or an inability to continue as a regular member. An honorary member shall pay no dues, hold no office and have no vote.
- (B) Honorary membership shall be awarded by the appropriate local, state or national organization.

ARTICLE IV - TIME OF CONVENTION

This organization shall convene at such time and place as shall be determined by the parent body, the American Postal Workers Union, AFL-CIO. Election of officers will coincide with national convention years.

ARTICLE V - REPRESENTATION

SEC. 1:

- (A) Per capita tax representation shall be based on the amount of per capita tax received twenty (20) days prior to the opening of the National Auxiliary Convention.
- (B) In order to be seated as a delegate and able to vote on any issue during the National convention, the per capita tax must be received by the National Treasurer at least twenty (20) days prior to the opening of the National Auxiliary Convention. Dues must be paid current through the first day of the month following the National Auxiliary Convention.
- (C) The minimum age to be seated as a delegate on the National Convention floor shall be twelve (12).

SEC. 2:

- (A) Every Area Local and Local Auxiliary shall be entitled to a minimum of five (5) votes plus one (1) additional vote for each ten (10) members or the major fraction thereof.
- (B) LWOL chapters shall be entitled to no more than four (4) votes per Local—one (1) vote for each accredited delegate in attendance. National Convention credentials for LWOL delegates must be verified by the Credentials Committee and signed by the Credentials Chairperson, and/or the National Auxiliary President and National Auxiliary Secretary

- (C) Each member-at-large attending the convention shall have one (1) vote.
- (D) State Auxiliaries are entitled to representation at National Convention. Such delegates shall have a total of ten (10) votes. A state representative cannot act as a delegate for his or her respective local auxiliary.
- (E) Each national officer shall be entitled to one (1) vote.
- (F) Any Past National President of the Auxiliary to the American Postal Workers Union shall be seated as a delegate on the National Convention floor with one (1) vote.

SEC. 3:

One or more delegates may cast the full number of votes to which their delegation is entitled provided no vote is divided smaller than one (1) vote per delegate. No proxy vote shall be allowed.

SEC. 4:

- (A) Credentials of delegates shall be sent so as to reach the National Secretary not later than thirty (30) days before the convening of the National Convention. These credentials shall be tabulated by states in alphabetical order and shall be furnished to the National President not later than fifteen (15) days preceding the National Convention. State delegate credentials shall be accepted later, in the event state conventions are held less than thirty (30) days prior to the National Convention. The credentials chairperson at the National Convention shall not accept any credentials which have not been properly authorized by the officers of their respective Auxiliaries.
- (B) Alternate delegates may be seated in the permanent absence of regular delegates upon presentation of proper credentials.

ARTICLE VI - OFFICERS

SEC. 1:

The officers of this Auxiliary shall consist of a President, Secretary, Treasurer, Legislative Aide/Editor and seven (7) District Coordinators.

Upon installation, all officers shall pay dues for a full term of office within a period of thirty (30) days.

SEC. 2:

The Executive Board shall consist of all national Officers.

SEC. 3:

The Executive Board shall have the authority, in the event of a catastrophic unexpected situation affecting the revenues of the Auxiliary, to temporarily adjust or suspend expenditures as recommended by the Budget Committee.

SEC. 4:

The Budget Committee shall consist of three(3) members: the President, Secretary, and Treasurer.

SEC. 5:

Any member in good standing shall be eligible to hold office or be a member of any committee with the following restrictions:

- (A) A National Officer shall not hold the office of State President, but shall be required to be a member of their State Auxiliary, where such Auxiliary exists, and provided that all eligibility requirements are met.
- (B) The minimum age of a national officer shall be the bondable age.

SEC. 6:

In the event the office of President is vacated due to the death, resignation, change of status rendering them ineligible, or the inability of the President to attend to the duties of the office, the temporary line of succession will be Secretary, Treasurer, Legislative Aide/Editor.

- (A) The acting President shall, within no more than fifteen (15) days after temporary succession to the office of President, give notice of an election by the National Executive Board to permanently fill the office of President. Said notice shall be made via U.S. Mail and or electronic communication. Nominations and the election shall take place within thirty (30) days of the notice, either in person or via U.S. Mail. Ballots shall be secret. Ballots shall be counted by a non-candidate. The candidate with the highest number of votes shall be declared winner.
- (B) The new President shall take office immediately after the election results are announced.
- (C) Should the vacating of the office take place within 120 days prior to the scheduled national convention, the acting President shall retain office until the installation of new officers at the national convention.

SEC. 7:

The National Executive Board by two-third (2/3) vote, shall have the power to demand the resignation and/or removal of any national officer or officers upon sufficient knowledge and/or proof showing that said officer or officers have acted dishonestly or otherwise detrimental to the best interest of the Auxiliary membership. The officer shall have thirty (30) days in which to reply in writing to the alleged charges. If after the thirty (30) days, the President and/or Secretary have failed to receive a reply, this shall be cause for the immediate removal of said officer or officers. All books, records and property shall be turned over to the President and/or Secretary immediately.

SEC. 8:

Any national officer desiring a leave of absence must notify in writing, two (2) members of the Executive Board, one being the President or the Secretary. Leave of absence will be unpaid and will not last more than ninety (90) days and at the end of ninety (90) days the officer must either resume their duties or tender their resignation. Any person assuming the duties of said office shall be equally compensated.

SEC. 9:

That all records shall be transferred to the next national officer as soon as practicable but no later than 45 days after assumption or installation of a new national officer. This shall include but not be limited to all bank accounts, records, files, documents, equipment and all digital forms of information that pertains to the Auxiliary to further include without limitations, jump drives, lap tops, CD's, and file formats.

ARTICLE VII - ELECTION OF OFFICERS

SEC. 1:

All candidates prior to being nominated, must be a member in good standing of the auxiliary for no less than one (1) year. #

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SEC. 2: Nominations will take place as the last order of business on Tuesday afternoon.

SEC. 3:

Candidate(s) for nomination must be present at the time of being nominated for the elective position and/or a letter must be received by the election committee prior to the nominations at the convention stating they would accept the nomination for the position they are being nominated for.

SEC. 4:

Nomination for Office: No candidate shall be allowed to run for more than one elected position.

SEC. 5:

Prepared ballots will be furnished for election to be held from 11:30 AM to 1:00 PM on Wednesday and that all delegates must be in line before 12:30 PM to vote. If all ballots have been cast in less than one hour the elections shall be declared closed. A voting system will be used that is similar to the democratic process used within our communities. If there is only one candidate for an office, the assembly shall direct the Secretary to cast a single ballot for the nominee. The officers shall be elected in the following order: President, Secretary, Treasurer, Legislative Aide /Editor and District Coordinators. A plurality vote shall decide the election. In the event of a tie, there will be a run off vote.

**ARTICLE VIII - DUTIES OF OFFICERS
AND COMMITTEES**

SEC. 1: PRESIDENT

The President shall:

- (A) Preside at all conventions and meetings of the Executive Board.
- (B) Be a member of all committees.
- (C) Appoint all necessary committees at each convention.
- (D) Fill all vacancies with the approval of the Executive Board arising from any cause whatsoever until said vacancy is filled by election.
- (E) With the Secretary and Treasurer prepare a written biennial report to the convention to reflect National Auxiliary status and activities.
- (F) Sign all vouchers for the expenditures of funds by the Treasurer.
- (G) Perform such other duties as this Auxiliary may require.
- (H) Be chairman of the National Organization Committee, composed of the President and District Coordinators.

- (I) Have complete control over the printing and distribution of all organizational material and all work of the organization.
- (J) Give complete annual reports to the National APWU Executive Board and will attend all National APWU Executive Board meetings when called by the parent body.
- (K) Act for the Auxiliary as a legislative representative in Washington when called by the parent body. All necessary expenses shall be paid while acting in this capacity when not paid by the parent body.
- (L) When meetings within a district conflict, have the authority to appoint a qualified person as a representative of the National to cover one meeting within that district.
- (M) Receive \$450.00 compensation monthly.

SEC. 2: SECRETARY

The Secretary shall:

- (A) Maintain the records of this Auxiliary.
- (B) Be custodian of the official seal and issue all charters and materials to newly affiliated Auxiliaries and Members at Large.
- (C) Be custodian of duplicate membership records as provided by the Treasurer, and duplicate mailing records as provided by the Legislative Aide/Editor.
- (D) Have charge of the inventory and sale of supplies to local and state auxiliaries and prepare such materials for printing upon the approval of the President.
- (E) Verify that all check stub amounts are correct, checks are drawn on the appropriate accounts, and accounts are in balance; the Secretary shall notify in writing, the President and Treasurer, of the errors so that they may be corrected.
- (F) Maintain an inventory of the office equipment of this Auxiliary.

- (G) Issue the National Convention Call and Credentials and prepare the official reports and materials for conventions.
- (H) Submit reports as required by the President. The Secretary, with the President and Treasurer, shall prepare a consolidated written Biennial Report to the Convention to reflect national status and activities.
- (I) Maintain a current record of names and addresses of local and state officers and members at large.
- (J) Prepare a listing of these names and addresses biennially for distribution to all national officers, state presidents, and state secretaries.
- (K) Answer all correspondence as deemed necessary by the President.
- (L) Perform the duties of the President in case of his/her temporary absence or inability to attend to the duties of the office.
- (M) Be empowered to sign all checks in the event of the death, resignation or physical incapacitation of the treasurer.
- (N) Receive \$400.00 compensation monthly.

SEC. 3: TREASURER

The Treasurer shall:

- (A) Receive all monies of this Auxiliary and give receipts for same.
- (B) Maintain membership records, as necessary, of each local Auxiliary and member-at-large, including name and addresses. Provide update to Legislative Aide/Editor of membership changes that would require mailing list changes. Provide a duplicate copy of all membership records to the Secretary, at least quarterly, for safekeeping .
- (C) Issue delinquent notices to those whose dues are three (3) months in arrears, with a list to the state treasurer and president where a state organization exists.
- (D) Submit to the President, Secretary and respective District Coordinator, a processing slip on all new or reorganized Auxiliaries and all new or reinstated Members at Large.

- (E) Submit on a semi-annual basis a complete membership listing to the National President, Secretary and each District Coordinator for their respective district and to each state treasurer for their respective state.
- (F) Supervise all membership contests.
- (G) Submit reports as required by the President.
- (H) Submit written report to the national convention showing the number of local members and with the President and Secretary, prepare a consolidated written biennial report to the convention to reflect National Auxiliary status and activities.
- (I) Be bonded for a minimum of \$100,000.00.
- (J) Pay out only upon vouchers signed by the President or Acting President.
- (K) Not consent to the expenditures of any sums of money for unusual purposes other than the regular business of the Auxiliary.
- (L) Prepare monthly and quarterly financial statements to be sent to the President and the Secretary.
- (M) Submit all books of the office to the convention to be inspected by the Finance Committee.
- (N) Receive \$450.00 compensation monthly.
- (O) Must arrange an annual independent audit for the National Treasurer's financial records by a certified bookkeeper independent of the national board within thirty (30) days of the end of the National Auxiliary calendar year. The National Treasurer shall make copies of this report available upon written request after June 1st. The Treasurer must also arrange an independent audit for the National Treasurer's financial records by a certified bookkeeper independent of the national board within thirty (30) days of the succession of a new Treasurer, in accordance with Article 6, Section 9.

SEC. 4: LEGISLATIVE AIDE/EDITOR

The Legislative Aide/Editor shall:

- (A) Assist the President as a legislative representative in Washington when called by the parent body.

- (B) Be responsible for contacting all members of Congress and the APWU Legislative Director's office, as the Legislative Representative of this Auxiliary.
- (C) Assist all local bodies in their legislative activities.
- (D) Under the direction of the President, promote by constructive suggestions the social and civic programs of the local Auxiliary, provided no action of a legislative or publicity nature or steps of equal importance shall be taken by any Auxiliary without the consent of its parent organization. Furthermore, it shall be understood that any action of a legislative or publicity nature or of equal importance directed by the National Auxiliary Officers, shall be taken only with the sanction and under the guidance of the National Officers of the APWU.
- (E) Upon approval and at the discretion of the President, be responsible for consolidation, editing and publication of Auxiliary materials.
- (F) Submit articles for the Auxiliary news section of the parent publication.
- (G) Prepare, publish and mail bi-monthly one copy of the Auxiliary publication to all local Auxiliary households (when addresses are available) as well as other persons deemed necessary by the President.
- (H) Maintain mailing records, as needed, provide address updates to the Treasurer on no less than a quarterly basis. Provide a duplicate copy of all mailing records to the Secretary at least quarterly for safe keeping.
- (I) Have up-to-date legislative information in each issue of the Auxiliary publication.
- (J) Receive \$400.00 compensation monthly.

SEC. 5: DISTRICT COORDINATORS

- (A) The United States shall be divided into seven (7) groups of states known as districts. These districts shall be as follows;

District #1 Alaska, Idaho, Montana, Oregon, and Washington .

District #2 Arizona, California, Colorado, Hawaii, Nevada, New Mexico, Utah and Wyoming.

- District #3 Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota and South Dakota.
- District #4 Arkansas, Louisiana, Mississippi, Oklahoma, and Texas.
- District #5 Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Wisconsin.
- District #6 Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia.
- District #7 Connecticut, Delaware, Maine, Maryland/DC, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

Puerto Rico and Virgin Islands to be covered by the General Officers.

(B) The District Coordinators shall:

1. Reside in, or hold membership in, be nominated and elected by their respective district, and attend conventions in their district, as practicable, and shall conduct the organizational work of their districts under the direction of the President.
2. Submit reports as required by the President.
3. Send reminder notices to the auxiliaries and members at large of their districts, one (1) month in advance of their due date.
4. Relinquish all records and properties of the Auxiliary at the expiration of their term of office.

SEC. 6: EXECUTIVE BOARD RESPONSIBILITIES

- (A) All officers shall perform additional duties listed in any policy statement adopted by the National Executive Board.
- (B) All national officers may, when necessary, cover state conventions as appointed by the President and approved by the Budget Committee.
- (C) All officers shall be compensated for all necessary expenses incurred in carrying out their duties when deemed necessary by the National President and approved by the Budget Committee. All expenditures must be documented as directed by the National Treasurer.

- (D) The Executive Board consisting of the President, Secretary, Treasurer Legislative Aide/Editor, and all District Coordinators shall ex-officio constitute the Board of Trustees.
- (E) The Executive Board shall supervise all of this Auxiliary's business not otherwise provided for. Fifty (50) percent attendance of the Executive Board will constitute a quorum. Their several duties shall be to administer all the personal property of the Auxiliary to the APWU.
- (F) The responsibility of organizational work, including assistance to state groups, shall be left the discretion of the Budget Committee and the Executive Board.

SEC. 7: THE BUDGET COMMITTEE

The Budget Committee (President, Secretary and Treasurer), as defined in Article VI, Section 4 of this Constitution shall budget the funds of this organization and shall make necessary appropriations in order to facilitate the work of the Auxiliary.

ARTICLE IX - FISCAL YEAR REVENUES AND CHARTERS

SEC. 1: FISCAL YEAR

The fiscal year of this Auxiliary shall begin January first and end on December thirty-first.

SEC. 2: REVENUES

The revenues of this Auxiliary shall be derived as follows: from per capita tax, from the sale of necessary supplies, other projects as deemed necessary and from the APWU per capita.

SEC. 3: PER CAPITA TAX

Local Auxiliaries and Members at Large shall pay to the National Auxiliary a tax of five dollars (\$5.00) per member, per year, payable in advance, or semi-annually. Dues will be effective the first day of the month in January, April, July, or October. On the date dues are received by the National Treasurer, they will be applied retroactively to the first day of that quarter. If the person is currently a member, the dues will be applied on the member's quarterly expiration date. A month may be designated by a local or state organization. That date must be either retroactive or within the quarter received. All Auxiliaries with 100% membership will be permitted to remit monthly and will furnish a list of officers and members annually and will furnish the changes in member's names as they occur.

SEC. 4: CONSTITUTION AND BY-LAWS

In order to organize a local or state Auxiliary subordinate to the Auxiliary to the American Postal Workers Union, the local or state Auxiliary shall make its own Constitution and By-Laws that do not conflict with that of the parent body. After the National Convention it will be required that all subordinate Auxiliaries revise their Constitutions and By-Laws if necessary. Subordinate Auxiliaries are required to send a copy of the revised Constitution and By-Laws to the National Auxiliary President for approval and then to the National Secretary for the National Archive records. Subordinate Auxiliary constitutions are not in effect until approved by the National Auxiliary President. A copy of the approved Constitution shall be sent to the Secretary, Treasurer, Legislative Aide/Editor and appropriate District Coordinator.

SEC. 5: CHARTERS

- (A) No Charter can be granted to an Auxiliary of less than four (4) members. Auxiliaries that have been chartered may retain their Charter and Auxiliary status as long as there is one (1) member in good standing; with the exception, that at the National Convention, Auxiliaries holding a Charter with less than four(4) members shall be given voting power as prescribed for Members at Large.
- (B) Charters shall be issued on request provided that proof of application for an Employer Identification Number is supplied to the National Secretary's office as well as a listing of elected or acting officers and charter members with addresses. Duplicate charters will be available from the National Secretary's office.

SEC. 6: DELINQUENT AUXILIARIES:

Any Auxiliary affiliated with the parent body which fails to pay its per capita tax on the due date shall be notified by the Treasurer after three (3) months and shall become suspended from membership after six (6) months. Once suspended the Auxiliary shall surrender its Charter to the Secretary and forfeit all privileges in the Auxiliary.

SEC. 7: REVOCATION OF CHARTERS

- (A) The National President is hereby vested with authority to revoke the Charter of any Auxiliary whenever, upon evidence, satisfactory to a majority of the Executive Board, it is shown that an Auxiliary is guilty of disloyalty, or where its actions have been adverse or detrimental to the welfare of the rank and file of the National Auxiliary.

- (B) The Executive Board shall report in detail all evidence upon which they revoke the charter of any Auxiliary, and the Auxiliary whose charter has been revoked shall have the right of appeal to the convention of the National Auxiliary to have such action of the Executive Board set aside.

SEC. 8: DISBANDING CHAPTERS

- (A) When an Auxiliary disbands or become disaffiliated for any reason from the Auxiliary to the American Postal Workers Union, the Charter and all properties shall be sent to the National Secretary. Funds shall be sent to the National Treasurer to be held in trust until that Auxiliary is reorganized.
- (B) If reorganization is not accomplished within a period of two (2) years, all properties and funds held in trust shall become the property of the Auxiliary to the American Postal Workers Union and shall be disposed of at its discretion.

ARTICLE X - PROHIBITED

No criticism, reflection, argument or debate touching or negatively referencing any member's race, creed, color, sex or sexual orientation, nationality, handicap, or political affiliation, age or religion shall be allowed at any meeting of the National Auxiliary to the American Postal Workers Union or at any meeting of its subordinate state or local Auxiliaries. Neither may it be published in print in any official APWU or Auxiliary print or online publication or format, nor may it be published in any other public forum if it is represented as the official opinion of an Auxiliary or Auxiliary leader.

ARTICLE XI - AMENDMENTS

SEC. 1:

This constitution shall not be amended except by a two third (2/3) vote of delegates present and voting at national convention when the vote is taken.

SEC. 2:

Resolutions for proposed changes to any provision of the National Constitution, By-Laws, or Standing Rules for State, Area Local and Local

Affiliates of the Auxiliary affecting elections must be submitted no later than the close of business on Monday of the National Convention. In the event that any such resolution has not been submitted in enough time to be included in the Convention Consolidated Report, the bringer of such resolution shall provide enough copies to be disseminated to the entire body of delegates.

SEC. 3:

All changes to the Constitution shall take effect at the close of business of the National Convention, unless a different time is stated or amended to the resolution at the time of adoption.

**ARTICLE XII - MEMBERSHIP
PROTECTION BY-LAWS**

SEC. 1:

- (A) The following shall constitute offenses, the commission of which shall subject any officer or member of this Auxiliary to disciplinary action as set fourth herein:
- (1) Violating any provision of the Constitution and By-Laws of this Auxiliary or failure to perform duties or functions specified or required therein.
 - (2) Violating the rights of members to be free from discrimination as described by the Members Bill of Rights in the Auxiliary.
 - (3) Engaging in conduct that would expose this Auxiliary to civil liability.
- (B) An officer or member found guilty of any of the foregoing after the filing of charges and the holding of hearings and other procedures as described in this article may be disciplined by probation, suspension, expulsion, or other appropriate disciplinary action.

SEC. 2:

- (A) The Executive Board of this Auxiliary shall have jurisdiction to hear and determine any and all charges under this Article of the Constitution.
- (B) The Executive Board or hearing boards of local or state Auxiliaries have jurisdiction only to hear charges against members or officers of such subordinate bodies. In cases where charges involving members or officers of a subordinate body are presented to the National Executive

Board; it shall refer all charges to the subordinate body involved unless the subordinate involved is incapable of hearing and determining such charges.

- (C) All charges shall be in writing and signed by the accuser, and shall be sufficiently explicit so as to inform the accused of the nature of the offense with which he/she is charged.
- (D) No disciplinary action shall be taken for a violation of any of the provisions of this Article or of the Constitution until an accused individual has been accorded the following procedures:
 1. Proceedings under this Article may be initiated by any member by filing charges with the President and/or Secretary of the body which the accused is an officer or member. If the charges are against the President of the body, they should be filed with the Secretary of the body, who shall assume the President's duties detailed in this article with respect to any charges filed against the President.
 2. Except for charges to be filed against the President, the President shall promptly transmit, by certified or Express mail, a copy of the charges to the accused at his/her last known address. Copies thereof shall also be transmitted to the Secretary of the body. Accompanying the charges shall be a written notice of the time and place of the hearing, which shall be held one (1) week after the date of mailing of the notice. In the event a hearing officer is appointed pursuant to Section 3 below, such notice of hearing shall be given to the accused by the hearing officer.
 3. The National Executive Board and the Executive Board or a separate elected hearing board for the subordinate body shall constitute a hearing board before which hearings on the charges may be held; provided, however, that any such hearing board may appoint one (1) of its members, who shall be impartial, to act for it as a hearing officer for the purpose of holding a hearing(s). A hearing officer shall hold any hearings under the hearing procedures determined by the hearing board and at a location determined by the hearing board; shall make findings of facts and conclusions of law with respect to the charges and shall recommend to the hearing board what disciplinary action if any is to be taken by the hearing board, but the hearing board shall determine for itself what disposition should be made of the charges. In the event that the charges are against a member of the hearing board that member shall not sit as part of a hearing board or participate in any way in the determination by the hearing board of

whether and who to appoint as a hearing officer and what disposition should be made of the charges.

4. The accused shall be accorded a full and impartial hearing, with the right to appear personally or in writing and be represented by any member of this Auxiliary and/or an attorney. Whether to have a representative(s) and who the accused shall have as his/her representative(s) shall be at the discretion and expense of the accused.
5. After the accused has been given notice, pursuant to the provisions of this Article, of the charge and the time and place of the hearing or the date and place to submit written evidence and arguments, a hearing may be held on the charge notwithstanding the failure of the accused to appear or submit written evidence or arguments.
6. Any decision or disposition of charges by the Executive Board or separate elected hearing board of a subordinate body shall be reduced to writing and submitted as a report to the secretary of the body, including a synopsis of the testimony introduced at the hearing, together with the verdict "guilty" or "not guilty" and the disciplinary action, if any. Upon receipt of the report, the secretary of the body or appropriate officer shall send a letter to the accused and the accuser informing them that the hearing has been held, a decision has been made that requires further action by the Board, and when and where that action shall take place. Upon receiving the report the secretary of the body shall read it at the next regular meeting or convention; and in the event of a guilty verdict, submit first the question of sustaining the report as to guilt or innocence, and if guilt is determined, then the question of accepting or rejecting the recommended disciplinary action.

SEC. 3:

- (A) Any person against whom disciplinary action has been taken or any person who filed charges which have been dismissed, in whole or in part, shall have the right to appeal as follows:
 1. From the disciplinary action of/or dismissal of charges by a Local or State Auxiliary, (1) to the President, (2) to the National Executive Board and (3) to the National Convention.
 2. From the disciplinary action of/or dismissal of the charges by the National Executive Board to the National Convention.
 3. From the disciplinary action of the President (1) to the National Executive Board and (2) to the National Convention.
- (B) Such appeals shall be in writing, shall state the basis for the appeal and shall be sent to the Secretary of the appropriate body.

- (C) Appeals shall be taken within reasonable time and not to exceed thirty (30) days from the date that notice of disposition of the charges are received; provided, however, that the appellate body may, in its discretion, extend such time for appeal if circumstances so warrant.
- (D) If any appeals have been taken to the National Convention, prior to the start of the National Convention the President shall appoint an Appeals Committee.
- (E) The appellate shall be permitted to present such an appeal in person before the Appeals Committee. Unless the Appeals Committee or the National Convention itself determines to permit a personal appearance before the National Convention, an appellant will not be permitted to present such an appeal in person before the National Convention.
- (F) Individuals against whom disciplinary action has been taken shall be obliged to exhaust all remedies provided for in this article and in the Constitution before resorting to a court of law or other tribunal.

BY-LAWS

ARTICLE 1 - RULES FOR APWU AUXILIARY NATIONAL CONVENTION

PART ONE - FLOOR RULES

- (A) The convention shall convene at the time and location set by the National President, hereinafter also referred to as Chair. Recesses, as appropriate, and breaks, as needed, may be called by the Chair.
- (B) All delegates who wish to be withdrawn from delegate status must request it in writing or so report it to the National President.
- (C) No credentials will be issued after 1:00 pm on Tuesday of the Convention week.
- (D) Resolutions must be received before 3:00 pm on Tuesday of the Convention week, unless otherwise ordered by a 2/3 vote. Resolutions for proposed changes to any provision of the National Constitution or By-Laws, or Standing Rules for State Area Locals and Local Affiliates

of the Auxiliary affecting elections, must be submitted no later than the close of business on Monday of the National Convention pursuant to Article XI Section 2 of the National Constitution.

- (E) All delegates and visitors must wear their identification badges before they are seated in the convention. Delegates and visitors shall be seated separately in the convention hall.
- (F) Only delegates are to be given the privilege of the floor except in open forum.
- (G) Commercially printed literature distributed in the convention hall must bear the union label or be made in the USA, unless approved by the convention Rules Committee.
- (H) No smoking, alcoholic beverages, or profane language shall be allowed on the convention floor.
- (I) No gifts shall be presented from the floor except through the Courtesy Committee.
- (J) Any personal criticism of officers or delegates must be in writing and signed.
- (K) No APWU election materials shall be passed out or displayed on the convention floor.

PART TWO - COMMITTEES

- (A) At the time of registration, the chairperson for each committee shall be able to pick up his or her committee package at the Auxiliary Office. Each committee chairperson shall be notified that he/she is the chairperson at least 10 days prior to the start of the convention.
- (B) Committee reports shall include, with the exception of the Committee on Political Action (COPA), those recommendations in which the committee has voted acceptance.
- (C) Resolutions which are rejected by any committee may be submitted in the form of a minority report for the consideration of the assembly, or at the request of any delegate, may be considered by a majority vote of the delegation.

- (D) Committee reports of no recommendation on a resolution shall not be permitted.
- (E) Amendments or substitutions to committee recommendations may be made from the floor.
- (F) The report of the committee shall be a motion and subject to amendment and substitutions from the floor of the convention the same as other actions and resolutions.

PART THREE - RULES OF FLOOR DEBATE

- (A) A delegate wishing recognition by the chair shall come to the microphone, state name and affiliation, including city and state, before stating motion or request. Such motions shall then be immediately submitted in writing, in duplicate to the National Secretary.
- (B) If two or more delegates are wishing to be heard at the same time, the chair shall decide which one shall be entitled to speak first.
- (C) No delegate shall interrupt another in remarks, except to call point of order or request information, or for a point of personal privilege. Cell phones should be turned off or to vibrate during the assembly.
- (D) A motion shall not be open for discussion until it has been seconded and stated by the chair. Once seconded, the mover shall have an opportunity to speak on said motion.
- (E) When there is a motion, the chair will alternate recognition between a limit of members who wish to speak for the motion and a limit of members who wish to speak against the motion. Each speaker will be limited to two (2) minutes each, after which the mover or introducer has a chance to speak on said motion.
- (F) If a delegate, while speaking, is called to order, the delegate, at the request of the chair, must take their seat until the question of order is decided.
- (G) When a question is pending, no motion shall be in order except to adjourn, refer the previous question, lay on the table, amend, refer to committee, or a point of personal privilege.

- (H) It shall require a majority of the seated delegates present to move for a roll call vote and a majority to adopt, after a motion is made for a roll call vote.
- (I) When a roll call has been taken, and all delegates present have had the opportunity to record their votes, the ballots shall be declared closed. Doors shall be closed during a roll call vote. At other times, the doors may remain open.
- (J) When a roll call has been started, no recess or adjournment shall take place until the result has been announced.
- (K) Special rules may be adopted at each convention by a majority vote of the delegates and must be submitted in writing, signed and dated to be considered by the Rules Committee. Any adopted special rule shall remain in effect until the end of that convention.
- (L) In the absence of a special rule, Robert's Rule of Order, most recent revision, shall prevail in all cases to which they are applicable and in which they are not inconsistent with the By-Laws of this Auxiliary and adopted special rules of order of a convention.

PART FOUR - ELECTION RULES

- (A) The nominating speakers shall be allowed two minutes and no seconding speeches for nominations shall be allowed.
- (B) A prepared ballot will be furnished for elections, to be held on Wednesday afternoon from 11:30 am. to 1:00 p.m. or until all eligible ballots have been cast. No business will be conducted during elections
- (C) No write-in votes will be allowed on the prepared ballot.

PART FIVE - MISCELLANEOUS

- (A) Appointed Pages shall be stationed at the main doors to relay any necessary information to the delegates and officers each day.

- (B) The Chair shall appoint a Sergeant-At-Arms each day.
- (C) The Chair shall arrange for the parliamentarian.
- (D) All grammatical and spelling error corrections must be submitted to the Secretary in writing during a break.

ARTICLE II - ORDER OF BUSINESS

SEC. 1:

- (A) Report of Committee on Credentials
- (B) Report of Committee on Rules
- (C) Report of Committee on Finance
- (D) Report of other Convention Committees
- (E) New Business
- (F) Nomination of Officers will be the last order of business on Tuesday afternoon.
- (G) The Election of Officers shall take place on Wednesday from 11:30 a.m. to 1:00 p.m.
- (H) Remaining Convention Business
- (I) Installation of Officers
- (J) Adjournment

SEC. 2:

The order of business may be transposed at any time by a majority vote of delegates in convention assembled with the exception that the election of officers shall always be on Wednesday afternoon of the convention.

ARTICLE III - QUORUM

Forty (40) delegates representing at least six (6) states shall constitute a quorum, but less than that number may adjourn to meet at a future specified time.

ARTICLE IV - RULES OF ORDER

In the absence of specific authority in this Constitution and By-Laws, the deliberations of this Auxiliary shall be governed by Roberts' Rules of Order Revised.

ARTICLE V - AMENDMENTS

Amendments to the By-Laws may be made in the same manner as prescribed for amendments to the Constitution.

The foregoing is a true and correct copy of the Constitution and By-Laws adopted by the delegates in National Convention in Pittsburgh, Pennsylvania, August 20-23, 2018.

Latrisa Mannion
National President

Joyce Tanguay
National Secretary

STANDING RULES FOR STATE, AREA LOCAL AND LOCAL AFFILIATES

RULE 1

An Auxiliary shall be considered a state organization if they meet one or more of the following criteria:

- (A) A minimum of three (3) Auxiliaries
- (B) Two (2) Auxiliaries and one (1) Member at Large
- (C) One (1) Auxiliary and five (5) Members at Large
- (D) Four (4) LWOL chapters
- (E) Three (3) LWOL chapters and one (1) local Auxiliary
- (F) Two (2) LWOL chapters, one (1) local Auxiliary and one (1) Member at Large
- (G) Three (3) LWOL chapters and two (2) Members at Large
- (H) One (1) Auxiliary, one (1) LWOL chapter and three (3) Members at Large
- (I) Two (2) LWOL chapters and four (4) Members at Large
- (J) Twelve (12) LWOL members from a minimum of four (4) locals
- (K) Twelve (12) Members at Large

RULE 2

Auxiliaries of Area Locals and Locals affiliated with the American Postal Workers Union shall be eligible for State Auxiliary memberships.

RULE 3

When made necessary by National Auxiliary Constitution, By-Laws and Standing Rules changes adopted at a biennial convention, the National Auxiliary shall inform, as soon as is practicable, all existing State, Area Local and Local Auxiliaries of the adopted language and potential necessary changes to be made in their own ruling documents. Courtesy copies of such revised ruling documents as well as those State, Area Local and Local ruling documents that are revised due to locally proposed and adopted changes shall be sent to the National President.

RULE 4

The National President shall have the authority to arbitrate in cases of serious disputes in or between State, Area Local and Local Auxiliaries.

RULE 5

That all records shall be transferred to the next officer as soon as practicable but no later than 45 days after assumption/installation of a new officer. This shall include but not be limited to all bank accounts records, files, documents, equipment and all digital formats of information that pertains to the Auxiliary to further include without limitations jump drives, laptops, CD's and file formats.

Latrisa Mannion
National President

Joyce Tanguay
National Secretary

Oath of Office

I, (name) having been duly elected to office in the (State), (National), (Local) Auxiliary to the American Postal Workers Union, AFL-CIO do solemnly pledge to uphold the Constitution and By-Laws of the Auxiliary to the American Postal Workers Union, AFL-CIO and of the (State)(Local)(National).

I further pledge to perform the duties of the office to the best of my ability. I promise that at the end of my term of office, I will turn over to my successor all bank accounts, equipment, books, papers, records, documents and all other items that are the property of the Auxiliary to the APWU.

Last, but not least, I promise to support and promote the American Postal Workers Union AFL-CIO and to purchase only union made articles, whenever available.

