

AFGE National Constitution

MEMBERS SEPARATED WITHOUT PREJUDICE MAY RETAIN MEMBERSHIP

RESOLUTION # 1001 (1003, 1004)

Submitted by

National Executive Council and Sixth District

WHEREAS the AFGE National Constitution, Article III (Membership), Section 1(c) provides that any member separated without prejudice is eligible for membership, and

WHEREAS the member is eligible to remain a member, not become a member,

THEREFORE BE IT RESOLVED that Article III, Section 1(c) of the AFGE National Constitution be amended as follows:

Any person who at the time of being separated without prejudice from employment covered by subsection (b) was a member in good standing of any local is eligible for to continue membership in this Federation.

SPECIAL RETIREE AFFILIATION FEE

RESOLUTION # 1002

Submitted by

National Executive Council

WHEREAS delegates to AFGE's Thirty-sixth National Convention created a special "Retiree Affiliation" membership category in recognition of the need to broaden recruitment for and participation in AFGE retiree programs, and

WHEREAS the special "retiree affiliation" fee payable to the National Office was set at \$25 per annum plus payment of whatever annual fee was established by the AFGE Local accepting the retiree affiliate, and

WHEREAS no AFGE Local is required to accept a special "retiree affiliate," in which case a potential "retiree affiliate" may be referred to an at-large Local which in turn is not required to accept the "retiree affiliate," and

WHEREAS federal employees are actively recruited by other retiree organizations such as AARP and the National Association of Active and Retired Federal Employees (NARFE) which offer comprehensive retiree programs and benefits at competitive membership rates (\$12.50 per annum for AARP and \$33 per annum for NARFE), and

WHEREAS the development of promotional materials and recruitment programs for the "retiree affiliation" membership category are made difficult by the vagaries in the final fee that must be paid by a potential "retiree affiliate," the total cost of that fee, and which AFGE entity will accept the "retiree affiliate" membership application, and

WHEREAS there is a need to establish a per annum fee for both the "retiree affiliate" membership category and active AFGE retirees that covers all costs associated with the development and maintenance of "retiree affiliate" programs and benefits which include, but are not limited to: \$6.00 per annum per capita (\$.50 per month) paid to the AFL-CIO and \$2 per annum per capita to the Alliance for Retired Americans and approximately \$1.75 per retiree per

annum for printing and mailing *The Government Standard*,

THEREFORE BE IT RESOLVED that Article III, Section 1(e)(2) of the AFGE National Constitution shall be amended to establish/charter a new, "Retiree Affiliate" at-large Local to serve as the local of record for all "Retiree Affiliate" members, and

THEREFORE BE IT FURTHER RESOLVED that Article III, Section 1(e)(2) be amended to establish a single, special "Retiree Affiliate" per capita fee of \$50 per annum that will be payable to the National Secretary-Treasurer. Payment of this fee will afford all "Retiree Affiliates" the right to participate in the AFGE national active and retired member benefits program.

SEC. 1(e). Special Retiree Affiliation. Any retired person who either:

(1) ...

(2) Has dropped membership in the Federation subsequent to retirement from employment covered by subsection (b), is eligible for special retiree affiliation ~~with this Federation~~ **in the At-Large Local** with all rights, except any representational rights, insured local benefits, voting, candidacy for office, and participation and representation in direct or indirect elections under Appendix A, subject to ~~both payment of special retiree affiliation fees to the local accepting them as determined by the local and receipt by the National Secretary-Treasurer of payment of the national affiliation fee for the person at the special retiree affiliation rate of \$25.00~~ **\$50.00** per annum, effective September 1, ~~2003~~ **2006**. The national affiliation fee for special retiree affiliation shall increase by the exact amount required to cover any increase in the affiliation fees for the AFL-CIO retiree program, and by the same percentage and on the same date as cost-of-living adjustments to federal annuities. ~~No AFGE local is required to accept this new special retiree affiliate. In such cases the local shall refer all applicants to an at large local.~~

**DEFINITION OF "MEMBER"
RESOLUTION # 1003 (1001, 1004)**

**Submitted by
National Executive Council and Sixth District**

WHEREAS the Labor-Management Reporting and Disclosure Act of 1959, as amended, defines "member" or "member in good standing" as any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws, and

WHEREAS the Federation has defined membership as beginning when an officer of a local accepts a signed SF-1187, and ends when an agency has processed a properly submitted signed SF-1188 and has ended dues withholding, and

WHEREAS a disciplined member remains a member until the vote of the local membership to suspend or expel from membership, and

WHEREAS a delinquent member must be given notice of the delinquency and a reasonable

opportunity to pay the dues,

THEREFORE BE IT RESOLVED that Article III, Section 1 of the AFGE National Constitution be amended by the addition of a new subsection (f) as follows:

An individual becomes a member when an authorizing official of the local or National Office receives a signed dues allotment form or payment of dues in advance. The individual may remain a member, consistent with Article III, Section 1 of the AFGE National Constitution, until: (i) transfer to the jurisdiction of another local; (ii) removal by disciplinary action or for delinquency in dues following due notice; or (iii) action by an agency to terminate dues withholding pursuant to the execution of a dues revocation form.

SPECIAL MILITARY AFFILIATION OF DOD ACTIVATION

RESOLUTION # 1004 (1001, 1003)

Submitted by

Local 1101

Article III: Membership

Sec. 1(f) Special Military Affiliation of DOD Activation: Any person who is drafted, appointed, enlisted and/or placed on orders by Presidential Executive Orders, DOD Directive or Implementing Issuance via Title 10 or Title 32 for the purpose of, but not limited to: National Security, War on Drugs, Anti terrorist or National Disaster will be considered a member in good standing while performing such duties. These individuals will be Per-Capita dues exempt from their local's National billing for the whole term of their commitment. At the time of being placed on orders, individual's tenure or time in service to local will continue and will be considered as a member in good standing until such time of their return.

NEC COMPOSITION

RESOLUTION # 1005 (1006)

Submitted by

Local 3258

Whereas, the AFGE Executive Committee should be composed of representatives of all significant interests within the union,

Whereas, the current AFGE Executive Committee is composed of 12 Vice Presidents elected by locals within their geographic district boundaries and 3 officers elected by locals at large,

Whereas, approximately 65% of AFGE members are represented by national bargaining councils,

Whereas, national bargaining councils currently have no representation on the AFGE National Executive Council (NEC),

Whereas, national bargaining councils provide significant representational services to AFGE members yet have no voice in the policy making decision making process within the NEC.

Whereas, AFGE will be a more democratic union if national bargaining councils are able to participate in the union's decision making process by membership on the NEC.

THEREFORE BE IT RESOLVED that Article V, Section 3 of the AFGE constitution be amended as follows:

Between sessions of the National Conventions, the National Executive Council (NEC) shall be the governing body, subject to the limits of this Constitution. The NEC shall be comprised of:

(a) the National President, the National Secretary-Treasurer, Director of the Women's Department

(b) twelve National Vice Presidents (NVPs) elected from 12 districts comprised as follows:

2nd District-- Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont;

3rd District-- Delaware and Pennsylvania;

4th District-- Maryland, North Carolina, Virginia and West Virginia;

5th District-- Alabama, Bermuda, Florida, Georgia, Puerto Rico, South Carolina, Tennessee and Virgin Islands;

6th District-- Indiana, Kentucky and Ohio;

7th District-- Illinois, Michigan and Wisconsin;

8th District-- Iowa, Minnesota, Nebraska, North Dakota and South Dakota;

9th District-- Arkansas, Kansas, Missouri and Oklahoma;

10th District-- Louisiana, Mississippi, New Mexico, Panama and Texas;

11th District-- Alaska, Colorado, Guam, Idaho, Montana, Okinawa, Oregon, Utah, Washington and Wyoming;

12th District-- Arizona, California, Hawaii and Nevada;

14th District-- District of Columbia, Europe, Montgomery and Prince George's Counties in Maryland, Arlington and Fairfax Counties and the cities of Alexandria, Fairfax, and Falls Church in Virginia.

(c) seven National Executive Council Members (NECM) elected from the following constituencies:

-two (2) from the Veterans Administration Council

-two (2) from DEFCON members which include AAFES Council, AFMC Council, DCMA Council, DLA Council, DFAS Council, Marines Corps Council and all other DOD members of defense locals that are not members of bargaining councils

-one (1) from SSA Councils and locals which include the SSA PSC Council, the SSA OHA Council, the SSA Field Council, the SSA OQA Council, and SSA members of Locals 1923 and 2809.

-one (1) from the Bureau of Prisons Council, the Border Patrol Council, the Marshall's Council, and all other Homeland Security Agency Councils including the Customs and Border Protection Council, Immigration and Customs Enforcement Council, the Citizen and Immigration Service Council and the Agriculture Council

-one (1) from all other AFGE bargaining councils not listed above.

BE IT FURTHER RESOLVED that a new Section 6 to follow Article VII be added as follows:

Article VI [sic], Section 6 - National Executive Council Members

- (a) No person shall be a candidate for, or be elected as, National Executive Council Member (NECM), who has not been a member in good standing of the Federation for the three consecutive years immediately prior to the date of nomination for NECM.
- (b) The terms of the NECM shall expire on the election and installation of their successors, or if they cease to be a member in good standing, they shall automatically forfeit their office.
- (c) There shall be no salary for NECM, except reimbursement for lost wages, travel and per diem and other expenses related to membership and participation on the NEC.
- (d) NECM shall be considered officers of AFGE.

BE IT FURTHER RESOLVED that a new Article VIII, Section 3 will be added to the AFGE constitution as follows:

Section 3(a) The method for electing National Executive Council Members (NECM) by each constituency shall be in accordance with applicable AFGE Rules of Conduct as provided for in Appendix A of this Constitution, and as follows:

- (1) Elections shall be held by secret ballot and majority vote at five constituency caucuses to be held on the Tuesday of the AFGE convention.
- (2) Delegates to constituency caucuses will be elected pursuant to Article VI of the AFGE constitution.
- (3) Membership strength for a Local at an individual caucus will be based on the average number of paid members from the previous 12 month period from May 1 through April 30 of members represented by the Council/Local represented at the caucus.

Section 3(b) All declared candidates for NECM will be provided, upon request, the same information that is provided for candidates for national offices pursuant to Article VIII, Section 2(b).

BE IT FURTHER RESOLVED, that a new section, Article XIII, Section 13 will be added as follows:

Section 13. National Executive Council Members (NECM's) shall be responsible and accountable to the Locals and Councils in their respective constituencies from which they are elected to serve. They will be subject to the following requirements:

- (a) To represent their constituencies' best interests in all interactions with the National Executive Council and National Office;
- (b) To follow the democratic process in all official AFGE functions conducted within the constituency served;
- (c) To refrain from any Council or Local interaction that could be considered a conflict of interest of all Locals and Councils in the constituency served. Or

contrary to Public Law 95-454, Civil Service Reform Act and Department of Labor regulations;

(d) To follow the mandates of the National Convention and Locals and Councils in the constituency served; and

(e) To communicate with all Locals and Councils in the constituency served about matters before and decisions of the NEC.

BE IT FURTHER RESOLVED that Article XIII be amended as follows:

Section 12(a) Accurate minutes of all actions and votes of the NEC shall be kept and shall be provided to each NEC member, council president and local president within 30 days.

DEFCON VOTING PARTY TO ALL NEC MOTIONS

RESOLUTION # 1006 (1005)

Submitted by

Local 1101

Article V: Governing Body

Sec. 3 Between sessions of the National Convention the National President, National Secretary-Treasurer (NST), National Vice President for Fair Practice, Twelve District Vice presidents (NVP) and the Defense Council Chair shall constitute the National Executive Council (NEC). The twelve districts are comprised as follows.

Sec. 3(a) DEFCON being a majority governing body within the federation with an overall activity rate in all twelve Districts will be recognized as a voting party to any and all motions, amendments and resolutions as described in Article XIII.

DELEGATES TO CONVENTION

RESOLUTION # 1007

Submitted by

National VA Council #53

WHEREAS Article VI, Section 1 states, in part, that no local shall be entitled to representation in the National Convention unless all initiation fees, Per Capita Tax and all accounts due to the Federation from such Local are paid in full by June 30 prior to the National Convention, before any delegate is seated, and

WHEREAS it appears that this section does not cover all aspects of the Federation,

THEREFORE BE IT RESOLVED that in addition to the current language, the following be added: No Local will be eligible to vote in District Caucus, Council, Conventions or National Conventions or any Council, District or National matters unless Per Capita Tax is paid in full 60 days prior to convening.

**CONSTITUTIONAL AMENDMENT FOR ONE VOTE
RESOLUTION # 1008**

**Submitted by
Council 1 and Human Rights Committee**

WHEREAS, the AFGE National Constitution Article VI states that the National President, National Secretary-Treasurer, National Vice-President for Women and Fair Practices, National Vice-Presidents, National Women's Advisory Coordinators, and National Fair Practices Affirmative Action Coordinators are National AFGE Convention delegates by virtue of their office; and

WHEREAS, the above listed officers are granted full rights and status as a delegate; and

WHEREAS, the definition of full rights should specify that each officer carries one vote in the election of officers as well as full rights on the Convention floor by virtue of their office;

THEREFORE, BE IT RESOLVED that the Constitution be amended to read as follows:

The National President, National Secretary-Treasurer, National Vice-President for Women and Fair Practices, National Vice-Presidents, National Women's Advisory Coordinators, and National Fair Practices Affirmative Action Coordinators are by virtue of their election as national officers ex-officio delegates to National Conventions with the full rights and status of a delegate on the Convention floor and may cast one vote in the election of the National officers. They cannot act as a delegate of their respective locals or proxy delegate, unless duly elected by the local as a delegate.

**REPEAL REQUIREMENT FOR EMPLOYEE-CANDIDATE LEAVE WITHOUT PAY
RESOLUTION # 1009**

**Submitted by
Local 2041**

Repeal Article VII Sec. 5 in order to level the playing field.

**ELECTION OF NATIONAL VICE PRESIDENT, FAIR PRACTICES AFFIRMATIVE
ACTION COORDINATORS, AND NATIONAL WOMEN'S ADVISORY COMMITTEE
COORDINATORS**

RESOLUTION # 1010 (1038)

**Submitted by
Local 3258**

Whereas, AFGE currently elects officers at 12 District caucuses and 1 National convention,

Whereas, many Locals do not attend the district caucuses,
Whereas, most Locals attend the AFGE National convention,
Whereas, the expense of conducting 12 District caucuses is substantial,
Whereas, conducting elections for District positions at the AFGE National convention will result in substantial savings to Locals, which would only be required to attend 1 election meeting per 3-year election cycle rather than 2 election meetings,
Whereas, it is good policy to elect all AFGE officers to terms of office which begin and end at the same time,
Whereas, electing all AFGE officers at the National convention minimizes the ability of incumbents to selecting election sites for political purposes,
THEREFORE BE IT RESOLVED that Article VIII, Section 2(a) of the AFGE constitution be amended as follows:

National Vice Presidents, Fair Practice Affirmative Action Coordinators, and National Women's Advisory Committee Coordinators are to be nominated and elected at a district caucus to be held on Monday of the AFGE national convention week after close of business for that day of the AFGE National convention beginning in 2009. The term of office of District officials elected in 2008 will terminate on the Monday in 2009 of the AFGE convention week.

Be it further resolved that Article VIII, Section 2(b), second sentence of the AFGE constitution be amended as follows:

The incumbent NVP in each district will call a district caucus of representatives of all locals in good standing on the Monday of the convention week for the purpose of electing an NVP and Coordinators for that district.

Be it further resolved that Article VIII, Section 2(d) of the AFGE constitution be amended as follows:

Locals in good standing within each district may participate through the medium of delegates. Membership strength will be based on the average number of paid members of the 12-month period May 1 through April 30 immediately prior to the election. Each local shall be entitled to cast one vote for each member on all business and elections coming before the caucus, based on said average of paid members for the May 1 through April 30 period ending on the year of the election for whom an initiation fee or per capita tax shall have been paid to the Federation. To be in good standing, a local shall have submitted all membership and financial reports and remittances through the month of June of the election year to the National Office. No local shall be entitled to cast a vote in the district caucus unless all initiation fees, per capita tax and all other accounts due the Federation from such locals for the period ending June 30, prior to the district caucus, are paid in full. The number of caucus delegates a local is entitled to is determined in the same manner as National convention delegates under Article VI, Section 2. Council(s) shall not be permitted to send delegates to the caucus. Full-time National Representatives and full-time paid employees of AFGE shall not be

permitted to attend the caucus as delegates.

**SIMPLIFY TRUSTEESHIP PROCEDURES
RESOLUTION # 1011
Submitted by
National Executive Council**

WHEREAS Article IX, Section 5(b) provides procedures for the imposition of trusteeship, and **WHEREAS** the procedures of Section 5(b)(1) by their nature have prevented the imposition of trusteeship on locals or councils, and **WHEREAS** under certain circumstances the most beneficial action concerning an affiliate is to place it in trusteeship, **THEREFORE BE IT RESOLVED** that Article IX, Section 5 of the AFGE National Constitution be amended as follows:

SEC. 5(a). The National President shall be authorized and empowered, with the **prior** approval of the NEC, to place any council or local under trusteeship ~~and for safeguard and protection shall take immediate charge of all equities and properties, tangible or intangible, acquired and/or possessed by any such affiliate~~ for the purpose of preventing corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of bargaining representation, restoring democratic procedures, or otherwise carrying out the legitimate objectives of the Federation. **The National President shall appoint a trustee who** for safeguard and protection shall take immediate charge of all equities and properties, tangible or intangible, acquired and/or possessed by any such affiliate. Restoring democratic procedures and carrying out legitimate objectives of the Federation include, but are not limited to, the following situations provided there is justifiable cause for such action.

(1) The affiliate cannot function autonomously because:

(i) There has been a drastic reduction in force or a temporary or permanent closing of an installation or subsection thereof affecting most members of the affiliate;

~~(ii) The number of members in the affiliate is small or widely distributed geographically or is unstable because of irregularities of employment in the bargaining units;~~

(ii) There has been an unexpected loss of leadership;

~~(iv) A newly established affiliate is in need of assistance because of inadequate treasuries, inexperienced officers, or difficulties encountered in getting organized;~~

(2) There is a failure of an affiliate's officers to properly manage the affiliate's affairs, resulting in financial mismanagement, such as insolvency or failure to meet its financial obligations, including payment of per capita tax;

(3) There is ~~administrative mismanagement~~ **failure** by the affiliate's officers ~~including, but not limited to, a failure by them to carry out the~~ **requirements of the National, local, and council Constitutions and bylaws** and/or the adoption of a constitution and bylaws at variance with those required by the Federation, **in**

which case, a conflict resolution process will be offered, with the officers remaining in office, but refusal to participate in the conflict resolution process or to abide by the results or to reach resolution will result in imposition of trusteeship. The costs of the conflict resolution process will be shared equally between the affiliate and the National Office.

(4) There is actual or threatened secession of the affiliate from the Federation.

~~SEC. 5(b)(1). In all cases but secession from AFGE or confirmed loss of leadership, or where the local or council fails to agree to mediation, the National President shall be authorized and empowered with the approval of the NEC, to place any council or local under trusteeship only after the following procedures have been followed:~~

~~(1) There will be mediation by a certified mediator, appointed by the National President and paid from the district in which the trusteeship is proposed. A council trusteeship will be paid by the Office of the National President. After mediation and conciliation has been exhausted to resolve any conflict;~~

~~(2) The Federation should then review the documentation created during the period for resolution and provide a copy to the NEC;~~

~~(3) After the review the disputed local should be notified within 120 days of the proposed notice to place a local in trusteeship and the reason why;~~

~~(4) That the Federation allow the local a response period after notification (no more than 30 work days) to state why it should not be placed in trusteeship;~~

~~(5) The Federation should then send a decision letter either sustaining or revoking a proposed notice of trusteeship;~~

~~(6) This proposed notice should first be served upon the Executive Board by certified mail.~~

~~—Prior to the imposition of trusteeship, the notice shall be sent by mail from the National Office to all members of the affiliate setting forth the reasons why the affiliate was placed in trusteeship. In all cases except secession or confirmed loss of leadership, all elected officers shall remain in office until after a decision from a fair and impartial hearing by the Federation. In all cases except secession or confirmed loss of leadership, the National President shall employ an independent arbitrator solicited from the AAA or another arbitration association. The selected arbitrator shall live in close proximity to the council or local where the hearing is being heard. The arbitrator shall have the authority to decide the trusteeship based on the standard of evidence used in the courts. The arbitrator shall conduct a hearing concerning the circumstances surrounding the trusteeship. The arbitrator shall be selected with consultation by the NVP having jurisdiction over the affiliate. The affiliate and the National President designee shall select the arbitrator from a seven-member list supplied by the AAA or other association.~~

~~—Either party shall have three opportunities to strike from such list until there remains one arbitrator. This last arbitrator shall be selected to hear the case for trusteeship for the affiliate. If it is documented by certified return notice that the local or council will not participate in the selection of the arbitrator after certified notice, the National President shall contact and employ this arbitrator; the expense shall be born by the district in which the trusteeship is proposed. For proposed council trusteeships, the cost will be paid by the Office of the National President.~~

~~The hearing normally shall commence within 60 days after the notice of trusteeship has been served upon the members of the affiliate. The reason for the establishment of the trusteeship will be fully explored through the testimony of witnesses. The arbitrator will rule on questions of evidence and testimony at the hearing.~~

~~Within 15 days, the National President will receive the record of hearing, along with the findings and the decision of the arbitrator. He or she shall render a written decision, either ratifying the establishment of the trusteeship if the preponderance of the charges are sustained, or rescinding the trusteeship if the decision is not sustained by a preponderance of the evidence. The National President shall not modify or change the decision of the arbitrator.~~

~~SEC. 5(b)(2). In cases of secession or confirmed loss of leadership, the imposition of trusteeship will be followed within 30 days by a report and recommendations by a three member panel appointed by the President. The panel may act on the basis of the written record, or may hold an on-site hearing, or may take evidence or argument by electronic means.~~

~~SEC. 5(b)(3). If the decision/report is for trusteeship, the National President will notify the affiliate; any member may appeal the decision in writing to the Labor Department or the next Convention. A copy shall be mailed by certified or registered mail to the National Secretary-Treasurer of the Federation, within 20 days after the National President has established the trusteeship.~~

~~The appeal will be processed under the regulations/guidance of the Labor Department. If the trusteeship is still sustained, the member of the affiliate can only appeal again that decision at the next Convention.~~

~~While an affiliate in the Federation is under trusteeship the trustee will ensure that the membership of the affiliate will be involved or participate by: allowing the membership's approval for all expenditures over \$250; providing the membership a voice in setting policy; ensuring representation is given; and allowing the Bill of Rights to govern.~~

~~To safeguard and protect the affiliate's assets, the Federation will take immediate charge of all equities and properties, both tangible and intangible, acquired or possessed by the affiliate for the purpose of preventing corruption or financial malfeasance. The Federation will assure the performance of the collective bargaining agreement, restore the duties and responsibilities of the representatives and promote democratic procedures, and otherwise carry out the legitimate objectives of the Federation.~~

SEC. 5(b)(1) The National President shall remove incumbent officers and give notice of the imposition of trusteeship to the membership of the local or the constituent locals of the council within five days, providing the time, date, and place of the trusteeship hearing. The National President shall appoint a three member trusteeship hearing panel. The hearing shall take place within 60 days in the vicinity of the local or council headquarters, with the exception of trusteeships imposed for chronic (three months) per capita tax delinquency which will be held in the National Office. Any affected member

may appear at the hearing in person or by electronic means, and the hearing panel will receive testimony and documentary evidence from those attending or their representatives.

SEC. 5(b)(2) The hearing panel shall issue its decision within 30 days of the close of the hearing to ratify or rescind the trusteeship, and the National President shall notify the membership of the local or the constituent locals of the council. Any affected member may file an appeal within 15 days of notification to the National Secretary-Treasurer for appeal to the next AFGE National Convention.

SEC. 5(b)(3) The trusteeship shall end within 18 months.

**NATIONAL PRESIDENT SHALL, NOT SHOULD, FURNISH MAILING LIST
RESOLUTION # 1012**

**Submitted by
Local 1101**

Article IX

Sec. 6 Change the first sentence to read:

The National President “shall” furnish to the National Vice President for official District publications, and through the resident NVP to any council or local, which is in good standing, a mailing list.

**DUTIES OF THE NATIONAL SECRETARY-TREASURER
RESOLUTION # 1013**

**Submitted by
Local 1101**

Article X: Duties of the National Secretary-Treasurer

Sec 10: The NST or designee shall be the point of contact for all AFGE affiliated organizations, including councils and districts, in order that such parties may have access to the National Headquarters Building Board Room for union purposes on the basis of actual availability.

**ABOLISH WOMEN’S/FAIR PRACTICES DEPARTMENTS
RESOLUTION # 1014**

**Submitted by
Local 1997**

Where as; AFGE National Office is proposing a \$3.47 Per Month per Capita increase.

Where as; AFGE National Office Continues to create new Departments at an alarming rate

Where as; UNION, means a body of ONE.

Where as; the Women's/Fair practices Departments head, was paid \$128,631 as per LM-2 Dated 2005.

Therefore be it Resolved.

That the Women's/Fair Practices Department be Abolished by Dec. 31, 2006.

Be further resolved.

That the EEO Attorneys be reassigned to the General Councils Office.

**AFGE FIELD STAFF AND STAFF SUPERVISION
AND DUTIES OF NATIONAL VICE PRESIDENTS**

RESOLUTION # 1015 (1016-1019)

Submitted by

Local 3258

Whereas all Districts currently do not have staff dedicated to both organizing and legislative/political action; and

Whereas it should be the policy of the Federation to increase resources and emphasis on organizing and legislative/political action; and

Whereas National Representatives should be utilized both for District specific purposes and without respect to District boundaries; and

Whereas there are merits to the concepts of both local and national supervision of AFGE staff; and

Whereas National Vice Presidents should concentrate on representational functions that are best suited for a geographically based organization such as organizing, legislative and political action, local media and public relations and Local oversight; and

Whereas, very little technical staff support concerning representational activity exists for councils due to the concentration of resources in District based and supervised National Representatives; and

THEREFORE BE IT RESOLVED that Article XII, Section 1 and 2 shall be resolved as follows:

SECTION 1(a). The National Vice Presidents shall oversee all organizing and legislative and political work in their respective districts and coordinate as necessary with the Directors of Organizing and Legislative and Political departments. They shall exercise general supervision over the affairs of their respective districts. They shall assist locals in organizing and in legislative and political action, and shall coordinate with other districts where their locals and councils are located in multiple districts. They shall be responsible for public and media relations in their district. They shall also oversee local audits, elections and trusteeships, as needed.

SEC. 1(b). NVPs shall be responsible and accountable to the locals and councils in the district where elected to serve and to the following performance standards:

- (1) To represent their district's, locals' and councils' best interests in all interactions with the National Executive Council and National Office;
- (2) To follow the democratic process in all official AFGE functions conducted in the district served;
- (3) To refrain from any local or council interaction that could be considered a conflict of interest or not in the best interest of all locals or councils in the district served or contrary to Public Law 95-454, Civil Service Reform Act, and Department of Labor regulations;
- (4) To follow the mandates of the National Convention and locals and councils in the district served;
- (5) To be financially accountable by providing on at least a quarterly basis to all locals, bargaining councils, and DEFCON in the district served a report of all monies, and by providing to locals and councils in the district served for all monies allocated for district functions and Political Action Committee (PAC) monies donated and Legislative Action Fund (LAF) monies; and
- (6) To issue to all local and council presidents in the district at least a quarterly report of expenditures showing the funds spent on each local and council served, and a pre-caucus audit report showing expenditures to all district locals and councils served.

Each council that has local constituencies in the district regardless of where the council officers reside shall receive these reports.

SEC. 2. Each district shall be entitled to one National Representative. Each District shall also be entitled to one National Organizer and one Legislative and Political Organizer who will coordinate their activities with the district NVP and the appropriate AFGE department. Any additional National Representatives, National Organizers and Legislative and Political Organizers will be assigned and deployed as needed by the National President. Such employees shall be selected, in accordance with the Article XII, Section 2, recruitment and selection policy.

STAFFING & REPRESENTATION
RESOLUTION # 1016 (1015, 1017-1019)
Submitted by
Twelfth District

Whereas many of AFGE's Local Leadership is preparing for retirement and **whereas** our Union is under constant attack from the present administration.

This resolution offers that one additional National Representative (NR) be assigned and position filled in each of the AFGE Districts. This additional NR help will provide assistance to the locals who lack experience, knowledge or the official time to defend themselves against oppressive agencies.

**SELECTION OF NATIONAL REPRESENTATIVES AND OTHER AFGE EMPLOYEES
RESOLUTION # 1017 (1015-1016, 1018-1019)**

**Submitted by
Local 3258**

Whereas, the current selection procedure for National representatives varies from District to District, and

Whereas, there exists no standard qualification requirements for National Representatives, and

Whereas, current selection procedures do not always result in the selection of the best qualified candidates for National Representatives and

THEREFORE BE IT RESOLVED that Article XII, Section 2 shall be revised as follows:

National Representatives, organizers and legislative representatives shall be recruited through a standard set of personnel rules which include the use of position descriptions to define the job requirements, open advertising for vacant positions and the utilization of a clearly defined scoring and ranking system for applicants based on their qualifications, experience, education and job performance. A three-person panel will select national representatives. This panel will consist of an individual selected by the NEC, one selected by the National President and a third individual selected by the President of the appropriate bargaining unit of the position.

**PLACEMENT OF NATIONAL REPRESENTATIVES
RESOLUTION # 1018 (1015-1017, 1019)**

**Submitted by
Local 3258**

Whereas, Local and Council officers and stewards and AFGE staff have become adept users of computer communications;

Whereas, use of computer communications facilitates an efficient use of resources and helps alleviate the use of time and funds for travel.

Whereas, time spent in travel can be of particular significance in Districts where Locals are widely dispersed. Logically, maximizing the use of staff resources results in the assignment of staff resources to small geographic areas and/or large bargaining units. It is probable that this results in small Locals and Locals in distant locales not receiving significant on-site assistance. It may also result in Councils not receiving on-site assistance because, by definition, their jurisdiction crosses multiple Districts.

Whereas, many additional Locals and Councils may receive substantive assistance, if the Federation increases its reliance on computer communications rather than on-site assistance.

THEREFORE BE IT RESOLVED that Article XII, Section 3(a) shall be added as follows:

It shall be the policy of the Federation to assign a minimum of 50% of its National Representatives to the National Office. Per Article XII, Section 2 each district will be assigned a National Representative. The remaining National Representatives will be assigned to the National Office. These National Representatives (NRs) shall continue to be geographically dispersed and shall be made available to provide remote representation assistance to Locals and Councils.

FURTHERMORE, that Article XII, Section 3(b) shall be added as follows:

The foregoing in section 3(b) is subject to collective bargaining with the NR bargaining unit.

NATIONAL REPRESENTATIVES ASSIGNED TO DC

RESOLUTION # 1019 (1015-1018)

Submitted by

Local 1997

Where as; AFGE National Office is proposing a \$3.47 Per Capita Increase

Where as; There are now National Reps that are Title N R Supervisors.

Where as. If all National Reps Were assigned to one center they could be used in all areas according to their Special talents

Therefore be it Resolved.

That all National Reps be assigned to the Field services office in DC.

OFFICIAL DISTRICT PUBLICATION

RESOLUTION # 1020

Submitted by

Local 1101

Article. XII

Sec. 3 Each NVP shall produce annually an "Official District Publication." The official publication will have a copy of a mailing list of all locals within that district for the exclusive use of exchanging publications or for the purpose of organizing.

DISTRICT WEB SITE

RESOLUTION # 1021

Submitted by

Local 1101

Article XII

Sec. 4 All Districts shall operate and maintain an official WEB SITE. This web site may be delineated to a local in good standing to maintain and operate. Funding for delineating will be in negotiated in an open bid format and selected by the NVP prior to hiring any outside source.

**NEC CONSULT WITH COMMUNICATIONS DEPARTMENT
RESOLUTION # 1022**

**Submitted by
Local 1101**

Article: XIII

Sec 4(a) The NEC shall consult with the National Communications Department prior to any release. NEC Communications Sub-Committee will ensure that a Communications Department Head of delegated party is present at all Sub-Committee meetings.

**NEC OPEN ACTION ITEMS
RESOLUTION # 1023**

**Submitted by
Local 1101**

Article:XIII

Sec. 12(a) All NEC meetings shall address open action items prior to opening New Business at the scheduled meeting. Whereas open action items are defined as; items carried forward and given a sequential number relating to a previous NEC meeting in accordance with Sec 12(b)(5) accurate minutes shall reflect carried forward or closed action items in scheduled meeting minutes open action item section.

Sec. 12(b)(2) The disposition of each main motion, including any amendments, and whether the motion was adopted, failed, postponed, referred to a committee or disposed of in some other manner.

Sec. 12(b)(5) Any Motions tabled by vote or otherwise shall become an open agenda item recorded and given an Agenda Number. Whereas, the number will consist of the month and last two of the year, followed by a consecutive number sequentially given by the recorder for that Committee or Sub-Committee, i.e. 04/06/3. The 3 being the 3rd carried forward agenda item for that meeting until such time the NEC votes, resolves, or closes the motion.

Sec. 12(b)(6) Any notice of motions to be introduced at future meetings.

Sec. 12(b)(7) Points of order and any rulings that set precedent for future meetings.

**NATIONAL WOMEN'S ADVISORY COORDINATORS
RESOLUTION # 1024
Submitted by
Council 1, Sixth District, Human Rights Committee**

WHEREAS, the constitutional language to Article XVI Duties of the National Women's Advisory Coordinators (NWAC) Section 1 was added last convention; and

WHEREAS, one key mission of the NWAC, namely dealing with issues involving Work/Life was omitted, and

WHEREAS, the language in Article XV Duties of the National Fair Practices and Affirmative Action Coordinators (NFPAAC) includes the term of office which was omitted in the NWAC article; and

WHEREAS, by making the term of office part of the NWAC article, the Duties of the National Women's Advisory Coordinator article will then mirror the article language in Article XV for the Duties of the National Fair Practices Affirmative Action Coordinators;

THEREFORE, BE IT RESOLVED that the NWAC article would now read:

These Coordinators monitor trends in women's and work/life issues, recommend a national working women's action plan for AFGE, and advise, assist and/or represent members on women's issues. They also assist locals in training sessions throughout the district where they were elected. These Coordinators are elected at a district caucus meeting every three years. The National Women's Advisory Coordinator (NWAC) will recruit and develop local coordinators and will:

- (a) Mobilize AFGE members around civil, human, and worker's rights in their district. They are charged to work closely with the National Women's Advisory Coordinators (NWAC) and National Vice President (NVP) to help raise the profile of civil and human rights and strengthen the worker's rights agenda in their respective districts.
- (b) Submit quarterly status report on district activities to be reported to the AFGE National Executive Council.
- (c) Work with locals in their district to ensure Local Fair Practices Coordinators are appointed or elected.
- (d) Serve as the catalyst to disseminate information affecting civil, human, and worker's rights issues throughout the district.
- (e) Inform the NVP and National Vice President for Women and Fair Practices of local civil, human, and worker's rights issues with the potential of having a national impact.
- (f) Participate in leadership training seminars or other skill building opportunities in their districts annually.
- (g) Coordinate member participation in civil, human and worker's rights

activities within the locals and councils in their district.

(h) Work with the AFL-CIO constituency groups and other allied organizations to improve the coalition base.

(i) Maintain accurate financial and travel records for their district activities.

(j) Serve as a member of the National Human Rights Committee.

ADOPT, IMPLEMENT, AND ADMINISTER CONFLICT RESOLUTION PROGRAM

Resolution #1025 (2003)

Submitted by

National Executive Council and Sixth District

WHEREAS the 35th National Convention adopted an Internal Policy resolution, “Settle Internal Disputes Using Alternate Dispute Resolution,” Resolution #2006, and

WHEREAS the Convention resolved that “AFGE will strongly encourage and facilitate the use of ADR or a committee of peers selected within a respective District to settle internal disputes throughout AFGE Districts and throughout the Federation, without precluding the filing of charges per the AFGE National Constitution,” and

WHEREAS the Women’s and Fair Practices Departments have developed a Conflict Resolution Program to assist in the resolution of conflict between members and officer leadership through mediation (Women’s and Fair Practices Departments Report of the Conflict Resolution Program design Committee Meeting March 28-29, 2006), and have trained mediators to assist in the resolution of conflicts,

THEREFORE BE IT RESOLVED that Article XI, Section 1 of the AFGE National Constitution, duties of the National Vice President for Women and Fair Practices, be amended by the addition of a new subsection (g):

Administer the conflict resolution program.

THEREFORE BE IT FURTHER RESOLVED that Article XXIII, Offenses, Trials, Penalties, Appeals, Section 2(a) of the AFGE National Constitution be amended by the addition as follows:

The conflict resolution program is not available.

THEREFORE BE IT FURTHER RESOLVED that Article XXIII, Offenses, Trials, Penalties, Appeals, Section 2(b) of the AFGE National Constitution be amended by the addition as follows:

The conflict resolution program is not available.

THEREFORE BE IT FURTHER RESOLVED that Article XXIII, Section 2(f) of the AFGE National Constitution be amended by the addition as follows:

The conflict resolution program is not available after the committee of investigation has preferred charges.

THEREFORE BE IT FURTHER RESOLVED that Article XXIII, Section 2(h) of the AFGE National Constitution be amended by the addition as follows:

The conflict resolution program is not available after the committee of investigation has preferred charges.

THEREFORE BE IT FURTHER RESOLVED that Article XXIII, Section 3 be amended as follows:

Any member may **request conflict resolution or** bring charges ... If the committee of investigation finds probable cause and cannot settle the matter informally **or through the conflict resolution process**, it shall prefer charges

THEREFORE BE IT FURTHER RESOLVED that Article XXIII, Section 4 be amended by the addition of:

The conflict resolution program is not available after the trial commences.

**ELECTION OF LOCAL OFFICERS IN LAST QUARTER OF YEAR
RESOLUTION # 1026
Submitted by
National Executive Council**

WHEREAS all local elections should occur in the last quarter of the year, so that standardized training can be held for election committees and newly elected officers and so that officers are in place at the beginning of the calendar year,

THEREFORE BE IT RESOLVED that to Article XIX of the AFGE National Constitution there be added a new Section 6(f) as follows:

(f) Effective October 1, 2006, and beginning with their next new term of office, all locals shall elect officers to a term that shall end in the last quarter of a calendar year. No local term of office may exceed three years.

And to Appendix A, Part I, Section 3(a), there be added a new subparagraph (5):

Effective October 1, 2006, the next new term of office shall be set in accordance with Article XIX, Section 6(f).

And to Appendix B, Article VII, Section 1, there be inserted:

Effective October 1, 2006, the next new term of office shall be set in accordance with Article XIX, Section 6(f).

**NEC APPROVAL OF AMENDMENTS TO
COUNCIL CONSTITUTION AND BYLAWS
RESOLUTION # 1027**

**Submitted by
National Executive Council and Sixth District**

WHEREAS Article XXI, Section 6 of the AFGE National Constitution merely provides that amendments to council constitutions and bylaws shall be approved by the NEC, and
WHEREAS Federation practice is to require councils to provide the same information as locals who request NEC approval of amendments to their constitutions,
THEREFORE BE IT RESOLVED that Article XXI, Section 6 of the AFGE National Constitution be amended by adding as follows:

Councils shall send to the National President the amendments, together with a copy of the notice to the delegates, if required by the council constitution, and a copy of the minutes or transcript of the council meeting showing a quorum and adoption of the amendments by the proper majority.

**MEMBERSHIP VOTE AFTER TRIAL
RESOLUTION # 1028**

**Submitted by
National Executive Council and Sixth District**

WHEREAS Article XXIII (Offenses, Trials, Penalties, Appeals), Section 7 currently says that at the next regular membership meeting the trial committee submits its findings, decisions, and recommendations to the local, and that the members of the local vote without debate solely on whether to accept or reject the recommendations, and
WHEREAS the NEC has overturned disciplinary actions because the facts and merits were vigorously debated during the course of the membership meeting prior to the vote in violation of Section 7, and
WHEREAS the place for debate on the facts and the merits is during the trial, and
WHEREAS Section 7 also currently says that the accused may make a statement, and
WHEREAS the accused may request his or her representative to make the statement, and
WHEREAS Section 7 currently limits the statement to the accused,
THEREFORE BE IT RESOLVED that Article XXIII, Section 7 of the AFGE National Constitution be amended as follows:

At the next regular meeting of the local following the conclusion of the trial, **as the first order of business**, the trial body **shall read the sustained charges against the accused** ~~submit to the local in writing its findings of the facts, decisions, and recommendations.~~ At that time the accused **or representative** may make a statement on his or her behalf to the membership. **The trial body then shall submit to the local in writing and read its findings of the facts,**

decisions, and recommendations. The accused shall retire from the room when the vote of the membership is taken. The members of the local there assembled shall vote without debate solely on the question of whether to accept or reject the decision and recommendations of the ~~board or the trial committee~~ **trial body.**

**2006 Convention Constitutional Amendment
RESOLUTION # 1029 (1030-1031)
Submitted by
National Executive Council**

The following is the recommended per capita adjustment by the NEC:

	Individual PCT	Sub Total
<u>Legislative and Privatization Program</u>		
▪ One lobbyist. Cost \$130,000.	.06 pct	
▪ A-76 – Increase in Positions Competed (Tripled). Add Senior Process Specialist. Cost \$120,000.	.05 pct	.11
<u>Membership & Organizing Program</u>		
▪ Add Two National Organizers. Cost \$200,000.	.08 pct	
▪ Add Member Organizing Program \$144,000 at \$12,000 per District.	.06 pct	
▪ Add: Bi-annual Organizing Conference. Cost \$170,000.	.07 pct	.21
<u>Communications Programs</u>		
▪ Increase Media Fund. Cost \$180,000.	.08 pct	
▪ Fund New Radio Show and Production Studio. Cost \$140,000.	.06 pct	
▪ External Assistance for Production for videos etc. Cost \$100,000.	.04 pct	.18
<u>Women’s and Fair Practices Programs</u>		
Conflict Resolution Program for Internal Disputes. Cost \$100,000.	.04 pct	.04
<u>Education Program</u>		
Contract with Labor Studies Center to Teach AFGE Programs. Cost \$40,000.	.02 pct	.02
<u>Operational</u>		
Increase Funding for each District Operational Budget.	.10 pct	.10
<u>Constituent Committees</u>		
Improve Funding for Firefighters Steering Committee. Cost \$20,000.	.01 pct	
Improve Funding for HISCO. Cost \$20,000.	.01 pct	
Improve Funding for Law Enforcement Steering Committee. Cost \$20,000.	.01 pct	
VA Nurses Committee. Cost \$20,000.	.01 pct	.04
<u>Bargaining Council and DEFCON</u>		

Increase Rebate by .10 cents.	.10 pct	.10
<u>General Maintenance</u>		
AFL-CIO and General Inflation (2.50), Computer Overhaul of AFGE Mainframe System (.20).		2.70
TOTAL		3.50

BE IT RESOLVED, that the Constitution be amended to adjust the per capita tax by 3.50 effective January 1, 2007 for the programs identified above.

**PER CAPITA TAX INCREASE
RESOLUTION # 1030 (1029, 1031)
Submitted by
Local 3258**

Whereas, inflation has resulted in an increase in costs for the federation,
Whereas, it is not the desire of the members that AFGE diminish the services currently provided,
Whereas, increase in per capita tax should not appreciably exceed the level of increases of members salaries,
Whereas, Legal Representation fund arrangements have proven to be an effective and lucrative representational service,
Whereas, the administration’s attack against DOD workers requires a more substantial dedication of resources,
THEREFORE BE IT RESOLVED that Article XXIV be amended to add Section 1(b)(4);

Effective January 1, 2007 the per capita tax will be increased by the percentage of the annual pay raise for federal employees in “the rest of the US” category. The per capita tax will similarly increase effective January 1, 2008 and January 1, 2009 by the percentage of the annual pay raise for federal employees in “the rest of the US” category. Effective January 1, 2007 the per capita tax will increase by \$.25 dedicated to seed money for the purpose of establishing and/or enhancing Legal Representation funds. This tax and earmark will terminate effective December 31, 2009. Effective January 1, 2007, an addition \$.10 of existing per capita tax revenue will be dedicated to AFGE’s Defense Conference.

**PER CAPITA TAX INCREASE
RESOLUTION # 1031 (1029-1030)
Submitted by
National VA Council #53**

WHEREAS the American Federation of Government Employees may receive a Per Capita Tax

increase at this Convention, and

WHEREAS the current process for Bargaining Councils to receive rebates is set at 30 cents per member, per month,

THEREFORE BE IT RESOLVED that Bargaining Councils will receive in addition to the current 30 cent rebate, 25 cents (per Union member) from any realized Per Capita Tax increase.

**PER CAPITA REDUCTION
RESOLUTION # 1032 (1033-1034)**

**Submitted by
Twelfth District**

Whereas many of our agencies have part time employees and **whereas** many agencies like Non-Appropriated Funded (NAF) / AAFES receive very low wages,

this resolution proposes that Part time and Low Paying Bargaining Unit employees only be assessed half of the Per Capita approved at the 2006 AFGE National Convention in Atlanta.

**PERMANENT SEASONAL EXCEPTION
RESOLUTION # 1033 (1032, 1034)**

**Submitted by
Local 1101**

Sec. 2(c) [sic] Exceptions (replace)

Members that hold a permanent seasonal position will have the Per-Capita dues exempt, from the local's National billing, during their non-pay status, not to exceed six months long. These members will be considered as a member in good standing during their non-pay status. These members will not count toward voting strength of the local while in a non-pay status. These members will be responsible for any benefit fees that are incurred by that member while in non-pay status. The local's bylaws may address the level of local participation of the member while in non-pay status and reimbursement to the local for any monies deemed owed.

**REPORTING OF EXCEPTIONS
RESOLUTION # 1034 (1032-1033)**

**Submitted by
Local 1101**

Article XXIV: Revenues

Sec. 1(c) Exceptions

(3) A local will report all members under Article 3, at the earliest possible time directly to the NST and/of My Local section on www.afge.org for exception. The exception to payment will not count against the local's total membership for the purpose of delegate representation.

**SERVICE FEE CONSISTENT WITH LAW
RESOLUTION # 1035 (2002)**

**Submitted by
Sixth District**

WHEREAS *Chicago Teachers Union v. Hudson*, 475 U.S. 292 (1986) and *Lehnert, et al. v. Ferris Faculty Association, et al.*, 500 U.S. 507 (1991) set forth guidelines in determining for which activities a union constitutionally may charge employees who pay service fee, **THEREFORE BE IT RESOLVED** that Article XXIV, Section 1(d) of the AFGE National Constitution be amended as follows:

Consistent with law, an amount equal to the regular per capita tax or the service fee, whichever is less, shall be paid by the local union for each person making service or similar payments to the local in lieu of dues under agency shop or similar provision.

**AUTOMATIC PASS-THROUGH AT LOCAL LEVEL
OF CONVENTION PER CAPITA TAX INCREASES
RESOLUTION # 1036**

**Submitted by
National Executive Council**

WHEREAS increases in the per capita tax enacted by delegates at AFGE National Conventions:

(1) reflect rising costs in providing services to members which are equally applicable to services provided at the local level,

(2) often result in many locals being under-funded and needing to take immediate corrective action at the local level, and

(3) provide a periodic opportunity to address the rising costs of services in a uniform manner at both the National level through per capita adjustment and at the local level through dues adjustment,

THEREFORE BE IT RESOLVED that the AFGE National Constitution be amended to provide for the automatic "pass-through" at the local level of Convention per capita tax increases, while providing a uniform and fair mechanism for exempting from its coverage those locals that are not under funded, by adding the following to Article XXIV as a new Section 1(e), and to Appendix B, Article IV, as a new Section 3 as follows:

When the AFGE National Convention approves a monthly increase in per capita tax, on the effective date of the increase, the biweekly dues of each

affected member on dues withholding shall be automatically increased the exact amount of the increase in per capita tax. Affected members who pay dues in advance directly to the local on a quarterly, semi-annual, or annual basis also shall have their dues automatically increased in an amount equal to the biweekly increase.

A local may choose to not put into effect the automatic increase by taking a vote within 90 days of the Convention action, or not less than 30 days prior to the effective date of an automatic increase in subsequent years. Alternatively, the local may vote to increase its share of the automatic increase by a lesser amount. Any vote undertaken herein must be in accordance with the procedures set forth in the local's constitution for amending dues.

THEREFORE BE IT FURTHER RESOLVED that Appendix B, Model Bylaws, Section 21 Note be amended by amending:

NOTE: The AFGE National Constitution at Article XIX, Sections 7(a)(7) and 7(b)(7) and the standard local constitution at Article IV, Section 1 require that each local establish and maintain a dues level high enough to allow adequate funds for the payment for the per capita tax and to provide sufficient funds for the operational expenses of the local. It is strongly recommended that each local consider as a minimum dues level an amount such that biweekly dues are at least equal to monthly per capita tax. ~~Locals also are encouraged to adopt a bylaw which prescribes that the local's dues shall be increased automatically by the amount, if any, by which the National Convention increases the per capita tax.~~ See standard local constitution, Article IV, Section 1 and Article XI, Section 3.

**DIRECT DUES FROM AGENCIES TO NATIONAL OFFICE
RESOLUTION # 1037
Submitted by
National Executive Council**

WHEREAS the current dues withholding system unduly imposes on local treasurers -- most of whom are volunteers already overburdened by the substantial responsibility for the financial operations of their locals -- the substantial obligation of timely submitting the Federation's per capita tax each month under threat of penalty, and

WHEREAS AFGE currently expends substantial monies annually in staff time and on internal proceedings in attempting to collect delinquent per capita tax, and the delinquency, despite these constant efforts, frequently remains at or over one million dollars owed the Federation, which results in cash flow problems that threaten AFGE's ability to deliver services to the locals,

THEREFORE BE IT RESOLVED that a new Section 10 be added to Article XXIV of the AFGE National Constitution to provide the Federation with the authority to obtain dues directly from agencies, as follows:

The National President, or a designee, is empowered with the authority to meet and confer with agency management for the purpose of negotiating an agreement that provides for the direct submission of dues to the National Office for any affiliate.

Appendix A

**THREE AND FOUR YEAR TERM OF OFFICE
RESOLUTION # 1038 (1010)
Submitted by
National Executive Council and Sixth District**

WHEREAS federal law limits as a maximum term of office three years for local officers, four years for council officers, and five years for national officers, and
WHEREAS a three year term of office for local officers increases the stability of locals, and
WHEREAS the term of office for AFL-CIO officers has been extended to four years, and
WHEREAS AFGE has two officers serving on the AFL-CIO Executive Board, and
WHEREAS in the past when the AFL-CIO has extended the term of office of its officers, AFGE has followed suit,
THEREFORE BE IT RESOLVED that the following provisions of the AFGE National Constitution be amended to provide that:

(a) The term of office for AFGE local officers is a minimum of two and not more than three years effective with the next regularly scheduled election of local officers, (b) the term of office for AFGE national officers is four years effective with the next regularly scheduled election of officers, and (c) the AFGE National Convention consider this resolution prior to the election of national officers in 2006.

Article V, Section 4(a): The AFGE National Convention shall meet ~~triennially~~ **quadrennially** at such place as the NEC shall select during the months of August or September of each third fourth year in a union hotel ...

Article VII, Section 1(b): The national officers ... to be elected ~~triennially~~ **quadrennially** by a majority vote of the National Convention.

Article VIII, Section 2(a): ... district caucus to be held within each respective district subsequent to April 30 and ~~prior to June 1 of every third year beginning in 1990~~ **prior to June 1 of every fourth year beginning in 2008.**

Article IX, Section 1(a): The National President shall ... preside at the ~~triennial~~ **quadrennial** Convention ...

Article IX, Section 3: The National President shall submit to the National Convention a ~~triennial~~ **quadrennial** report of his or her activities.

Article IX, Section 9: ... Copies of the certified balance sheets and revenue and expense statements from the annual audit reports covering the ~~two~~ **three** immediately prior fiscal years shall be furnished to the presidents of the

constituent locals of the Federation at least ten days prior to the ~~triennial~~ **quadrennial** Convention.

Article X, Section 1: ... act as NST at the ~~triennial~~ **quadrennial** Convention ...

Article X, Section 5: In addition to his or her ~~triennial~~ **quadrennial** report, the NST ...

Article X, Section 6: The NST shall submit a ~~triennial~~ **quadrennial** report ...

Article XV, Section 1: ... These Coordinators are elected at a district caucus meeting every ~~three~~ **four** years ...

Appendix A, Part I, Section 1(f): **The term of office for AFGE local officers is a minimum of two and not more than three years effective with the next regularly scheduled election of local officers.**

Appendix A, Part II, Section 1(e): Elections shall be conducted for each office in the following manner: (1) National President, National Secretary-Treasurer, and National Vice President for Women and Fair Practices at the AFGE National Convention ... **the term of office is four years effective with the next regularly scheduled election of officers.** (2) National Vice Presidents, Fair Practices Coordinators, and Women's Coordinators at individual district caucuses ... **the term of office is four years effective with the next regularly scheduled election of officers.**

Appendix B, Article VII, Section 1: ... No term shall **be less than two or** exceed three years **effective with the next regularly scheduled election of local officers.**

Appendix B, Model Bylaws, Section 15: (Note: Terms shall not **be less than two or** exceed three years from installation.)

CANDIDACY FOR ONE OFFICE
RESOLUTION # 1039
Submitted by
National Executive Council and Sixth District

WHEREAS NEC policy since 1977 has been to encourage wider participation by members in the election process, and

WHEREAS Appendix B, Model Local Bylaws, Section 13 of the AFGE National Constitution provides that candidates shall not run for more than one elected office, and

WHEREAS a local may allow a general officer also to hold the position of a unit officer, or a council office,

THEREFORE BE IT RESOLVED that Appendix A of the AFGE National Constitution be amended by the addition of Appendix A, Part I, new Section 1(f), and Appendix B, Article VII, new Section 2(b) as follows:

Candidates shall not run for more than one office in the same election; however, candidacy as a delegate shall not be considered to be covered by this provision.

THEREFORE BE IT FURTHER RESOLVED that Appendix B Model Local Bylaws Section 13 be amended as follows:

Sec 13. Nominations of officers shall be held in __ (month) and elections and installation shall be held in __ (month) after proper notice to local members. A quorum is not required for nominations and/or elections. See AFGE National Constitution, Appendix A, Part I, Section 3. ~~Candidates shall not run for more than one elected office; however, the running as a delegate shall not be in conflict with an elected officer position.~~ **Candidates shall not run for more than one office in the same election; however, candidacy as a delegate shall not be considered to be covered by this provision.** A runoff election, if necessary, shall be held as soon as possible at the same meeting or by mail ballot.

**ABSENT FOR NOMINATIONS
RESOLUTION # 1040
Submitted by
National Executive Council and Sixth District**

WHEREAS Appendix A, Part I, Sections 3(a)(1) and 3(a)(2) of the AFGE National Constitution address alternate means, and notice to members of those means, for making and accepting nominations of members unavoidably absent from a meeting, and

WHEREAS an Election Committee's determination of whether or not an absence is "unavoidable" allows the potential for denial of a nomination based on a political or discriminatory reason,

THEREFORE BE IT RESOLVED that Appendix A, Part I, Section 3(a) of the AFGE National Constitution be amended by deleting the word "unavoidably" from, in pertinent part:

(1) ... Where nominations are conducted at a meeting called for that purpose, provisions should be made for the making and acceptance of nominations by alternative means for members who are absent ~~unavoidably~~ from the meeting. ...

(2) ... If the nominations are to be made at a meeting, the notice also shall inform members of the manner whereby members who will be absent ~~unavoidably~~ from the meeting may make and/or accept nominations.

**LAST KNOWN HOME ADDRESS
RESOLUTION # 1041 (1044)
Submitted by
National Executive Council and Sixth District**

WHEREAS Appendix A, Part I, Section 3(a)(4) of the AFGE National Constitution provides that notices of election must be mailed to each member at his or her last known address, and

WHEREAS Department of Labor regulation 29 CFR §452.99 requires notice of election to be

mailed to the last known home address,

THEREFORE BE IT RESOLVED that Appendix A, Part I, Section 3(a)(4) of the AFGE National Constitution be amended in pertinent part as follows:

Notices of election (whether the election is combined with the nomination or is a separate proceeding) must be mailed to each member at his or her last known **home** address ...

**ELECTION BY ACCLAMATION
RESOLUTION # 1042
Submitted by
National Executive Council and Sixth District**

WHEREAS when a candidate for an office is unopposed, i.e., there is only one nominee for the office, and

WHEREAS the Election Committee has the authority to declare such a candidate elected by acclamation,

THEREFORE BE IT RESOLVED that Appendix A, Part I, Section 3 of the AFGE National Constitution be amended by the addition of a new subsection (d) that states:

When at the close of nominations a candidate is unopposed for the office, the Election Committee may choose to declare the candidate elected by acclamation and provide notice of such on the ballot.

**ELECTION COMMITTEE DISTRIBUTES CAMPAIGN LITERATURE
RESOLUTION # 1043
Submitted by
National Executive Council and Sixth District**

WHEREAS Appendix A, Part I, Section 4(a) states that upon request of a candidate, the AFGE local conducting the election shall comply with all reasonable and timely requests of the candidate to distribute ... campaign literature, and

WHEREAS Appendix A, Part I, Section 2(a) provides that the Election Committee conducts the election, and

WHEREAS the Election Committee, not incumbent officers, distributes campaign literature at the request of candidates,

THEREFORE BE IT RESOLVED that Appendix A, Part I, Section 4(a) of the AFGE National Constitution be amended as follows:

All candidates for office must be treated equally with respect to the availability of lists of members and mailing of campaign literature. Upon request of a candidate, the AFGE local **Election Committee** conducting the election shall comply with all reasonable and timely requests of the candidate to distribute to its members at

the candidate's expense, by mail or otherwise, campaign literature in aid of his or her candidacy, provided the same opportunity is provided to all candidates.

MAIL BALLOT TO LAST KNOWN HOME ADDRESS
RESOLUTION # 1044 (1041)
Submitted by
National Executive Council and Sixth District

WHEREAS Section 401(e) of the Labor-Management and Reporting and Disclosure Act of 1959, as amended, and Department of Labor election regulation 29 CFR §452.99 require that notices of election be mailed to every member at his last known home address, and

WHEREAS Appendix A, Part I, Section 3(a)(4) of the AFGE National Constitution requires notices of election to be mailed to members' last known address, and Section 5(e)(1) requires the Election Committee, in a mail ballot election, to mail ballots to all members in good standing, and

WHEREAS Section 3(a)(4) does not require the last known home address and Section 5(e)(1) is silent as to where the ballots must be mailed,

THEREFORE BE IT RESOLVED that Appendix A, Part I, Section 3(a)(4) of the AFGE National Constitution and Section 5(e)(1) be amended in pertinent part by the addition of the following:

Notices of election (whether the election is combined with the nomination or is a separate proceeding) must be mailed to each member at his or her last known **home** address not less than 15 days prior to the date of the election ...

The Election Committee shall mail ballots to all members in good standing **at their last known home address** along with properly marked envelopes in which to return their ballots to the Election Committee. ...

OPTION FOR CONDUCTING ELECTIONS
RESOLUTION # 1045
Submitted by
Local 1395 and Human Rights Committee

Whereas, the Labor Management Reporting and Disclosure Act of 1959 and all AFGE Constitutions and appendixes (national, district and local) requires the election of its officers and delegates to be conducted fairly, and

Whereas, AFGE constitutions and appendixes currently do not allow the option for conducting fair election of officers and delegates using advance telephone enhancements or electronic technologies, and

Whereas with advances in technologies, election of officers and delegates can be done in a secure and less risky environment, and

Whereas advanced technologies can provide valid, secured and confidential elections by using

PINs and Pass Codes, and

Whereas, AFGE constitutions and appendixes make many references to conduct of elections using a totally manual process without referencing any secure electronic option, and

Therefore, be it resolved that, all AFGE national, district and local constitutions and appendixes will be amended to provide for a secure electronic option to conduct the election of officers and delegates, and

Therefore be it further resolved that the phrase “or secure and electronic option(s)” will be inserted throughout the constitutions and appendixes wherever appropriate especially where the documents make references to conducting an election.

Be it further resolved that on passage of this amendment all constitutions/appendixes would be deemed approved.

Appendix B

MINIMUM QUALIFICATIONS FOR OFFICE RESOLUTION # 1046

**Submitted by
National Executive Council and Sixth District**

WHEREAS Appendix B, Article VII, Section 2(a) of the AFGE National Constitution lists the sole qualifications for candidacy to local office, and

WHEREAS locals may wish to establish other reasonable qualifications for some or all officers, **THEREFORE BE IT RESOLVED** that Appendix B, Article VII, Section 2(a) of the AFGE National Constitution be amended in pertinent part as follows:

In accordance with Appendix A, Part I, Section 1(e) of the AFGE National Constitution, the sole **minimum** qualifications for candidacy to local office are that a member must:

- (1) Be a member in good standing;
- (2) Be a member for one year of an AFGE local, immediately preceding the closing of the nomination process. This requirement does not apply to newly created locals;
- (3) Not be a member in any labor organization not affiliated with the AFL-CIO.

COPY OF BYLAWS TO DISTRICT OFFICE RESOLUTION # 1047

**Submitted by
National Executive Council and Sixth District**

WHEREAS Article XII, Section 1(a) of the AFGE National Constitution requires that National Vice Presidents shall exercise general supervision over the affairs of their respective districts,

and

WHEREAS the National Office provides a copy of the NEC-approved constitutions of locals to the respective NVP, and

WHEREAS NVPs must have a copy of the bylaws of locals in their districts governed by the standard local constitution to meet their supervisory obligations,

THEREFORE BE IT RESOLVED that Appendix B, Article XI, Section 3 of the AFGE National Constitution be amended by the addition of the following:

Locals shall send a copy of their bylaws, the notice and membership meeting minutes to the District Office.

SELECTION OF ELECTION COMMITTEE

RESOLUTION # 1048

Submitted by

National Executive Council

WHEREAS Appendix B, Model Bylaws, Section 14 states that an Election Committee shall be elected by majority vote of local members present and voting at a meeting, and

WHEREAS Appendix A, Part I, Section 2 provides that an Election Committee shall be constituted, and its members shall be selected, and

WHEREAS locals may choose to appoint the Election Committee or solicit volunteers, and

WHEREAS the term “select” may include “elect” if the local so chooses,

THEREFORE BE IT RESOLVED that Model Bylaws, Section 14 be amended as follows:

An Election Committee shall be ~~elected by majority vote of local members present and voting~~ **constituted** at a meeting preceding the start of the nomination procedure. See AFGE National Constitution, Appendix A, Part I, Section 2.

Appendix C

ABOLISH COMMITTEE ON CONSTITUTION AND RULES

RESOLUTION # 1049

Submitted by

National Executive Council

WHEREAS the Committee on Constitution and Rules, consisting of fifteen members, meets for two days prior to the convening of the Convention, deliberates on the Constitution and Internal Policy resolutions, and issues a report to the Convention as a whole, and

WHEREAS the Workshop on Constitution and Internal Policy, historically containing a majority of the delegates to the Convention, also then deliberates in detail on these same issues, and

WHEREAS the efforts of the Committee on Constitution and Rules is a repetitive and

duplicative effort,

THEREFORE BE IT RESOLVED that Appendix C, Section 1(c)(3) of the AFGE National Constitution be amended to eliminate the Committee on Constitution and Rules as follows:

The ~~Constitution and Rules Committee~~ and Resolution Committee will continue to function and convene as ~~they have~~ **it has** in the past at National Conventions.