

Constitution

of the

Northwest Illinois Area Local

American Postal Workers Union, AFL-CIO

Amended November 8th, 2009

Preamble

We, the Postal Workers of the Northwest Illinois Postal Facility and Associate Post Offices, in order to form a more perfect union, establish this Constitution. The Northwest Illinois Area Local of the American Postal Workers Union, AFL-CIO (hereinafter referred to as the “APWU”) is a new and independent Local established by the National APWU in accordance with the APWU’s National Constitution.

We recognize our responsibility to establish a Constitution that neither conflicts with the National Constitution of the American Postal Workers Union (hereinafter referred to as the “APWU”), nor is inconsistent with any applicable Federal or State Laws. Any provision of this Constitution that conflicts with the National Constitution or is inconsistent with any applicable Federal or State Laws, shall be declared null and void. Where this Constitution is silent on a particular issue or issues, the applicable provisions of the National Constitution shall be applied.

We believe that all members shall be secure in the rights established by Members’ Bill Of Rights of the National Constitution.

We believe that all Postal Workers and all members of labor have the right to economic, political and social justice, and that all workers shall be free to exercise these rights.

We believe that in unity there is strength

Members' Bill Of Rights

The following Bill of Rights shall not abridge any other rights guaranteed to a Union Member, under the laws of the State of Illinois and the United States of America. The following rights are subject to the qualifications and limitations of membership as described in Article III, Membership, of this Constitution.

Section 1. No person otherwise eligible for membership in this Union shall be denied membership because of sex, race, age, color, creed, national origin, sexual preference, handicap, or political belief.

Section 2. Members shall suffer no impairment of freedom of speech, concerning the operation of this Union. Active discussion of Union affairs shall be encouraged and protected within this organization.

Section 3. Members shall have the right to fair and democratic elections, at all levels of this Union. This includes due notice of nominations and elections, equal opportunity for competing candidates, and proper election procedures which shall be constitutionally specified.

Section 4. Members shall have the right to full and clear accounting of all Union funds at all levels. Such accounting shall include, but not be limited to, reasonable periodic reports to the membership by the appropriate fiscal officers.

Section 5. Members shall have equal rights to run for and hold office, subject only to constitutionally specified qualifications, uniformly applied.

Section 6. Members shall have the right to full participation through discussion and vote, in the decision-making process of the Union, and to pertinent information needed for the exercise of this right. All members shall have an equal right to vote and each vote cast shall be of equal weight.

Section 7. Charges against a member or officer shall be specified. Accused members or officers shall have the right to a fair hearing with adherence to due process. The accused shall be considered innocent until proven guilty.

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**Northwest Illinois Area Local, APWU
Constitution**

Article 1- Name

This organization, by virtue of a charter granted by the American Postal Workers Union, AFL-CIO, on May 3, 1993, shall be known as the Northwest Illinois Area Local, American Postal Workers Union, AFL-CIO, hereinafter known as the Northwest Illinois Area Local, or NWIAL.

Article 2- Object

Section 1. It shall be the objective of the NWIAL to improve working conditions, to create a uniform system of shorter hours and higher wages, to eliminate mandatory overtime and to maintain and protect the interests of all workers under the jurisdiction of the NWIAL.

Section 2. To unite into one organization, all employees under the jurisdiction of the NWIAL.

Section 3. To develop and maintain an intelligent and dignified membership; to work for the repeal of laws which are unjust to labor and to postal workers, such as the denial of the rights to strike and the denial of the right to campaign for political candidates of our choice; and to educate all members in the areas of economic, political and social justice.

Section 4. To engage in legislative, political, educational, civic, social welfare and other activities which further, directly or indirectly, the joint interests of the membership of this Union in the improvement of general economic and social conditions in the United States of America, as well as in all nations of the world.

Section 5. To work together with the APWU and other organizations for the solidification of the entire labor movement.

Section 6. This Local may encourage other APWU Locals in our area to merge with the NWIAL in accordance with APWU National guidelines.

Article 3-Membership

Section 1. Any non-supervisory employee, regardless of level or grade, within the jurisdictional claim of the APWU, is eligible for membership in this Local. Those accepted for membership shall pay full per capita tax, plus Local dues in accordance with Article XIV, Section 2, of this Constitution.

Section 2. No person eligible under the above provisions shall be denied membership because of sex, race, creed, color, age, handicap, sexual preference, political affiliation or nationally.

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Section 3. *Honorary Membership.* Any person may be elected to honorary Local membership by a majority vote of the members present and voting at any regular monthly Union Meeting. No honorary members shall be eligible to hold office or be seated as a delegate at a convention nor shall he have the right to vote.

Section 4. *Associate Membership.* Any federally classified employee may be accepted as an Associate Member entitled to be a member of the APWU Health Plan and the NWIAL Credit Union. They shall pay \$35.00 per annum for membership to the National Union (part of which is remitted to the NWIAL) in accordance with the National Constitution.

Section 5. *Retention of Membership.* (a) Members in good standing who have resigned from the Postal Service, or have been promoted to positions exercising supervisory authority shall be granted the right to maintain their membership without voice or vote. These members shall pay full per capita tax plus Local dues. (b) Members of this Local who retire from the Postal Service may maintain full membership with all rights of such membership by continuing to pay full per capita tax plus Local dues.

Section 6. Application for membership in this Local shall be made by submission of the appropriate form, which should be accompanied by a dues withholding form. Membership in this Local shall be acquired by election in regular session of this body; such election to be effected by majority yes or no vote. The adverse vote of a majority of the members present and voting shall be sufficient to reject an applicant. The rejected applicant may appeal by letter to the Secretary of the NWIAL. He/she must be heard at one of the next three (3) regular meetings. After the applicant has been heard by the membership on his/her application for membership shall again be voted on at the same meeting in which the appeal is heard. A majority of those present and voting shall be sufficient to accept the applicant into membership.

Section 7. All members of the NWIAL will be entitled to vote for general officers and for officers in their respective craft divisions.

Section 8. Within thirty (30) days after acceptance into membership, the member shall receive from the Secretary, the member's copy of the application for membership, a copy of this Constitution and a copy of the Local Memorandum of Understanding.

Section 9. Members shall be in good standing upon meeting the requirements for membership as described above.

Article 4- Jurisdiction

The jurisdiction claim of the NWIAL shall include all postal and mail handling operations that are either directly or indirectly involved in mail handling processes, and as described in Article 4 of the National Constitution.

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Article 5 – Meetings

Section 1. Regular meetings shall be held on the second Sunday of each month, with the exception of Mothers Day and Columbus Day. For these two months, May and October, the monthly meeting shall be held on the first (1st) Sunday of the month. Written notice of all regular meetings must be posted on the Union Bulletin Board, at all NWIAL offices at least fifteen (15) days prior to the meeting. Twenty-five (25) voting members shall constitute a quorum for the transaction of business at any regular and special meeting.

Section 2. If no quorum is established within thirty (30) minutes past the scheduled starting time of a regular membership meeting, the meeting shall be canceled and no business conducted. In the event proper notice has been made for a general membership meeting during which nominations are to take place, a quorum is not necessary.

Section 3. Special membership meetings shall be called as follows:

- (a) By the President at his discretion with a majority consent of the Executive Board;
- (b) Upon written notification to the President by twenty-five (25) voting members in good standing;
or
- (c) By vote at a regular meeting.

No business shall be transacted at the special meeting except that business for which the meeting was called. Written notice of any special meeting must be posted on the Union Bulletin Board at all NWIAL offices at least seventy-two (72) hours prior to the meeting.

Section 4. A two-thirds (2/3) vote of all members present and voting at any regular meeting shall be sufficient to cancel or change the date of the next regular scheduled meeting. Written notice of any change in the date or cancellation of any regular meeting must be posted on the Union bulletin board at all NWIAL offices at least fifteen (15) days prior to the regular scheduled date.

Section 5. To gain admittance to any meeting of this Local, all members shall display their current membership card or other acceptable identification to the Sergeant-at Arms, or proxy shall verify the membership of any suspect person, by reviewing the current dues check-off list. After verification of membership, all members shall sign the attendance roster book in ink before speaking or voting on any meeting of this Local. If there is any question of the desirability of admitting non-members to a particular meeting, non-members may be seated or excluded by majority vote at that meeting. Non-members shall be seated separately from the members.

Article 6 – Conventions And Seminars

Section 1. By virtue of their positions, **the President and Vice President** shall be full expense-paid delegates to all conventions of the APWU. **If the President and/or Vice President choose not to go to any and all APWU conventions, a member of the executive board shall be selected in place thereof; with the approval of the executive board. Any additional delegates shall be approved by the executive board and will depend on the availability of funds.**

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Section 2. At the February Executive Board meeting, the Executive Board shall establish the number of additional State convention full-expense paid delegates, and additional National Convention full-expense and partial expense (full expense except for no lost time) delegates.

The expenditure of funds shall be subject to the approval by simple majority of the members present and voting at any membership meeting of the Local.

The total number of delegates shall not exceed the maximum number of delegates entitled to the Local, as established by State and National Organizations. A notice of nomination of delegates shall be posted on the Union bulletin board at all NWIAL locations at least fifteen (15) days prior to nomination. The members shall nominate eligible candidates for each category at the March membership meeting. Any member in good standing shall be eligible for election to the position of delegate. If a nominee for election wishes to decline a nomination, he must do so verbally, prior to the close of nomination, or in writing within ten (10) days after nomination. Written declination must be received by the Secretary and read at the next meeting. Elected partial expense delegates shall be those finishing in the balloting immediately after the full-expense delegates.

Section 3. A notice of election of delegates shall be posted on the Union bulletin board at all NWIAL locations at least fifteen (15) days prior to election. The notices shall list all candidates alphabetically, in each category, for each category and each convention.

Section 4. Delegates shall be elected by plurality vote through secret ballot, at the April membership meeting. Alternate delegates at all conventions shall be determined by their order of finish in the election, by category and convention. Alternates wishing to decline must do so in writing to the Secretary. The “unit rule” shall be the procedure used to determine the vote of the delegates of the Local at all conventions. By a two-thirds (2/3) vote of the Executive Board or a majority vote of a membership meeting, the number of expense-paid delegates to a convention may be reduced for financial reasons at any time prior to the convention. If fewer than all elected conventions are eliminated as expense-paid delegates, the number shall be reduced in the inverse order of the number of votes cast for the elected delegates. All elected delegates are entitled to attend a convention, even if they are not entitled to reimbursement of expenses.

Section 5. The President’s expense-paid attendance at seminars and other educational meetings shall be subject to the approval of the Executive Board.

Section 6. The number of stewards/officers/members eligible and appointed for expense-paid attendance at seminars and other educational meetings shall be established by the Executive Board. The expenditure of funds shall require advance approval by simple majority of the members present and voting at any membership meeting of the Local. A report shall be given at the next regular membership meeting in regards to the seminar or educational meeting attended.

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Article 7 – Officers

Section 1. *President.* The President shall preside at all membership meetings of this Local and at all meetings of the Executive Board. He/she shall be “ex-officio” member of all committees, except the Election Committee, which shall be subject to the provisions of Article X, Section 2. He/she shall appoint a Sergeant-at Arms subject to the approval of the Executive Board. He/she shall fill all vacancies from any cause whatsoever, within thirty (30) days, subject to the approval of a majority of the members of the Executive Board and a majority of the members present and voting at the

next membership meeting, until such vacancy is filled by regular election. He/she shall be responsible for all work of the Local and all officers of the Local shall work under his/her supervision. He/she shall be the editor of the Local newsletter.

Any person submitting an article for publication shall be permitted to withdraw his/her article after editing by the President and prior to publication. Any writer whose article has been rejected shall have the right to seek approval of the article from the membership at the next regular membership meeting. No article shall be printed that would expose this Local to civil liability or that would otherwise violate applicable Federal or State Laws. Except as provided in this Constitution, the President shall approve with his/her initials, in ink, all notices and information that he/she deems appropriate for posting on the Union bulletin boards, at all NWIAL offices. He/she shall have the authority and the responsibility for carrying out the collective bargaining duties of the Local. He/she take all steps he/she deems necessary and proper to achieve the objectives of this organization, as provided in this Constitution. Disbursement or contracts requiring disbursement of \$1,000 or more of Local funds must be approved by the general membership at a membership meeting. The President of the NWIAL shall work full time as a Union officer and will receive no LWOP compensation from the Union. The President’s salary shall be equivalent to the bi-weekly amount of 50 hours per week at the postal service **Level 10, Red Circle**, to be paid in bi-weekly installments with no additional Union pay for any reason. As a full time officer of this Local, the President shall have postal life insurance, health insurance and retirement benefits paid in full by the Local to the extent they are not paid by the Postal Service. If the Postal Service pays “on the clock” time to the President for labor relation’s work (for example in the LAMPS program), the President pay from the Local will be reduced by subtracting the Postal Service pay from the **Level 10, Red Circle** pay of the President. The Local will pay only the difference between what the Local would have paid and what is paid by the Postal Service, plus the Local will make any necessary payments for fringe benefits to insure that the fringe benefits of the President are paid in full. Thus, if the President is compensated by the Postal Service for sufficient hours to provide Postal Service coverage for fringe benefits, the Local will pay only the employee’s share of the cost. The President is expected to devote full-time efforts to Union business and shall work, at a minimum, an average of 40 hours per week over the course of each month; if this is not met the remaining hours shall be charged to annual or sick leave. If the President has insufficient sick or annual leave to cover the hours not worked, he shall only be paid for the hours worked, unless voted otherwise by the membership. This does not preclude the President from serving as a National Union advocate for additional compensation.

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- (a) Full-time officers of this Local shall receive thirty (30) days of annual leave and thirteen (13) days of sick leave per year and paid holidays as provided in the Collective Bargaining Agreement. Full time officers may accrue sick leave. At his/her option, once, or twice, during each year, or in the event of leaving office, a full-time officer shall be paid for unused annual leave and sick leave. The maximum annual leave carry-over shall be per the collective bargaining agreement between the APWU and USPS. If a full-time officer uses annual leave that is advanced at the beginning of the year, but is subsequently not earned (e.g. due to resignation), that unearned leave must be repaid to the Local. The maximum lump-sum payment in any one-year for accrued leave shall be for 500 hours.

Section 2. Vice-President. The Vice-President shall perform the duties of the President in the event of his/her absence or inability to attend to the duties of his/her office. He/she shall assume the office of the President in the event of a vacancy during an unexpired term of the President.

Under the direction of the President, he/she shall assist in handling union business, and shall perform such other duties as may be described by official action of this Local. He/she shall attend all labor management meetings, local negotiating sessions, and policy sessions at the local level. S/he shall assist in the duties of the Treasurer and Secretary. S/he shall assist in the grievance handling duties at all offices in the Local, at the direction of the President. S/he shall attend all executive board and membership meetings. S/he shall be responsible for the maintaining of the union office building, equipment, and similar functions, under the direction of the President. The Vice President of the NWIAL shall work full time as a Union officer and will receive no LWOP compensation from the Union. The Vice President’s salary shall be equivalent to the bi-weekly amount of 45 hours per week at the postal service **Level 9, Red Circle**, to be paid in bi-weekly installments. As a full-time officer of this Local, the Vice President shall have postal life insurance, health insurance, and retirement benefits paid in full by the Local to the extent they are not paid by the Postal Service. If the Postal Service pays “on the clock” time to the Vice President for labor relation’s work, the Vice President’s pay from the Local will be reduced by subtracting the Postal Service pay from the **Level 9 Red Circle** pay of the Vice President. The Local will pay only the difference between what the Local would have paid and what is paid by the Postal Service, plus the Local will make any necessary payments for fringe benefits to insure that the fringe benefits of the Vice President are paid in full. Thus, if the Vice President is compensated by the Postal Service for sufficient hours to provide Postal Service coverage for fringe benefits, the Local will pay only the employee’s share of the cost. The Vice President shall work, at a minimum, an average of 40 hours per week over the course of each month; if this is not met, the remaining hours shall be charged to annual or sick leave. If the Vice President has insufficient annual or sick leave to cover the hours worked, s/he shall only be paid for the hours worked, unless voted otherwise by the membership.

Section 3. Secretary. The Secretary shall keep an accurate record of the proceedings of the meetings of the general membership, the Executive Board, and any meetings with local management. He/she shall receive and file a copy of all committee and officers reports. He/she shall maintain a quarterly updated computerized membership list. He/she shall make all travel arrangements for the Local.

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He/she shall process all membership applications. He/she shall keep all records of the Local at the principal office. He/she shall maintain adequate supplies of all materials necessary for proper functioning of this Local. He/she shall make all records available for visual inspection and reference only, to members upon written request, at the direction of the Executive Board. He/she shall notify officers, committee members, and delegates of their election or appointment. He/she shall furnish committees with whatever documents are required for the performance of their duties. He/she shall furnish delegates with proper credentials. He/she shall maintain record books in which the Constitution, special rules of order, standing rules, and minutes are entered, with any documentation properly recorded, and to have the current records on hand at every meeting. He/she shall properly post all notices of meetings on the Union bulletin boards at all NWIAL offices. Within thirty (30) days after acceptance into membership, a membership card, a copy of this Constitution, and a copy of the National Constitution shall be furnished to the member. He/she shall provide to any member who requests, a copy of the Local Memorandum of Understanding. In the absence of the President and Vice President at any regular or special membership meeting, he/she shall call the meeting to order and preside until election of a Chairman Pro-Tem, which must be the first order of business. He/she shall perform such other duties as the President may require of him/her.

He/she shall be compensated at 30 hours per month at the prevailing Postal Scale **Level 6 step 0**, and shall be required to work twenty four (24) hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and /or membership.

Section 4. Treasurer. The Treasurer shall keep an accurate account of all monies, dues, interest, assessments and taxes collected and disbursed by the Local, using approved computerized methods of accounting and bookkeeping. He/she shall be the custodian of the official seal of the Local. He/she shall receive and deposit all monies and shall be the official custodian of all monies of the Local. He/she shall comply with all applicable government financial, reporting and taxation laws and rules and regulations. He/she shall disburse monies by check, countersigned by the President. In the absence of the President or Treasurer, such check shall be countersigned by the Vice President; and in the absence of the President or Treasurer, and the Vice President, such check shall be countersigned by the Chief Trustee. The Treasurer shall pay all fixed expenses and all special disbursements which are less than One Thousand (\$1,000.00) and in accordance with the objectives of this organization as provided in this Constitution. Disbursement or contracts requiring disbursement of One Thousand Dollars (\$1000.00) or greater must be approved by the general membership at any regular monthly meeting. At the regular monthly meeting, the Treasurer shall submit a monthly financial report of all monies received and disbursed. Upon written request, he/she shall make available all books, records and receipts for visual inspection and reference, at the direction of the President or the Executive Board to any member of the Local. He/she shall submit an annual report of all monies received and disbursed at the end of the fiscal year to the Trustees.

He/she shall submit all financial records and books of the Local to the Trustees for audit within forty-five (45) days after the close of the fiscal year. He/she shall be compensated at 36 hours per month at the prevailing Postal Scale **Level 6 step 0**, and shall be required to work thirty (30) hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership. Upon the death of any member in good standing, flowers from the

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NWIAL shall be sent to the funeral. Upon the retirement of anyone who has been a union member for at least one year prior to retirement, the Treasurer shall give to that member an APWU watch. **(deleted APWU retirement pin)**

Section 5. *Clerk Craft Director 600 and Clerk Craft Director 601.* They shall be responsible for and represent the members within their respective SCFs; and they shall be elected by the members within their respective SCF's. They shall be responsible for processing all grievances in their craft in their respective SCFs. They shall perform such other duties as the President may require of them. They shall coordinate, educate and communicate with the stewards within their craft on a regular basis. They shall maintain all the bid records and books. They shall input all grievance data into the Local's computer. They must attend the Executive Board and the General Membership meetings and any labor management meetings where business regarding their area is to be discussed. They shall be compensated at a salary of 30 hours per month at the prevailing Postal Scale **Level 6 step 0**, and shall be required to work twenty four (24) hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership.

Assistant Clerk Craft Director. Within thirty (30) days after assuming office they shall appoint an Assistant Clerk Craft Director, subject to the approval of the Executive board, for their respective SCFs. Any steward in their respective craft and respective SCF shall be eligible for the position of Assistant Clerk Craft Director. The Assistant Clerk Craft Director shall perform the duties of the Clerk Craft Director in the event of his/her absence or inability to attend to the duties of his/her office. Under the direction of the Clerk Craft Director he/she will assist in handling clerk craft business. He/she may attend all labor management meetings, local negotiating sessions, and policy sessions at the local level. He/she shall be compensated with 12 hours monthly at the prevailing Postal Scale **Level 6 step 0**.

Section 6. *Maintenance Craft Director.* The Maintenance Craft Director shall be a member of the Maintenance Craft. He/she shall be responsible for and represent the members of his/her craft. He/she shall perform such other duties as the President may require of him/her. He/she shall coordinate, educate and communicate with the stewards within his/her craft on a regular basis. He/she must attend the Executive Board and General Membership meetings and any labor management meetings where business regarding the craft is to be discussed. He/she shall be compensated at a salary of 25 hours per month, at the prevailing Postal Scale **Level 6 step 0**, and shall be required to work twenty (**20**) hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership.

Section 7. *Motor Vehicle Craft Director.* The Motor Vehicle Craft Director shall be a member of the Motor Vehicle Craft. He/she shall be responsible for and represent the members of his/her craft. He/she shall perform such other duties as the President may require of him/her. He/she shall coordinate, educate and communicate with the stewards within his/her craft on a regular basis. He/she must attend the Executive Board and the General Membership meetings and any labor management meetings where business regarding the craft is to be discussed. He/she shall be compensated at a salary of 15 hours per month at the prevailing Postal Scale **Level 6 step 0**, and shall be required to work twelve (12) hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership.

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Section 8. *Chief Trustee and Trustees.* There shall be one Chief Trustee and two trustees. The Chief Trustee shall be a voting member of the Executive Board. Nominations for the position of Chief Trustee shall be taken separately from the nominations for other offices, and it shall be treated as a separate position. The two trustees shall be the two candidates receiving the most votes in the election for the position of Trustee of the Local, except that the two trustees may not be from the same craft. The Chief Trustee and Trustees, individually and collectively, shall be provided the financial records of this Local immediately after they take office. The Chief trustee and trustees, individually and collectively, are required to ensure that there is an outside audit of the local’s financial records by a certified public accountant (or CPA firm) immediately after taking office following each general election of officers. The Chief Trustee and Trustees shall arrange for a review and/or audit of the Local’s financial records once per year, by a CPA or CPA firm. They shall, at their discretion, examine and investigate any financial transaction and report their findings to the Executive Board and/or the General Membership at any regular or special meeting.

The Chief Trustee shall be compensated a salary of 15 hours per month at the prevailing Postal Scale **Level 6 step 0**, and will be required to work 12 hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership. The trustees shall be compensated at a salary of 12 hours per month at the prevailing Postal Scale **Level 6 step 0**, and shall be required to work 8 hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership.

Section 9. The Associate Office Director shall be a member from an associate office, station or branch. S/he shall be responsible for all grievances, with the assistance of the appropriate craft directors, at the associate offices, stations or branches. S/he shall be a member of the Executive Board and shall be elected only by the associate office members, with a separate ballot in the ballot envelope. S/he shall perform such other duties as the President may require of him/her. S/he shall coordinate, educate and communicate with the stewards in the associate offices, stations or branches. S/he must attend the Executive board and the General Membership meetings and any labor management meetings where business regarding the associate offices, stations or branches is discussed. S/he shall be compensated as a monthly salary of 22 hours at the prevailing postal scale **Level 6 step 0**, and shall be required to work 16 hours per month, off the clock of the postal service, for the Union as directed by the President, Executive Board, and/or membership.

Section 10. Other Compensation. Officers/Directors/Stewards attending APWU conventions shall be compensated for time lost from the postal service at their prevailing postal scale straight-time hourly rate and such payment shall be in addition to the officer/director/steward’s (other than the local president, who is full-time) regular salary. Additional compensation for performing their regular duties shall be subject to the approval of two-thirds (2/3) of the members present and voting at any regularly scheduled membership meeting.

All officers who handle funds or other property of the Local shall be bonded by the National Office of the American Postal Workers Union, AFL-CIO, in accordance with Title V of the Labor Management Reporting and Disclosure Act of 1959, as amended. All elected officers (except the President and Vice President) who serve as stewards or chief stewards shall be compensated the additional stewards salary as described in Article 9; if serving as stewards or chief stewards, the

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time spent at membership meetings and steward meetings shall not count toward their required officer hours off the clock of the postal service.

Section 11. It shall be the duty of all officers to promote unity and cooperation among all APWU members and to pursue the objectives of this organization as provided in this Constitution. Any difference of opinion as it relates to the objectives and policies of this Local shall be subject to resettlement by the Executive Board.

Section 12. All officers shall be required to turn over to their successor, or to this Union, all funds, books, records, papers, documents or property which belongs to this Local, at the end of their respective term.

Section 13. All officers shall adhere to the highest standards of responsibility and ethical conduct in the performance of their duties, and shall act within the limits of their office in a manner that will further the general interest and welfare of the membership of this Local.

Section 14. All elected officers are required to submit monthly vouchers to the President, detailing the hours they have worked to meet their Constitutional requirement. Failure of an officer to submit the voucher shall result in withholding of the officer's salary; failure of the officer to work the hours shall result in withholding of the salary for the hours not worked, unless with the consent of the President or Executive Board, the hours are made up the following month; or in the case of extended illness up to six months with the approval of the Executive Board.

Section 15. In the event that any of following Elected Officers – Vice President, Secretary, Treasurer, Clerk Craft Director 600, Clerk Craft Director 601, Maintenance Craft Director, Motor Vehicle Craft Director, Chief Trustee or Associate Office Director become temporarily incapacitated and unable to perform the duties of his/her position for a time period of over one month in duration, the President, shall retain the right to assign a Temporary Officer to fill the vacant position for such time until the elected Officer returns to duty, subject to the approval of the Executive Board.

The Temporary Officer shall perform all the duties of the position for which they are holding and shall be compensated the salary of the officer position as specified in Article 7 of this Constitution. The Temporary Officer shall have full voice and vote on the Executive Board and shall attend all Executive Board and General Membership meetings. The Temporary Officer shall attend all Labor-Management meetings where business regarding their area(s) will be discussed, if applicable to the position being temporarily held.

When the temporarily incapacitated Elected Officer is ready to return to work, he/she shall inform the President in writing as to the date that he/she will resume office, in as far advance as practicable. The appointment in the Interim Officer will terminated immediately upon the resumption of the office of the Elected Officer.

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Article 8 – Executive Board

Section 1. The Executive Board shall consist of the President, Vice President, Treasurer, Secretary, Clerk Craft Director 600, Clerk Craft Director 601, Maintenance Craft Director, Motor Vehicle Craft Director, Chief Trustee, and the Associate Office Director.

Section 2. The Executive Board shall meet on the second Sunday of each month prior to the regularly scheduled membership meeting, with the exception of Mothers Day and Columbus Day. For these two months, May and October, the monthly meeting shall be held on the first (1st) Sunday of the month. Special Executive Board meetings shall be called at the discretion of the President or at the request of a majority of the Executive Board members. Five (5) Executive Board members shall constitute a quorum for the transaction of business at any regular or special Executive board meeting.

Section 3. The Executive Board shall be the highest authority of the Local between membership meeting and shall be empowered to conduct any business that is entrusted to them by the membership, or as provided in this Constitution. To pursue the objectives and purposes of this Constitution, the Executive Board is required to conduct its business in a manner that will further the general interest and welfare of the membership of this organization.

Section 4. The following shall be the line of succession in the event of the temporary absence of the President: Vice-President, Treasurer, Secretary, except as provided in Article 7, Section 3.

Article 9 - Stewards

Section 1. (a) Stewards shall present, adjust and process grievances in accordance with the applicable provisions of the National Collective Bargaining Agreement, under the direction the President and perform all other duties as prescribed by the President and/or the Craft Director. They shall adhere to the highest standards of responsibility and ethical conduct in the performance of their duties and shall act within the limits of their position in a manner that will further the general interest and welfare of the membership of this Local. Except when the provisions of Section 4 or Section 5 of this Article are invoked, stewards shall continue to perform their duties until their successors are chosen. They shall be compensated with 8.0 hours monthly at the prevailing Postal Scale **Level 6, Step 0**.

(b) Alternate stewards shall be compensated at \$75 per month, and shall process grievances in the absence of the regular steward(s). They shall be appointed by majority vote of the President, Vice President, or Craft Director, subject to majority vote of the Executive Board, and shall be removed by motion of either the President, Vice President, or Craft Director, subject to majority vote of the Executive Board.

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Section 2. Any member in good standing shall be eligible for the position of steward or alternate steward. Within thirty (30) days after assuming office, as the result of a regularly scheduled general election, the President and Craft Director of each craft shall consider the retention of each steward within the craft. All stewards shall be retained unless determined by the President or Craft Directors not to be retained. As needed, additional stewards shall be appointed by motion of the President, Vice President, or appropriate Craft Director, subject to the approval of the Executive Board. Stewards shall serve a 90-day probation when first appointed. During these first 90 days the steward appointment may be terminated by majority vote of the Executive Board.

Section 3. Any steward shall be eligible for the position of Chief Steward. Within thirty (30) days after assuming office, the President, Vice President and Craft Directors shall appoint chief stewards by majority vote, subject to the approval of the Executive Board.

As needed, additional chief stewards shall be appointed by majority vote between the President, the Vice President and the Craft Directors, subject to the approval of the Executive Board. They shall be compensated with 10.5 hours monthly at the prevailing Postal Scale **Level 6 step 0**.

Section 4. Any steward failing to attend two (2) consecutive stewards’ meetings, unless excused by the President or Vice President, shall have his/her position declared vacant.

Section 5. Any steward failing to perform his/her duties as described in Section 1 shall be removed from his/her position by a 60% vote of the members of the Executive Board. The request to the Executive Board for the removal of a Union steward must be presented by either the President, Vice President, or Craft Director of the charged steward. The basis of the proposed removal, presented to the Executive Board, must be in writing and must specifically state the charges for removal, and presented in writing to the charged steward at least 7 days prior to the Board meeting when the charges will be decided. The charged steward will be provided with the opportunity to address the Executive Board and answer any questions of the Executive Board at the subject Board meeting. Action on the charges may be appealed by the charged steward to the membership meeting immediately following the Board meeting where the charges are decided. The membership may overturn the Executive Board decision with a 60 % vote.

Article 10 – Committees and Directors

Section 1. There shall be seven (7) Standing Committees:

- (1) the Constitution Committee;
- (2) the Budget Committee;
- (3) the Health and Safety Committee
- (4) the Organizing Committee
- (5) the Human Relations Committee
- (6) the Social and Recreation Committee
- (7) the Legislative Committee

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Standing Committee members shall be appointed by the President with the approval of the Executive Board, within thirty (30) days after assuming office. The members of old-standing committees shall continue their duties until their successors are chosen. The President shall have the power to recommend the removal of any member of any committee appointed by him/her subject to the approval of the Executive Board. Committee Chairpersons shall render reports at meetings only when subject matter is pertinent, or is called by the membership.

- (a) The Constitution Committee shall consist of three (3) members in good standing, appointed by the President with the approval of the Executive Board. It shall be the duty of the committee to recommend that this Constitution be amended or updated in accordance with Article 17 or this Constitution. The Chairperson of the Committee shall also serve as the Local’s parliamentarian.
- (b) The Budget Committee shall consist of the Treasurer, three (3) Trustees and one (1) member in good standing, appointed by the President with the approval of the Executive Board. It shall be the duty of the Committee to prepare a budget for the fiscal year, beginning the first day of January. The Committee shall submit their recommendation to the Executive Board for consideration.

Upon approval of the Executive Board, the budget shall be submitted for approval to the members present at any meeting prior to the regular December membership meeting. The Committee may submit supplements to the budget at any regular membership meeting, subject to the approval of the members present and voting.

(c) The Health and Safety Committee shall consist of three (3) members in good standing, appointed by the President with the approval of the Executive Board. At least one (1) appointee must be an elected officer of this Local and shall serve as Committee Chairperson. It shall be the duty of the Committee to engage in activities for the purpose of promoting and protecting the health and safety of the membership and to work for the improvement of environmental working conditions.

Section 2. There shall be two (2) special committees:

- (a) The Election Committee; and
- (b) The Grievance Committee.

The Election Committee shall consist of three (3) members and one (1) alternate member in good standing, appointed by the President, with the approval of the majority of the members present and voting at the regular January membership meeting of an election year. No member of the committee shall be a candidate for elective office. The duties of the committee shall be defined in Article 11.

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The Grievance Committee shall consist of the President, Vice President, affected Craft Director, Chief Steward and Steward of the grievance. The function of this Committee shall be to determine which grievances shall be arbitrated at Local Union expense. Each grievance shall be certified by the President or Vice President, pending disposition by majority vote of the Committee. No lost time shall be authorized for this Committee.

Section 3. All committee members shall adhere to the highest standards of responsibility and ethical conduct in the performance of their duties, and shall act within the limits of their committee in a manner that will further the general interest and welfare of the membership of this Local.

Section 4. The disbursement of funds for all committees shall be subject to the approval of the Executive Board. The Treasurer shall be the custodian of all receipts and disbursements for any committee and shall be subject to audit upon ten (10) days notice by the Trustees.

Section 5. A Director of Organization shall be appointed by the President with the approval of a majority of the members of the Executive Board. He/she shall direct and be responsible for maintaining and/or increasing the membership of this Local and shall direct the organization of the unorganized. He/she shall prepare and maintain current brochures and organize material. He/she shall be compensated monthly with 4.5 hours at the prevailing Postal Scale **Level 6, Step 0**. Organizing committee members shall be appointed by the President with the approval of the Executive Board, and shall be removed by recommendation of the President, with the approval of the Executive Board.

Effective January 1, 2010 this position shall be eliminated. We are currently approximately 88% organized, we have approximately 1984 members and 281 non-members. We as a local can all encourage non-members to join our local. We no longer have massive hiring's requiring someone to devote hours to organizing materials and information for new hires.

Section 6. A Director of Human Relations shall be appointed by the President with the approval of the majority of the members of the Executive Board. The Human Relations Director shall prepare and direct programs in the area of equal employment opportunity, civic programs, community service programs, retirement programs and other related programs. The Human Relations Director shall assist members with Office of Worker's Compensation Programs (“OWCP”) claims. The Human Relations Director shall present a Human Relations Seminar each year for the education of the membership of this Local. He/she shall be compensated monthly with 4.5 hours at the prevailing Postal Scale **Level 6, Step 0**. Human Relations committee members shall be appointed by the President with the approval of the Executive Board, and shall be removed by recommendation of the President, with the approval of the Executive Board.

Section 7. A director of Social and Recreation activities shall be appointed by the President with the approval of the majority of the members of the Executive Board. The Social and Recreation Director shall coordinate social and recreational activities of the local. S/he shall be paid monthly with 4.5 hours at the prevailing Postal Scale **Level 6 step 0**. Social and Recreation committee members shall be appointed by the President with the approval of the Executive Board, and shall be removed by recommendation of the President, with the approval of the Executive Board.

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Section 8. The President shall appoint a Legislative Director, subject to the approval of the Executive Board. He/She shall be responsible for legislative activity of the Local. He/She shall write letters for the President’s signature, and for his/her own signature, to legislators who are acting on bills that affect Postal workers. Additional members of the Legislative Committee shall be appointed by the President, with the approval of the Executive Board. The Legislative Director shall be paid monthly with 4.5 hours at the prevailing Postal Scale **Level 6 Step 0**. Legislative committee members shall be appointed by the President with the approval of the Executive Board, and shall be removed by recommendation of the President, with the approval of the Executive Board.

Section 9. *News Director.* The News Director shall be responsible for publishing a newsletter up to four (4) times per year and no less than two (2) times per year, at least once every six (6) months, and any publication authorized by the President and/or the Executive Board. He/she shall work under the supervision of the President and shall submit any publication to the President for editing, prior to publication. He/she shall attend all APWU Press Association conventions, unless this practice is suspended by a two-thirds (2/3) vote of the Executive Board or by majority vote at a membership meeting. This position shall be filled by appointment by the President and LWOP shall be paid for hours necessary to accommodate this position. In addition to lost time and salaries for other positions, if any, s/he shall be compensated at a salary of \$50 per month.

Section 10. *Webmaster.* The President shall appoint a Webmaster, subject to the approval of the Executive Board. The Webmaster shall be responsible for maintaining the official NWIAL Web Site, www.nwial.com as well as, Home Editions and any other information as directed by the President. The Webmaster shall perform other computer related tasks as scanning and re-producing CD’s. The Webmaster shall be paid monthly with **8 hours** at the prevailing Postal Scale **Level PS 6 Step 0**.

Article 11 – Nominations and Elections

Section 1. The officers of the Area Local shall be elected by plurality vote and shall consist of the President, Vice President, Treasurer, Secretary, Clerk Craft Director 600, Clerk Craft Director 601, Maintenance Craft Director, Motor Vehicle Craft Director, Chief Trustee, two (2) Trustees, and the Associate Office Director.

Section 2. The term of all elected officers shall be three (3) years and all officers shall be installed into office the first Sunday of May.

Section 3. To be eligible for an office under this Constitution, a candidate must be present at the nomination meeting or submit a declaration letter of candidacy to the Secretary for the office desired. The declaration letter of candidacy shall serve as an official nomination and shall be read to the membership at the March membership meeting before any nominations can be taken from the floor. All other nominations shall be made at the March membership meeting. Members shall have five (5) days following the March Nomination meeting to accept their nomination.

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No member of this Local shall be eligible for nomination or election to office unless he has been a member in good standing of the NWIAL for at least one (1) year preceding the nomination. Individuals who have involuntarily excessed into this Local and who were dues-paying members in good standing of other APWU locals when excessed, shall be allowed to credit their time as a member of the APWU towards satisfying the one-year requirement of a member in good standing, thus making themselves eligible to be nominated for local office.

Section 4.

(a) Any officer, director, delegate, steward or committee member applying for a postal supervisory position shall terminate his election or appointment to any local office or position.

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

(c) Any Postal employee who shall voluntarily, after August 31, 1984, holds, accepts or applies for any managerial or supervisory positions, EAS position or the PASS Program, for any period of time, whether one day or a fraction thereof, either detailed, acting, probationary or permanently, shall immediately vacate any office held by that member in the national, local, district council, state or regional organization, any department of the APWU, the Postal Press Association, or any subordinate body of the APWU which receives financial support or uses the name of the American Postal Workers Union.

Any officer who refuses to resign from his or her elected or appointed position because of a violation of Article 11, Section 4, of the NWIAL constitution, the Executive Board shall, upon conclusive evidence, declare said office vacant and appoint a successor.

Section 5. No nominated member may be a candidate for more than one (1) elective office of this Local. After the nomination of candidates, the duly appointed Election Committee shall immediately hold a drawing by lot to determine the position on the ballot each candidate for each office will hold.

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Section 6. The Election Committee shall be established in accordance with Article 10, Section 2, of this Constitution.

The Election Committee shall be responsible for securing bids from Agencies/Firms whose business is the conductance of union elections, contacting the Agencies/Firms selecting by the membership at the regular February membership meeting to conduct NWIAL election and providing the Agencies/Firms with the names properly nominated, accepting nomination and eligible to run for office in accordance with Article 11, Section 3 of this constitution.

The Election Committee shall be responsible for ensuring that all ballots, secrets ballots envelopes and return envelopes are union printed, and that all ballots are in proper name order as determined by the random drawing of names for ballot position.

The Election Committee shall be responsible for the selection of the date which all the ballots are to be mailed to members in good standing and the deadline date for the return of ballots in order to be counted, in accordance with Article 11 Section 13(i). The Election Committee shall be present at the counting and tallying of the ballots and shall observe the counting and the tallying.

The Election Committee shall decide all controversies arising out of the election processes. Any member, who feels aggrieved in connection with the conduct of a local election, including the nomination procedures, shall file his/her grievance with the Election Committee within seventy-two (72) hours after the grievance arises.

The Election Committee shall have the authority to adopt rules and regulations as it deems desirable to properly accomplish the objectives of this Article and, where it finds merit in a grievance, it shall have the authority to direct and impose such remedy, as it considers necessary and proper.

The physical election process including the mailing of union printed ballots, secret ballot envelopes and return envelopes, the receipt and retention until counting of returned ballots and the counting and tallying of properly returned and unspoiled ballots shall be handled by an agency/firm whose business in the handling/conductance of union elections. In the month of January of the year of NWIAL local union election, the Election Committee established pursuant to Article 10 Section 2 of this constitution shall solicit for bids from no less than two agencies/firms whose business is the handling/conductance of union elections.

The bid solicitations shall explicitly state all relevant factors for conductance of the election, and returned bids must state the full cost charged by the agency/firm to conduct the NWIAL local union election.

The Election Committee shall make a full report to the membership at the regular monthly meeting in February of the election year, of the results of the bid solicitations. The membership at the regular February monthly membership meeting, shall by majority vote of those members present and voting, decide on which agency/firm shall conduct the NWIAL local union election.

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The Election Committee shall have the right to decide whether or not to use the independent firm/agency to mail out and count the ballots for the election; however, if the membership at the regular February membership meeting, in an election year, passes a motion to use the firm/agency for this purpose (to mail out and count the ballots), then the Election Committee shall use the firm/agency for this purpose. If this motion does not pass, the Election Committee shall consist of the first five members named and approved at the January membership meeting (instead of nine), and the sixth person named shall serve as an alternate. If this motion passes, the Election Committee, after reviewing the mailing list they received from the secretary and determining which members get ballot(s) per Article 11.13 (which they shall do in any case), shall give this information to the firm/agency.

The Election Committee (and the firm, if selected by the Election Committee or the membership per above) shall follow the 21 page “Election Committee Rules and Procedures” in the election. A copy of these “Election Committee Rules and Procedures” shall be given to each candidate for office within 5 days of their acceptance of the nomination.

Section 7. A member may appeal the decision of the Election Committee to the National Election Appeals Committee, under Article **12** of the National Constitution. The appeal must be in writing and set forth the relevant facts on which the appeal is based, and shall be filed with the National Election Appeals Committee within five (5) days from the date of the decision appealed there from.

Section 8. Officers elected through the election procedure of this Local shall assume and hold office pending the outcome of any rerun election or other dispositive final determination under the appeals procedure of this Article, or Article **12** of the National Constitution; unless otherwise directed by the National Election Appeals Committee or by a court of competent jurisdiction.

Section 9. Immediately upon conclusion and certification of the results of the NWIAL union election, the agency/firm shall firm over all election related materials to the election Committee. The Election Committee shall be charged with the security of all records pertaining to each election, which shall be preserved for one (1) year following each election, or until the exhaustion of all election appeals procedures of that takes longer than one year, in an appropriately secure place.

Section 10. It shall be the duty of the Secretary to inform the Election Committee of the names of any candidates who are deceased, who have resigned from the Postal Service, who have been promoted to supervisory positions, or who are otherwise disqualified from serving as officers of this Local.

Section 11. It shall be the duty of the Treasurer to disburse funds for all expenses incurred by the Election Committee and approved relative to the conductance of the NWIAL union election, upon receipt of a valid bill and/or voucher.

Section 12. The ballots shall bear the names of all eligible candidates. Any candidates shall have the right to submit his/her commonly known name to the Election Committee in writing, as he/she desires his name to appear on the ballot, and it shall so appear. Position on the ballot shall be determined by lot at the nomination meeting. All names shall be printed with same size and style of

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type. All commercially printed ballots must bear the printer’s individual trade label to insure not only union printing, but also positive identification to avoid fraudulent ballots. The ballots shall indicate in an appropriate location those offices specified in Article 6, Section 1, as automatic delegates to conventions of the APWU.

Section 13. There shall be separate ballots and voting as follows:

- (a) *General Officers* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. All members in good standing who are full dues paying members as specified in the National APWU Constitution and are legally entitled to vote in the NWIAL Local Union election and are not specified for ballots as outlined in subsections b through h of this Article, shall receive this ballot.
- (b) *General Officers/Clerk Craft Director 600* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the Candidates for Clerk Craft Director 600 shall also be listed on this ballot. All members in good standing in the Clerk Craft at the Palatine P&DC and Chicago Metro Surface Hub shall receive this ballot.
- (c) *General Officers/Clerk Craft Director 600/Associate Office Director* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the Candidates for Clerk Craft Director 600 and Associate Office Director shall also be listed on this ballot. All members in good standing in the Clerk Craft at the NWIAL 600 Associate Offices shall receive this ballot.
- (d) *General Officers/Clerk Craft Director 601* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the Candidates for Clerk Craft Director 601 shall also be listed on this ballot. All members in good standing in the Clerk Craft at the Carol Stream P&DC shall receive this ballot.
- (e) *General Officers/Clerk Craft Director 601/Associate Office Director* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the Candidates for Clerk Craft Director 601 and Associate Office Director shall also be listed on this ballot. All members in good standing in the Clerk Craft at the NWIAL 601 Associate Offices shall receive this ballot.

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- (f) *General Officers/Maintenance Craft Director* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the candidates for Maintenance Craft Director shall also be listed on this ballot. All members in good standing in the Maintenance Craft at the Carol Stream P&DC, Chicago Metro Surface Hub and Palatine P&DC shall receive this ballot.
- (g) *General Officers/Maintenance Craft Director/Associate Office Director* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the candidates for Maintenance Craft Director and Associate Office Director shall also be listed on this ballot. All members in good standing in the Maintenance Craft at the NWIAL Associate Offices shall receive this ballot.
- (h) *General Officers/Motor Vehicle Craft Director* - The names of the candidates for the General Offices of President, Vice President, Secretary, Treasurer, Chief Trustee, and the two (2) Trustees shall be listed on this ballot. The names of the candidates for Motor Craft Director shall also be listed on this ballot. All members in good standing in the Motor Vehicle Craft at the Chicago Metro Surface Hub, Carol Stream P&DC and Palatine P&DC shall receive this ballot.
- (i) Mailing of Ballots – Ballots shall be mailed between March 15 and March 31 of each election year, to the last known address of each member in good standing. The deadline for receipt of ballots from members in good standing shall be no less than twenty days from the date on which the ballots were mailed to the members in good standing.
- (j) It shall be the duty of the Secretary to furnish the Election Committee with a mailing list with the last known address of each member in good standing, early enough so the ballots can be mailed between March 15 and March 31, as determined by the Election Committee and conveyed by the Election Committee to the agency/firm selected by the membership to conduct the NWIAL Local Union election.

Section 14. The Election Committee shall establish the date and time that the ballots will be counted. However, ballots shall be counted prior to April 30 in the election year. No ballots received later than the date and time specified by the Election Committee shall be accepted.

Section 15. In the event of a tie in the election of an office, a special run-off election shall be held, in accordance with the normal election rules set forth in the constitution. The run-off election will be ran by the same agency/firm that ran the regular election for the affected office(s).

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Section 16. The results of the election shall be posted on the Union bulletin board at the NWIAL and associate post offices, after completion of the ballot count. The Election Committee shall submit a full election report to membership at the regular May membership meeting.

Article 12 – Recall

Any officer(s) of this Local may be recalled from office through a recall election if sufficient proof is at hand to show that an officer has acted dishonestly or otherwise to the detriment of the best interests of the membership. A minimum of twenty-five (25%) of the signatures of members in good standing of the general membership or craft involved is necessary to initiate a valid petition of recall. A copy of the charges, which shall be made in duplicate, must be submitted with petitions for recall and filed with the Executive Board. The Executive Board shall send one (1) copy of the charges to the officer against whom the charges have been preferred. The officer who has had recall proceedings filed against him/her shall be given an opportunity for defense: Fifteen (15) days shall be allowed him/her to reply to the charges and such reply must be in writing. If after the fifteen (15) days the Executive Board has failed to receive a reply, it shall proceed with the recall election. Copies of the charges and the reply to be sent out with each ballot shall contain no more than one thousand (1,000) words each. The Executive Board shall appoint three (3) non-involved members to conduct the mail referendum recall election. All members in good standing shall be eligible to vote. A two-thirds (2/3) majority of the referendum votes cast shall be sufficient for recall and the decision shall be final and binding. Any office vacated through a recall election shall be filled by appointment in accordance with Article 7.

Article 13 – Trials and Appeals

Section 1. The following shall constitute offenses, the commission of which shall subject any officer or member of this Local to disciplinary action:

- (a) violating any provisions of the Local or National Constitution or failure to perform duties or functions specified or required therein;
- (b) engaging in a movement which has for its purpose the fostering of a rival organization;
- (c) violating the right of members to be free from discrimination on the basis of race, age, creed, color, handicap, sex, sexual preference or national origin; and
- (d) engaging in conduct, which would expose the Local to civil liability.

Section 2. The Executive Board of this Local shall have jurisdiction to hear and determine any and all charges against members or officers of this Local. All charges shall be in writing, signed by the accuser, and shall be sufficiently explicit so as to inform the accused of the nature of the offense with which he is charged. Except in cases of suspensions or expulsion for non-payment of dues per capita, no elected officer shall be removed from office for violating any of the provisions of this Article or of the Local or national Constitutions, until an accused individual has been accorded the following procedure:

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- (a) proceedings under this Article may be initiated by any member of this Local by filing charges with the Secretary;
- (b) the Secretary shall promptly transmit, by registered mail, a copy of the charges to the accused at his last known address. Copies thereof shall also be transmitted to the Secretary-Treasurer of the National Union. Accompanying the charges shall be written notice of the time and place of the hearing, which shall be held not less than one (1) week after the date of the mailing of the notice;
- (c) the accused shall be accorded a full and impartial trial with the right to appear personally and be represented by any member of this Union. However, whether the accused shall be represented by an attorney in such trials shall be left to his/her discretion;
- (d) hearings may be held on a charge notwithstanding the failure of the accused, after being given notice thereof pursuant to the provisions of this Article, to appear thereat;
- (e) the Executive Board may appoint one of its members who shall be impartial to act for it as a hearing officer for the purpose of holding hearings, in which case such examiner shall hold such trial under such trial procedures as shall be determined by the trial board; shall make findings of fact and conclusions of law in respect to such charges, and shall make recommendations to the trial board. However, the trial board shall determine for itself, what disposition shall be made of the charges.
- (f) Any decision or disposition of charges by the Executive Board shall be reduced to writing and submitted as a report to the Secretary, including a synopsis of the testimony introduced at the trial, together with the “guilty” or “not guilty” verdict and the recommendation of disciplinary action, if any. Upon receiving the report, the Secretary shall read it at the next regular Union meeting and in the event of a guilty verdict, submit first the question of sustaining the report as to guilt is determined, then the question of accepting or rejecting the recommended disciplinary action.
- (g) Upon receiving the report, the Secretary shall read it at the next regular Union meeting and in the event of a guilty verdict, submit first the question of sustaining the recommended disciplinary action.
- (h) In accordance with Article 15, Section 3 (b) of the National APWU Constitution, charges may be filed directly to the National APWU Executive Board, if the Local is incapable of fairly hearing and determining such charges.

Section 3. Any officer or member found guilty of any of the above after the filing of charges and the holding of a hearing and other procedures described in this Article may be disciplined by probation, expulsion or other appropriate disciplinary action. However, if the recommended disciplinary action after Article 13 Section 1 and 2 (a through g), is expulsion, suspension without pay in excess of sixty days, or termination of an incumbent elected officer, an affirmative vote to expel from office or terminate the membership of the officer cannot take effect unless confirmed by two-thirds of those voting in a referendum on the recommended disciplinary action. The affected officer shall have ten days to submit a reply to the report. The report and the reply from the affected officer, if submitted, each of which shall contain no more than one thousand words, shall be sent out with each ballot.

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Section 4. Any person against whom disciplinary action has been taken, or whose charges have been dismissed in whole or in part, shall have the right to appeal to the National union in accordance with Article 15, Section 4 of the National Constitution.

Article 14 - Fiscal Year, Dues Assessments And Salaries

Section 1. *Fiscal Year.* The fiscal year of this Local shall begin the first day of January and end the thirty-first (31) day of December.

Section 2. *Dues.* The dues of this Local shall be Sixteen Dollars and Eighty-seven Cents (\$16.87) per pay period, which shall include National and State per capita tax. Future National per capita tax and Local dues increases are to be derived by deducting one and one-half percent (1-1/2%) of each negotiated salary increase, one-half percent (1/2%) for the APWU and one percent (1%) for the Local. This formula shall not apply to any cost-of-living raises, which may be incorporated into negotiated base salaries. Local dues may also be increased in accordance with the following:

- (a) by majority vote and secret ballot of the members in good standing, voting at a general or special membership meeting after thirty (30) days' notice of the intention to vote upon such a question;
- (b) by majority vote of the members in good standing, voting in a membership referendum conducted by secret ballot. Dues shall be payable through the automatic dues check-off payroll deduction. In the absence of the dues check-off, dues shall be payable on the first day of each month. It shall be the responsibility of each member to pay his dues promptly. Any member two (2) months in arrears shall be notified writing by the Secretary.
- (c) When a member's compensation is three (3) months in arrears, he shall be automatically dropped from the membership in the Local, after thirty- (30) days' advance notification.
- (d) A member who has been dropped for non-payment of dues shall be notified in writing and will be ineligible for any benefits from the Local. Reinstatement into the Local can only be effected by submission of the appropriate dues withholding form.

Section 3. *Assessments.* Any assessments, except those levied by organizations with whom this Local is affiliated and therefore obligatory, shall be levied only as follows:

- (a) by majority vote and secret ballot of the members in good standing, voting at a general or special membership meeting, after thirty (30) days' notice of the intention to vote upon such question; or,
- (b) by majority vote of the members in good standing, voting in a membership referendum conducted by secret ballot.

Section 4. Salaried personnel performing work other than regular duties and non-salaried personnel shall be compensated at their prevailing Postal Scale straight-time hourly rate, for the lost time from the Postal Service, subject to the approval of the President or the Executive Board. A

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copy of the PS Form 3971 verifying time lost from the Postal Service due to Union-related activity must be received by the Treasurer prior to disbursing any lost time payments.

Section 5. Any member using LWOP for Union-related activities authorized by the Local shall be compensated at his/her option, once, or twice, during each year, for postal service annual and sick leave lost, due to authorized LWOP for Union-related activities. He/she shall be compensated at his prevailing Postal Scale Level straight-time hourly rate.

Article 15 – Order of Business

Section 1. The order of business at regular membership meetings of this Local shall be as follows:

- (a) meeting called to order;
- (b) roll call of Officers;
- (c) reading of the Minutes of the previous meeting;
- (d) action upon application for new membership;
- (e) Treasurers Report;
- (f) report of Officers;
- (g) report of Committees;
- (h) reading of communications and action thereon;
- (i) unfinished business;
- (j) new business;
- (k) good of the Local; and
- (l) adjournment.

Section 2. This order of business may be suspended by two-thirds (2/3) vote of the members present and voting.

Article 16 – Parliamentary Authority

The rules contained in the current edition of Robert’s Rules of Order, Newly Revised shall govern this Local in all cases to which they are applicable and in which they are not inconsistent with this Constitution and special rules of order this Local may adopt.

Article 17 – Amendments

Section 1. Any Article or Section of this Constitution may be amended. The amendment must be approved by two-thirds (2/3) vote of the members present and voting at two (2) successive meetings.

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Section 2. A proposed amendment, along with a condensed statement explaining the reasons for the suggested change, and fifty (50) signatures of members in good standing, must be submitted to the chairperson of the Constitution Committee, in writing, at least fifteen (15) days prior to the next membership meeting. Upon receipt of proposed amendment(s), the Constitution Committee shall have fifteen (15) days to review, clarify and investigate the legality of the proposed amendment(s). The Constitution Committee will submit a recommendation to the membership to accept or reject the proposed amendment(s).

The original proposed amendment(s) shall be read at the next membership meeting. Ten of the members who endorsed the original amendment(s) must be present at the first meeting, or the proposed amendment(s) shall not be read. Proposed amendment(s) may also be submitted by recommendation of the Executive Board, or by the Constitution Committee.

Section 3. Any proposed amendment, which has passed its first reading, shall be posted on the Union bulletin board at NWIAL and associate offices at least fifteen (15) days prior to its second and final reading. Such notice shall include the applicable Article, Title and Section, and a condensed statement explaining the reasons for the suggested change. Sufficient copies of the proposed amendment shall be made available to all members in attendance at the second and final reading. Copies of adopted amendments will be made available to members who request them of the Constitution Committee Chairperson.

Section 4. Unless specified otherwise, all amendments shall become effective immediately upon adoption.

Section 5. Liquidation of any assets of the NWIAL in excess of One Thousand Dollars (\$1,000.00) shall be approved by a majority vote of the members present and voting at three (3) successive membership meetings.