

As of January 5, 2012

CONSTITUTION AND BY LAWS Of  
The WILKES- BARRE AREA LOCAL  
AMERICAN POSTAL WORKERS UNION AFL-CIO

**ARTICLE I**

**SECTION 1.**

The regular meeting of this local shall be held monthly, except July, August and December. The date and time of each meeting for one calendar year will be determined at the November meeting of the previous year.

**SECTION 2.**

Five (5) members of the local, including at least three (3) elected officers, each of whom must be in good standing, shall constitute a quorum for the transaction of all business concerning this local.

**SECTION 3.**

The General President of this local shall be obliged to call a special meeting upon written request of ten (10) members in good standing. The General President may also call a special meeting on his or her own power. He or she shall also preside over all labor/management meetings pertaining to this local.

**SECTION 4.**

No manager or supervisor shall be allowed to attend a union meeting or function unless invited by the General President.

**SECTION 5.**

Any APWU Union Official and/or postal employee who shall voluntarily, after August 31, 1984, hold, accept or apply for any managerial or supervisory position, EAS position or the PASS Program, for any period of time, whether one day or a fraction thereof, whether detailed, acting probationary or permanently, shall immediately vacate any office held by that member in the Local.

**ARTICLE II**

**SECTION 1.**

The monthly dues for members shall be in accordance with article XI Section 2 of the national constitution and by laws of the American Postal Workers Union.

**SECTION 2.**

A majority vote of the members in good standing must be conducted before an extra assessment is requested. The vote shall be by secret ballot.

**SECTION 3.**

A member who becomes three (3) months delinquent in his or her dues automatically is expelled if he or she does not pay his or her dues in full before the next monthly meeting. Each reinstatement must be accompanied by dues check off form 1187.

**SECTION 4.**

Any member who has not signed form 1187 (dues check off) will pay their dues on a semi-annual basis, in advance, effective on the first of January 1991.

**SECTION 5.**

Any part time flexible member of the local, whose hours are reduced to 50 hours or less per pay, shall receive a refund of one-half that months dues.

**ARTICLE III****SECTION 1.**

The elective officers of this local shall be:

1. President
2. Vice President
3. Financial Treasurer
4. Recording Secretary
5. Trustees (3)

The above officers shall constitute the Executive Board of this Local Union.

**SECTION IA.**

The legislative director, Hospital Plan representative, Accident Benefit Plan representative, and Editor may be filled at the discretion of the President and are to be appointed by the President.

**SECTION 2.**

It shall be the duty of the President to preside at all local and executive committees. He or she shall appoint all necessary committees and be the chairman of negotiations and labor relations committees. He or she shall have sole authority to certify and decertify all stewards for the Wilkes-Barre Area Local Union. He or she shall be a delegate to the State and National Conventions. He or she shall fill all vacancies for any cause until the next local election. He or she shall counter sign all checks drawn by the General Financial Treasurer. His or her salary shall be Three Thousand One Hundred Twenty Five dollars, (\$3,125) per year payable quarterly. He or she shall return all information materials, books, and property to this local upon termination of tenure as President.

**SECTION 3.**

It shall be the Recording Secretary's duty to record the minutes of all meetings pertaining to this local. He or she shall attend to all correspondence pertaining to this local. He or she shall be authorized to sign checks in the absence of the President or

Treasurer. His or her personal expenses shall be Twelve Hundred Fifty Dollars (\$1250.00) per year payable quarterly.

#### **SECTION 4.**

The Financial Treasurer shall be the sole collector of dues not paid by payroll deduction. He or she shall be the custodian of all moneys incoming or outgoing, pertaining to this local. He or she shall submit a financial report covering the previous month's transactions every meeting. He or she shall keep a record of when members begin paying dues to the local. He or she must be bonded for the sum of Fifty Thousand dollars (\$50,000.00) with the fee paid by the local. His or her personal expenses shall be Fourteen Hundred Fifty Dollars (\$1450.00) per year payable quarterly.

#### **SECTION 5.**

It shall be the duty of the Vice President to represent all members on the Executive Board, and to perform the duties of the President in his or her absence. He or she is directly responsible to the President. His or her expenses shall be Fifteen Hundred Twenty Five Dollars (\$1525.00) per year payable quarterly.

#### **SECTION 6.**

The membership shall elect three (3) trustees who will serve as members of the "Audit, budget, salary review, election, constitution committee and have general supervision over all property of the local ". Their duties will be to audit the treasurer's books quarterly, or when banking statements and receipts become available therein, but before subsequent quarter ends, and then make a report at the next available General monthly meeting. It shall be their duty to ensure Financial Statements for the Year ended, Prior Year Ended, and a Compilation Report form a certified public accountant is prepared. Upon change of treasurers, or recommendation of the trustees with majority vote of the executive board, a Compilation Report will be conducted by a certified public accountant. Newly elected Trustees will perform a last quarterly audit upon being sworn in, or when banking statements and receipts become available therein, but before subsequent quarter ends following previous Trustees' scheduled quarterly audit. They shall determine and recommend to the body the number of delegates and expenses of those delegates to the State and National Conventions, the Combined Craft Conference and the number of members, and expenses of those members, to any training and/or educational seminars. They will review the local constitution and suggest changes as they deem necessary. Their salary will be Four Hundred Fifty Dollars (\$450.00) per year payable quarterly.

#### **SECTION 7.**

The succession of presiding officers in the absence of the President shall be:

1. Vice President
2. Recording Secretary
3. Financial Treasurer

**SECTION 8.**

It shall be the duty of the Executive Board to remove from office any union official who is derelict in the responsibility of his or her office. This shall be administered by a majority vote of the executive board in accordance with the National Constitution.

**SECTION 9.**

A local grievance committee will be established to review appeals of members who feel they have a grievance when a steward or officer refuses to file a grievance. All employees have the right to appeal to this committee. An officer or steward can appeal to this committee if an employee wishes to file a grievance which the officer or steward feels does not exist. The committee shall consist of all craft directors and stewards. Decisions will be by majority vote of the committee.

**ARTICLE IV****SECTION 1.**

The Executive Board will appoint three members to serve on the election committee. They are to be paid at their rate of pay, or if not on the payroll, to be paid at Level 5, Top Step. Nomination of candidates for elective office shall be made at the May monthly meeting in an election year. Elections shall be held in the month of July on an election year. In an election year a special meeting will be held in July for the election of officers. No regular business will be conducted at this meeting. All officers will serve a two year term beginning with the July installation meeting.

**SECTION IA.**

All officers and trustees must attend a minimum of five (5) meetings during a one year period, beginning with July and ending with June. If the officer or trustee attends less than five meetings, he or she will be paid for only those meetings attended. In addition, an officer or trustee who attends less than five meetings or any educational seminars scheduled by the General President shall have his status reviewed by the executive board in compliance with the National Constitution. Upon the decision of the executive board, the affected officer or trustee will be given notice by the general recording secretary that his or her union office has either been terminated or continued. Exceptions to this rule would be individuals who are on sick leave or vacationing or due to a death or illness in his or her immediate family. An officer or trustee who has to work or is on union business is credited with the meeting and shall receive up to two hours compensation to attend the meeting, if so required.

**SECTION 2.**

Candidates for offices or delegates must be present at the time of their nomination. Candidates unable to attend the nomination meeting shall testify in writing by sealed letter to the Recording Secretary of their willingness, if elected, to serve. The letter should be marked "to be opened when nominations are made at the general meeting.

**SECTION 3.**

Associate and retired members who are not paying full dues are not allowed to vote.

**SECTION 4.**

Members must have attended three general meetings in the twelve-month period preceding the month of nominations to be eligible to be nominated. The nomination of any member not in good standing shall be declared invalid. The three meeting requirement will take effect August 1, 2011.

**SECTION 5.**

No officer or member of the Wilkes-Barre Area Local shall have authority to represent the Wilkes-Barre Area Local in any way, without first being properly authorized at a regular or special meeting of the Executive Board. No member of this Local shall negotiate for himself or herself with management on Union matters. If a member is found using self-negotiation for his or her own personal gain, said member shall relinquish his or her membership in the Local.

**SECTION 6.**

A member must conform to the Landrum-Griffin Act of 1959 to be eligible for election to any office.

**ARTICLE V****SECTION I.**

No member shall be elected to any office within this local or as a delegate to any convention if he is in arrears with his dues.

**SECTION 2.**

Members required to leave their work to serve in the Armed Forces shall be exempt from payment of monthly dues and assessments for duration of their military service.

**ARTICLE VI****SECTION I.**

The decision to send any delegates, and nomination and election of such delegates, to any APWU conventions/conference shall be held at the first monthly meeting during the convention year and in accordance with finances available. The delegates shall receive special instructions at the meeting prior to the convention.

**SECTION 2.**

If the membership votes to send delegates to any convention, the General President, followed by the Vice President, by virtue of their offices, shall be duly elected delegates. Delegates must meet the requirements of nomination in ARTICLE IV, SECTION 4.

**SECTION 3.**

Alternate delegates shall be determined by their standings in the results for the election for delegates. Unsuccessful candidates receiving the highest number of votes will be first alternate, etc. etc.

**SECTION 4.**

All officers of the local shall be reimbursed for the actual necessary expenses for the purpose of all union business based on the prevailing United States Postal Service rates pertaining to mileage and per diem for meals and actual overnight lodging, registrations and actual leave without pay time. No member shall receive any form of compensation or expenses as a delegate to any convention without first being properly elected by the membership.

**SECTION 5.**

Stewards representing ten or more employees will be paid the amount of Seven Hundred Dollars (\$700.00) per year payable quarterly. Stewards representing less than 10 employees will have their salary pro rated.

**SECTION 6.**

The monthly expenses of the editor of the "Beehive" shall be One Hundred Ten dollars (\$110.00) for each monthly issue.

**SECTION 7.**

Any officer or member of the Local, who loses annual and sick leave as a result of using leave without pay (LWOP) when on authorized union business, shall be reimbursed for said annual/sick leave at his or her current leave accrual rate, pay grade and pay step.

## **ARTICLE VII**

**SECTION 1.**

The President or presiding officer at every regular meeting shall keep Robert's Rules of Parliamentary Law available for use.

**SECTION 2.**

All meetings of the Wilkes-Barre Local of the American Postal Workers Union shall be in strict conformity with Robert's Rules of Order.

**SECTION 3.**

The presiding officer shall take whatever means necessary to conduct an orderly and peaceful meeting. He or she must emphasize that no union member's character is to be slandered, slurred or denounced.

**SECTION 4.**

These by-laws, or any part herein, shall not be suspended, amended, repealed, or altered in any way, except by a majority vote of members present at three readings. The

three readings must take place at two consecutive regular meetings. Due notice of proposed changes must have been posted for all members on union bulletin board 21 days in advance of the meetings in which the changes are to be made.

**SECTION 5.**

Revisions or amendments of this constitution, after being accepted by the local will be sent to the constitution committee of the National APWU.

**ARTICLE VIII**

**SECTION 1.**

If a donation is made for any club or fund, which solicits for a program or book, the Wilkes-Barre Area Local's name will be used.

**SECTION 2.**

The Wilkes-Barre Area Local may sponsor social functions. The amount of funding provided to these functions will be contingent upon funds being available as determined by the Executive Board. Such social functions shall be open to all members in good standing.

**SECTION 3.**

A member of the Wilkes-Barre Area Local, upon retirement and having at least 5 years of continuous APWU active membership immediately prior to retirement, will receive \$10.00 per year of continuous membership for those years immediately prior to retirement, up to \$100.00 (ten years).

**SECTION 3A.**

Aforementioned member may attend one future Local sponsored event, of his or her choosing, at the cost of an active member, within the same calendar year of his or her retirement date. In addition, said member in subsequent calendar years, may attend one sponsored Local event, per year, of his or her choosing, at half the cost of a non-member, or at the cost of an active member, whichever is greater, provided they are a member of the APWU Retirees Department.

**SECTION 4.**

Any motion calling for contributions and/or donations to charities, events, programs, or third parties, and any other contributions and/or donations to a cause not aforementioned, is required to be passed by voice vote at two (2) consecutive meetings before such motion to contribute and/or donate be deemed passed and approved. Such donations and/or contributions cannot be for an amount in excess of Two Hundred Fifty dollars (\$250.00). In the event of a deadline problem concerning a donation, the Executive Board will be polled and will rule in such a case.

**SECTION 4A.**

Any motions calling for contributions and/or donations to be made directly to fellow union members, their families, and/or to other individuals or persons shall not be

recognized. Only motions calling for contributions and/or donations to charitable-like organizations, events, programs, third parties, or to a cause not aforementioned shall be recognized.

## **ARTICLE IX**

### **SECTION I.**

Order of Business.

1. Call to order by the presiding officer, pledge to the flag.
2. Reading of the previous month's minutes
3. Reading of executive board minutes.
4. Report of Officers and Stewards.
5. Communications.
6. Report of special and standing committees and delegates.
7. Unfinished business.
8. New Business
9. For the good of the Local
10. Adjournment.