

American Federation Of Government Employees

**Affiliated with the
American Federation of Labor
And
Congress of Industrial Organizations**

Local 1309

**Department of the Interior
U.S. Geological Survey
Reston, Virginia**

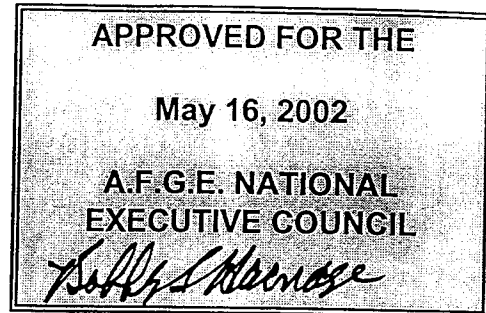
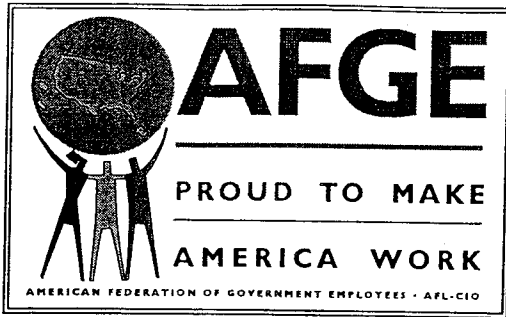
Constitution

(Adopted on the 8th and 24th day January 2002)

**PO Box 710382
Herndon, Virginia 20171**

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American Federation of Government Employees

AFL-CIO

Local 1309

PREAMBLE

For the purpose of improving the government service and promoting unity of action in all matters affecting the mutual interest of the government civilian employees in general and all other persons providing their personal service indirectly to the United States Government, we as members of the American Federation of Government Employees, adopt this Constitution and Rules.

ARTICLE I Name

Section 1. This Local union shall be known as the American Federation of Government Employees (AFGE), Local No. 1309, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), as set forth in its charter.

Section 2. The headquarters and mailing address of this Local shall be prescribed in the Local's bylaws.

ARTICLE II Objectives and Methods

Section 1. The objectives of this Local shall be to:

- a. Organize and maintain units of exclusive recognition of employees of the Federal Government.

- b. Represent all members in the bargaining unit without regard to race, creed, color, national origin, sex, age, political affiliation, handicapped condition, marital status, sexual orientation, or preferential or nonpreferential civil service status.
- c. Represent the interest of these employees through collective bargaining, legislative action and other appropriate means.
- d. Improve the working conditions through constructive dealing with the appropriate agencies.
- e. Promote high standards and greater efficiency in the various services of the United States.

Section 2. The methods of attaining these objectives shall be by petition to Congress, by creating and fostering public sentiment favorable to AFGE's position or proposed reforms, by cooperation, consultation, and negotiations with government officials and employees, by legislation and other means in cooperation with AFGE National Headquarters and in compliance with the AFGE National Constitution.

ARTICLE III Membership

Section 1. Any person eligible for AFGE membership under Article III of the AFGE National Constitution and who is within the Local's jurisdiction as defined by its charter is eligible for membership in this Local. Each applicant for membership who is a member of a bargaining unit represented by the Local shall automatically be accepted into membership upon payment of the applicable dues or submission of a valid signed dues withholding request. Eligible persons shall not be denied membership in this Local because of race, creed, color, national origin, sex, age, political affiliation, handicapped condition, marital status, sexual orientation, or preferential or nonpreferential civil service status.

Section 2. The Local shall be composed of the following type of memberships.

a. **REGULAR MEMBERS:** A regular member of this Local are employees in the bargaining unit. These members may participate actively in Local affairs and have voting rights. A regular member in this Local and a member of AFGE for at least one (1) year and in good standing shall be eligible for election as an officer at the Local and eligible for election as a delegate to the District caucuses, Council meetings and National conventions.

b. **HONORARY MEMBERS:** A honorary member of this Local are retired or separated regular member or persons not eligible for membership within the Local because they are supervisor, managers, confidential employees, personnel employees, and other federal

employees outside of the bargaining unit. Honorary members may participate actively in Local affairs but they may not vote or hold elected Local office.

ARTICLE IV

Dues and Initiation Fees

Section 1. The dues of the Local shall be established and adjusted as may be necessary to ensure that they allow adequate funds for the payment of the initiation fee and per capita tax to the National office and allow sufficient funds for the operating expenses of the Local.

a. Any change in the amount of the initiation fee or dues shall be accomplished by majority vote, except as provided in (b) below, by secret ballot of the members in good standing voting at a general or special membership meeting after reasonable notice of the intention to vote upon such question.

b. Whenever the National per capita tax is raised by action of the National Convention or special assessments levied by order of the AFGE National Executive Council, the Local's dues will automatically be raised by an equal amount.

Section 2. The Local shall establish in its bylaws the amount of its initiation fee and the amount of its membership dues. Dues may be paid by payroll deduction or by advance payment for such interval as prescribed within the bylaws. The Local may establish a separate dues rate for retired members.

Section 3. Members who have not paid their dues for two or more consecutive pay periods will be required to submit all dues not paid to the Local. Failure to pay dues owed the Union, with reasonable notice, will result in revocation of all privileges and benefits of membership.

ARTICLE V

Financial Records and Reporting

Section 1. All receipts, checks and cash disbursements shall be properly recorded and accounted for in the financial records.

Section 2. The Treasurer shall sign and the President countersign checks covering proper expenditures for the Local. In the absence of either the Treasurer or the President, such other officer as prescribed by the Local's bylaws may sign in place of the absent officer.

Section 3. The officers, agents, shop stewards or other representatives or employees of this Local who handle funds or property thereof shall be bonded in accordance with law and applicable regulations. See AFGE National Constitution, Article XIX, Section 6(a).

Section 4. In order for the bond to be effective, the Local shall file with the National Secretary-Treasurer a copy of its annual audit in the format prescribed by Article XIX, Section 6 (d) of the AFGE National Constitution.

Section 5. All books, records and financial accounts at all times shall be open to the inspection of the national officers or accredited representative of the National Executive Council and any duly authorized and accredited representative of the Local. See AFGE National Constitution, Article XIX, Section 7.

Section 6. This Local shall not directly or indirectly make loans to any individual or group.

ARTICLE VI Elected Officers

Section 1.a. The general officers shall be elected by the regular members and shall constitute the Executive Board of this Local and shall consist of the President, Vice President, Treasurer, Secretary and Chief Steward and such others as the Local's bylaws may prescribe.

Section 1.b. The Local may establish bylaws, which provide for the election of officers who are elected solely by members of a particular unit or work area and may provide that these officers will serve on the Executive Board.

Section 2. It shall be the duty and obligation of all Local officers and all other official representatives of the Local, whether elected or appointed, to support, advance and carry out all provisions of the AFGE National Constitution, the Local constitution and bylaws, official policies of the Federation and, to the extent not inconsistent with the foregoing, all official policies of the Local. See AFGE National Constitution, Article XV, Section 2.

Section 3. The President shall be the executive officer of this Local; he or she shall exercise general supervision over the affairs of the Local and see that other officers comply with the responsibilities of their office and constitutional duties; comply with the National and Local Constitutions; keep the membership apprised of the goals and objectives of the Federation; serve as an ex-officio member of all committees except the Election Committee and the Audit Committee, and investigation or trial committees when he or she is bringing the charges or is directly or indirectly involved in the matter which gave rise to the charges; automatically serve by virtue of office as a Local delegate to district caucuses, council meetings, the National Convention and such other meetings participated in by this Local as the Local may be entitled; preside at all Local meetings; and sign all documents pertaining to the office. If the President is unable to perform his or her regular duties, either because of sickness, leave, TDY or for some other legitimate reason, he or she shall delegate the responsibilities of that office to the Vice President.

Section 4. The duties of the Vice President shall be to assist the President in performing the duties of that office and to preside during the absence of the President. In the case of a vacancy in the office of the President, the Vice President shall automatically serve as President for the unex-

pired term. Shall serve as Chairperson of the Membership Committee. Shall perform other duties as required.

Section 5. The duties of the Treasurer shall be to maintain a bookkeeping system as prescribed by the National Secretary-Treasurer; make a financial report at each regular meeting; keep an up-to-date roll of the members; receive all monies and/or dues paid into the Local and receipt thereof; keep records of all transactions; deposit money in the bank to the credit of the Local; make regular monthly reports to the NST, which includes furnishing names and addresses of all new members or members who have severed their affiliations with the Local and furnishing notification of changes in members' addresses; forward initiation fees and per capita tax to the National Headquarters in accordance with the requirements of the AFGE National Constitution (for regular Locals per capita tax is payable before the end of each month, and all monies owed the Federation must be forwarded to the NST not later than the 20th day of the following month. See AFGE National Constitution, Article XIX, Section 3(a). For insured Locals per capita tax is payable in advance to the NST before the first day of each month. See AFGE National Constitution, Article XIX, Section 3(b).); and perform additional duties and responsibilities as outlined in the *AFGE Financial Officers Manual*. Disbursements for payment of current bills (other than initiation fees, per capita tax and approved budgeted expenditures) shall be approved by the Local. Shall serve as Chairperson of the Finance Committee. Shall perform other duties as required.

Section 6. The duties of the Secretary shall be to keep a complete record of the minutes of all meetings; maintain all election related documents (including copies of those pertaining to nominations, notices of meetings and the minutes of any meetings, all of which must be sealed and preserved for one year after the election), see AFGE National Constitution, Appendix A, Part I, Section 5(j); keep up-to-date the official copy of the Constitution and bylaws of the Local; conduct correspondence when directed by the President; and send out notices of meetings when required. Shall serve as Chairperson of the Outreach Committee. Shall perform other duties as required.

Section 7. The duties of the Chief Steward shall be to provide overall supervision and maintenance of the Steward Corps. Shall conduct monthly meeting of the Steward Corps. Shall provide guidance, training and assistance in resolving problems, and coordinate all activities and communications between the Stewards and the Local's Executive Board. Shall make recommendations to the President concerning the Steward Corps. Shall serve as Chairperson of the Training Committee. Shall perform other duties as required.

Section 8. No officer or agent of the Local shall engage in any business or financial activities with or on behalf of this Local which conflict with his or her fiduciary obligation to the Local.

ARTICLE VII Election Procedures

Section 1. The Local's elections shall be conducted in accordance with the AFGE National Constitution and Appendix A thereof. Officers shall be elected for such terms as prescribed by the

Local's bylaws. No term shall exceed 2 years.

Section 2.a. In accordance with Appendix A, Part I, Section 1(e) of the AFGE National Constitution, the sole qualifications for candidacy to Local office is that a member must:

- (1) Be a regular member in good standing;
- (2) Be a regular member for one year of an AFGE Local, immediately preceding the closing of the nomination process.
- (3) Not be a member in any labor organization not affiliated with the AFL-CIO.

See AFGE National Constitution, Appendix A, Part I, Section 1(e).

Section 2.b. No person who is identified with corrupt influences or who is affiliated with the Communist party or other totalitarian movements may serve as an officer of the Local.

Section 3. The Local shall prescribe in its bylaws the manner by which its elections will be conducted: manual ballot or mail ballot.

Section 4. In the case of a vacancy in the office of President, the Vice President shall fill the office for the unexpired term. Vacancies in any other office unless otherwise prescribed by the Local's bylaws shall be filled for the unexpired term by appointment by the Executive Board and approved by the membership.

ARTICLE VIII

Executive Board and Committees

Section 1. The Executive Board shall meet once per month as specified in the bylaws.

Section 2. It shall be the duty of the Executive Board to devise and initiate such actions as may be necessary in the interim between the Local's meetings, but such actions shall not be inconsistent with the objectives of the Federation and shall be subject to Local approval.

Section 3. Expenditures by the Executive Board in excess of \$500 per month must have prior approval of the Local's members either as authorized by the budget approved by the Local or by separate vote of the Local's members. All expenditures authorized by the Executive Board will be reported in writing at the next regular meeting of the Local. Upon request a copy of such report will be made available to any member in good standing of the Local.

Section 4. The Executive Board shall approve an annual budget subject to ratification by the Local's members, which shall ensure at a minimum that the Local's revenues are sufficient to meet its financial obligations.

Section 5. Standing and special committees may be established in the manner prescribed by a Local's bylaws.

ARTICLE IX
Delegates

Section 1. Delegates, alternate delegates and proxy delegates to the National Convention, district caucus and council meetings must be elected by name and in accordance with applicable provisions of the AFGE National Constitution. See AFGE National Constitution, Article VI, Article VIII and Appendix A, Part I, Section 6.

Section 2. The Local's President shall serve as a delegate to the National Convention, district caucus, council meetings and such other meetings at which the Local is entitled to representation. If the Local is entitled to additional delegates, the additional delegates shall be elected by an election called for that purpose, unless the Local's bylaws prescribe that the Local's other officers shall serve as delegates by virtue of their office.

ARTICLE X
Offenses, Trials, Penalties and Appeals

All offenses, trials, penalties and appeals shall be accomplished in accordance with the AFGE National Constitution. See AFGE National Constitution, Article IX, Section 5 and Article XVIII.

ARTICLE XI
Bylaws

Section 1. The Local shall establish bylaws, establishing among other things the frequency and location of regular meetings, provisions for calling special meetings, a regular order of business, provisions for a quorum, the date, manner and location of nominations and elections and other operating procedures of the Local.

Section 2. No bylaw shall conflict with the provisions of the AFGE National Constitution, this Constitution or, if applicable, the constitution of a national bargaining council.

Section 3. Bylaws shall be adopted and amended in accord with Article XIII, Section 1.

Section 4. Copies of this Constitution and the Local's bylaws shall be available upon request to the Secretary to all members in good standing of the Local.

ARTICLE XII
Arbitration

Section 1. Any member of the bargaining unit may request that their grievance be subject to arbitration. All request for arbitration must follow the procedures outlined in the collective bargaining agreement.

Section 2. The Grievance Committee will review all request for arbitration. The Committee will follow procedures as outlined in the collective bargaining agreement and the bylaws. The Committee will decide which cases have merit and who will pay the cost of arbitration.

Section 3. The Local shall establish an arbitration fund as outlined in the bylaws.

ARTICLE XIII
Amendments

Section 1. This Constitution may be amended at any meeting of the Local by two-thirds majority vote of the members present and voting; provided that such amendment has been introduced at a regular meeting of the Local not less than sixty (60) days prior, and due notice thereof shall have been given to all members in good standing; and provided further, that such amendment has been approved by the National Executive Council of AFGE.