

CONSTITUTION OF THE ADMINISTRATIVE AND RESIDUAL EMPLOYEES UNION

AFT, AFT PE, CPEF, AFT CT, AFL-CIO

(Revised through April 16, 2020)

ARTICLE I NAME

Section One.

This Union shall be named the "Administrative and Residual Employees Union," hereinafter referred to as the Union, or as A&R.

Section Two.

This Union is affiliated with the American Federation of Teachers (AFT), with the AFT Public Employees (AFT PE), with the Connecticut Professional Employees Federation (AFT Local 4200, hereinafter referred to as CPEF), with the AFT CT, and with the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).

ARTICLE II OBJECTIVES AND PRINCIPLES

Section One.

The objectives and principles of this Union are:

- (a) to aid bargaining unit employees in obtaining fair and improved wages, hours and working conditions;
- (b) to support and cooperate with state employee labor organizations and other workers in obtaining mutual goals and benefits, while encouraging AFL-CIO affiliation for all;
- (c) to promote, protect and advance the principles of collective bargaining;
- (d) to encourage all bargaining unit employees without discrimination against any person or group, to join and participate in all activities of this labor union;
- (e) to secure legislation and administrative action which will safeguard and promote the goals of state employees and the security, strength and vitality of state employment and collective bargaining;
- (f) to protect and strengthen our democratic institutions, the labor movement in general and the aims and goals of the AFL-CIO;
- (g) to safeguard the democratic character of the labor movement and to protect the autonomy of this Union;
- (h) to encourage and support the purchase of Union goods and services.

Section Two.

The methods of obtaining the objectives of the Union shall be:

- (a) the collective bargaining process;
- (b) legislative action and reform;
- (c) advocacy and public relations;
- (d) concerted activities;
- (e) political action and education;
- (f) coordinated activities by and between affiliated Unions of the AFL-CIO.

Section Three.

The powers of the Union shall include:

- (a) all those regulatory, executive and judicial powers provided or permissible under state and federal labor legislation or general statute;
- (b) the power to decide or adjudicate all questions arising under this Constitution relating to the rights, privileges and obligations of committees and other subordinate bodies;
- (c) the power to decide all questions arising under this Constitution relating to membership and member status;
- (d) all powers necessary and proper to maintain and preserve the status of the Union as the recognized and certified bargaining agent, where applicable;
- (e) the power to affiliate with or disaffiliate from any organization, federation or coalition as deemed necessary;
- (f) the power to raise other revenue in any fashion consistent with the laws of the State of Connecticut and any other federal or state labor laws;
- (g) the power to invest its revenues, levy and adjust dues and assessments, and take ownership or title in real or personal property;
- (h) the power to employ and retain such professional and administrative staff as is deemed necessary;
- (i) the power to create and execute contracts for the benefit of the membership;
- (j) the power to amend the Constitution;
- (k) the power to litigate, arbitrate and otherwise represent the membership in matters of labor relations and general contract administration;
- (l) the power to institute activities and programs consistent with, and pursuant to, the methods specified in Section Two of this Article.

**ARTICLE III
MEMBERSHIP**

Section One.

- (a) Active membership shall be available to all employees of the State of Connecticut whose job titles fall within the Administrative and Residual (P-5) bargaining unit.
- (b) An active member shall be a current P-5 bargaining unit employee who has signed and filed with the Union a membership application, authorizing the collection of dues.
- (c) Active membership shall only be available to members in good standing, based on timely payment of dues, in accordance with standards adopted by the Representative Assembly or Convention resolution.
- (d) Any P-5 bargaining unit employee who has given notice to the Union of their intent to discontinue the payment of dues shall no longer be deemed an active member.

Section Two.

Associate membership shall be available to any person who has served six months in a job classification falling within the A&R bargaining unit and has since left the bargaining unit. The Representative Assembly must approve and can revoke any associate membership

Section Three.

Effective April 25, 2012 new retiree membership shall be available only to any person who retires from state service having ever served in a job classification falling within the A&R bargaining unit.

Section Four.

- (a) Only active members or members laid-off within one year prior to the election date, shall have the right to vote on union matters including, but not limited to, contract ratification.

(b) Only active members shall serve as an Officer, Member Representative or any other elective or appointive Union position including committees of the Union except as provided in Article XI, Section One (g) of this Constitution.

(c) Members serving as Officer or Member Representatives who are laid off or dismissed may continue so serving for no more than one year from the date of layoff or dismissal.

ARTICLE IV OFFICERS

Section One.

The Officers of the Union shall be:

- (a) a President, to be elected to a three year term by a mail ballot and or electronic ballot
- (b) a First Vice President, to be elected to a three year term by a mail ballot and or electronic ballot
- (c) a Second Vice President, to be elected to a three year term by a mail ballot and or electronic ballot
- (d) a Secretary, to be elected to a three year term by a mail ballot and or electronic ballot
- (e) a Treasurer, to be elected to a three year term by a mail ballot and or electronic ballot
- (f) a Chief Negotiator, to be nominated by the President subject to approval by the Representative Assembly, for a term beginning one year prior to the expiration date of the current collective bargaining contract and ending one year prior to the expiration date of the successor contract.
- (g) a Chief Steward, to be nominated by the President within forty-five (45) days of the President's election, subject to the approval of the Representative Assembly; such nomination to be acted upon no later than forty-five (45) days after the nomination.

Section Two.

A member shall not simultaneously be a candidate for more than one of the foregoing offices. Members shall not simultaneously hold more than one of the foregoing offices.

Section Three.

Elected officers shall be entitled to be delegates to any convention at which the Union is allotted representation. The officers shall implement the policies established by the Annual Convention and the Representative Assembly.

Section Four.

The President shall be the Chief Executive Officer of the Union and shall be responsible for the daily activities and operation thereof. The President is empowered to execute documents and obligations and bind the body, subject to the limitations set by this Constitution and the Annual Convention and approval of the Representative Assembly. The President shall act as official spokesperson for the Union, shall serve ex-officio on all Union committees, shall serve as an Officer of CPEF, and shall be entitled to be a Delegate to any convention or meeting at which the Union is allotted representation. The President shall have a right to be one of the full time paid Officers.

Section Five.

The First Vice President shall serve as Acting President during the absence or disability of the President, and in the case of a vacancy in the office of President shall succeed to said office until the next Annual Convention, prior to which a President shall be elected by a mail ballot and or electronic ballot for the unexpired portion of the term or for a full term, as the case may be, in the manner provided in Article VI. The First Vice President shall discharge such other duties as may be assigned by the Annual Convention, the Representative Assembly or the President, in that order.

Section Six.

The Second Vice President shall assist the President and the First Vice President in carrying out the policies and directives of the Annual Convention and the Representative Assembly, and shall discharge such other duties related to the administration of the Union as may be assigned by the President and the First Vice President. The Second Vice President shall serve as Acting President during the simultaneous absence or disability of the President and First Vice President.

Section Seven.

The Secretary shall record, compile and maintain all minutes of meetings of the Representative Assembly and of the Annual Convention, and shall be responsible for the maintenance of all other official Union records and documents. The Secretary shall be responsible for the processing of all official Union correspondence. The Secretary shall maintain the membership records of the Union and shall be responsible for regular informational mailings to the general membership. The Secretary shall conduct and report to the Representative Assembly an annual reconciliation of the membership records. The Secretary shall serve as Acting President during the simultaneous absence or disability of the President, First Vice President and Second Vice President.

Section Eight.

The Treasurer shall be responsible for the fiscal affairs of the Union and for all matters pertaining to the current budget. The Treasurer shall be responsible for timely payment of all required dues, fees and obligations to labor federations or councils with which the Union is affiliated. The Treasurer shall be chairperson of the Budget Committee. The Treasurer shall be responsible for the collection of revenues and for the authorized disbursement of Union funds. The Treasurer shall appoint a member of the Budget Committee to serve as Assistant Treasurer, subject to approval of the Representative Assembly. The Assistant Treasurer shall assist the Treasurer in the performance of duties involving revenue and expenses as deemed appropriate by the Treasurer. The Treasurer shall serve as Acting President during the simultaneous absence or disability of the President, First Vice President, Second Vice President and Secretary.

Section Nine.

The Chief Negotiator shall be Chairperson of the Negotiating Committee and shall be responsible for all matters pertaining to the collective bargaining process. Forthwith upon his or her nomination and approval pursuant to Section One (f) of this Article, each Chief Negotiator shall appoint the members of the Negotiating Committee pursuant to Article XI, Section Four of this Constitution, to serve for the duration of the Chief Negotiator's term.

Section Ten.

The Chief Steward shall: (1) be responsible for contract administration; (2) ensure that the Union keeps steward enrollment at 100% of the level authorized by the collective bargaining agreement, consistent with the need for agency, class and geographic balance; (3) be the Chairperson of the Arbitration Review Committee; and (4) make a monthly report on both Steward activity and the decisions of the Arbitration Review Committee to the Representative Assembly.

Section Eleven.

The President, First Vice President, Second Vice President, Secretary and Treasurer shall be elected in the manner provided in Article VI and shall serve until their successors have been elected and have assumed office. Such officers shall take the oath required by Article VI and assume office on the first of the month following their election, except that if a run-off election is required for any office such Officers will assume office immediately upon their election.

Section Twelve.

If an A&R full-time Officer loses his/her position, and doesn't gain another full-time position with the Union, the Union shall ensure that he/she suffers no loss of salary or benefits for a period of not more than thirty (30) calendar days from the date of leaving office. This amendment shall not apply if the Officer is removed under Article Ten.

Section Thirteen.

A vacancy in the office of President shall be filled in the manner provided in Section Five of this Article and in Article VI. A vacancy in any other elective office specified in this Article shall be filled by a majority vote of those present and voting at a regular or special meeting of the Representative Assembly until the next Annual Convention.

Section Fourteen.

A vacancy in the office of Chief Negotiator or Chief Steward shall be filled for the unexpired portion of the term in the same manner in which such office is filled for a full term pursuant to Section One of this Article.

Section Fifteen.

Voluntary resignation by any Officer shall be in writing with a date specific filed with the Union at the Union office, or orally at a meeting of the Representative Assembly. Such resignation shall be effective on the date specified therein, or if no date is specified, on the date received at the Union office.

**ARTICLE V
REPRESENTATIVE ASSEMBLY**

Section One.

The Representative Assembly shall consist of the Officers, twelve Member Representatives elected by a mail ballot and or electronic ballot in each even numbered years beginning in 2020, twelve Member Representatives elected by a mail ballot or electronic ballot in each odd-numbered year beginning in 2019, in the manner provided in Article VI. Such Member Representatives shall take the oath required by Article VI and assume office at the Annual Convention following their election.

Section Two.

No person shall hold more than one seat in the Representative Assembly.

Section Three.

When the Annual Convention is not in session, the Representative Assembly shall have sole authority to exercise all the powers of the Union delineated in Article II of this Constitution, with the exception of the following powers: the powers specified in Article II, Section Three, subsections (c) and (j), and the power to levy and adjust A&R Union dues and assessments specified in subsection (g), which powers shall be reserved to the Annual Convention exclusive, and the power to affiliate with or disaffiliate from another labor organization, specified in subsection (e), which power shall be reserved to the general membership exclusively, as provided in Article XII. Within the limitations established by Article II and by this Article, the Representative Assembly shall determine Union policy when the Annual Convention is not in session.

Section Four.

The Representative Assembly shall meet monthly to attend to all appropriate matters of Union business. The regular meeting schedule of the Representative Assembly shall be periodically publicized to the membership. Special meetings of the Representative Assembly shall be convened forthwith upon the call of the President, or upon petition of a majority of the members of the Representative Assembly submitted to the Secretary. All meetings of the Representative Assembly

shall be open to attendance by any active member of the Union. Any active member may address the Representative Assembly on any matter under discussion. Membership participation shall be withheld until completion of discussion by the Representative Assembly. Any active member may make proposals or suggest any course of action, but motions and amendments to motions may only be made by a seated Member Representative or Officer.

The President may designate a Local 4200R (Retiree Chapter) delegate liaison to attend and represent the A&R Retirees, in a non-voting capacity, at all regular and special meetings of the Representative Assembly, and at the Convention, excluding any executive sessions held at such meetings or Convention. Said liaison shall be the only person not holding active membership who may regularly attend said meetings, excluding executive sessions, except that any Local 4200R retiree member may serve on Standing Committees as a non-voting member.

Section Five.

All meetings of the Representative Assembly shall be chaired by the President. The chair shall be permitted to vote on any matter before the Representative Assembly.

Section Six.

The monthly meeting of the Representative Assembly shall be on a day or date certain to be determined by the Representative Assembly.

Section Seven.

At any meeting of the Representative Assembly a quorum must be present and shall consist of a majority of the Representative Assembly excluding any current vacancies. Any Representative Assembly member may appear by telephone and be counted as present, at any meeting of the Representative Assembly designated as appropriate for telephonic appearance by the chair, subject to any procedural rules adapted by the Representative Assembly or Convention.

Section Eight.

All meetings of the Representative Assembly shall be conducted under the latest version of Robert's Rules of Order except as otherwise provided in this Constitution.

Section Nine.

Voluntary resignation by any Member Representative shall be in writing with a date specific filed with the Union office, or orally at a meeting of the Representative Assembly. Such resignation shall be effective on the date specified or the date received at the Union office or Representative Assembly meeting.

Section Ten.

Vacancies for Member Representative occurring between Conventions shall be filled by the highest non-seated vote getters as a result of the most recent election, subject to the approval of at least ten (10) percent of those present and voting at a regular or special meeting of the Representative Assembly, except that no vacancy for Member Representative occurring between Conventions shall be filled while at least 24 Member Representatives are seated and no vacancy of the same shall be filled if filling such vacancy would result in more than 24 Member Representatives seated. If such approval is denied, the vacancy shall be offered to the next highest vote getter, subject to the provisions of this section. Where a vacancy occurs, the highest non-seated vote getter shall be notified in writing of and offered such vacancy as soon as practicable, and then shall confirm in writing their acceptance of the offer to fill the vacant seat within ten (10) business days of notification. Absent such confirmation, the vacancy may be offered to the next highest, non-seated vote getter. A highest non-seated vote getter that opts not to fill the vacant seat shall have waived their right to ascend to all vacancies occurring prior to the next Convention. Member Representative vacancies that cannot be filled by a highest vote getter from the most recent election shall be filled by a majority vote of those present and voting at a regular or special meeting of the Representative Assembly, for the unexpired portion of the term or for a full term, as the case may be.

Section Eleven.

Any Officer or Member Representative may be removed for unexcused absence from three (3) consecutive regular meetings of the Representative Assembly or for four (4) unexcused absences in the period between Annual Conventions. This section may be invoked by any Officer or Member Representative for hearing and action according to Article X, Sections Five and Six. This section shall not affect the right of any member to initiate a recall for malfeasance according to Article X.

**ARTICLE VI
ELECTIONS**

Section One.

Any active member may be nominated for any elective office or position by completing the candidacy form provided by A&R and filing the candidacy form with the Secretary or A&R administrative staff, who shall give a receipt for such completed candidacy form. The nomination must be seconded by at least one other active member. The completed candidacy form, facsimile (FAX) or electronic copy of the completed candidacy form (scan) must be filed at least forty-five (45) days before the Annual Convention. A list of all candidates so nominated, specifying the office or position sought by each, shall be mailed to each active member at least fifteen (15) days before the Annual Convention.

Section Two.

- (a) The Convention Committee shall ensure that a mail ballot with a pre-addressed first class postage paid return envelope and/ or electronic ballot is mailed to each active member at least twenty-one (21) days before the Annual Convention. Balloting will commence when the mail ballots or electronic balloting material are mailed to the active membership
- (b) The mail ballot and or electronic ballot will be used for the election of Officers, Member Representatives, Delegates to the Annual Convention of the AFT CT, Connecticut AFL-CIO, AFT, CPEF, Representatives to the CPEF Committee and the approval of constitutional amendments.
- (c) The Convention Committee shall ensure that an independent, impartial, qualified organization be used to run the election.

Section Three.

Each Officer elected by a mail ballot and/or electronic ballot shall be elected by a majority of the total votes cast for all duly nominated candidates for that office. A run-off election shall be held between the top two vote getters if no candidate has received such a majority. If a tie vote occurs between or among the top two or more vote getters, a run-off election shall be held by mail ballot and/or electronic ballot between or among such candidates whose votes are tied. A run-off election shall occur no later than 45 days after the Convention.

Section Four.

All candidates for Member Representative shall be elected by a mail ballot and or electronic ballot that shall indicate the positions to be filled. Each eligible voter may vote for as many candidates as there are positions to be filled, for full terms and for unexpired portions of terms respectively. The highest vote getters shall be declared elected in descending order of votes received until all such positions are filled, for full terms and for unexpired portions of terms respectively. If a tie vote between or among candidates for Member Representative prevents determination of the appropriate number of highest vote getters, it shall be resolved by a coin flip or coin flips by a parliamentarian selected by the Chair of the Convention Committee for the annual Convention. Any Member Representative who seeks another term on the Representative Assembly by running mid-term shall be deemed to have resigned upon the filing of his/her candidacy statement, said resignation to become effective at the opening of the Convention.

Section Five.

A&R Delegates to the AFT CT Annual Convention shall be elected by a mail ballot and or electronic ballot for a term of one year. Not later than its regular January meeting, the Representative Assembly may establish the number of such delegates to be elected, such number to be not less than ten (10) and not more than the maximum number of A&R AFT CT Convention Delegates authorized by the AFT CT Constitution. If the Representative Assembly does not so act by such time, the maximum authorized number of A&R AFT CT Convention Delegates, or the number filing candidacies under Section One of this Article, whichever is less shall be elected. All procedures for voting for A&R AFT CT Annual Convention Delegates, and for voting determination of those elected, shall be the same as the procedures specified for Member Representatives in Section Four of this Article, except that all candidacies for A&R AFT CT Annual Convention Delegate shall be for full terms. Any vacancy in the position of A&R AFT CT Annual Convention Delegates shall be filled for the unexpired portion of the term by a majority of those present and voting at a regular or special meeting of the Representative Assembly.

Section Six.

A&R Delegates to the Connecticut AFL-CIO Annual Convention shall be elected by a mail ballot and or electronic ballot for a term of one year. Not later than its regular January meeting, the Representative Assembly may establish the number of such Delegates to be elected , such number to be not less than ten (10) and not more than the maximum number of A&R AFL-CIO Convention Delegates authorized by the AFL-CIO Constitution. If the Representative Assembly does not so act by such time, the maximum authorized number of A&R AFL-CIO Convention Delegates, or the number filing candidacies under Section One of this Article, whichever is less shall be elected. All procedures for voting for A&R AFL-CIO Annual Convention Delegates, and for voting determination of those elected, shall be the same as the procedures specified for Member Representatives in Section Three of this article, except that all candidacies for A&R AFL-CIO Annual Convention Delegates shall be for full terms. Any vacancy in the position of A&R AFL-CIO Annual Convention Delegates shall be filled for the unexpired portion of the term by a majority vote of those present and voting at a regular or special meeting of the Representative Assembly.

Section Seven.

A&R Delegates to the AFT Convention shall be elected by a mail ballot and or electronic ballot in each even number years, for a term of two years. Not later than its regular January meeting, the Representative Assembly may establish the number of such A&R AFT Convention Delegates to be elected, such number to be not less than ten (10) and not more than the maximum number of A&R AFT Convention Delegates authorized by the AFT Constitution. If the Representative Assembly does not so act by such time, the maximum authorized number of Delegates or the number filing candidacies under Section One of this article, whichever is less shall be elected. All procedures for voting for A&R AFT Convention Delegates, and for determination of those elected, shall be the same as the procedures specified for Member Representatives in Section Three of this Article, except that all candidacies for A&R AFT Annual Convention Delegate shall be for full terms. Any vacancy in the position of A&R AFT Convention Delegates shall be filled for the unexpired portion of the term by a majority vote of those present and voting at a regular or special meeting of the Representative Assembly.

Section Eight.

A&R Delegates to the CPEF Annual Convention shall be elected by a mail ballot and or electronic ballot, for a term of one year. Not later than its regular January meeting, the Representative Assembly may establish the number of such A&R CPEF Annual Convention Delegates to be elected, such number to be not less than ten (10) and not more than the maximum number of A&R CPEF Annual Convention Delegates authorized by the CPEF Constitution. If the Representative Assembly does not so act by such time, the maximum authorized number of A&R CPEF Annual Convention Delegates,

or the number filing candidacies under Section One of this Article, whichever is less shall be elected. All procedures for voting for A&R CPEF Annual Convention Delegates, and for determination of those elected, shall be the same as the procedures specified for Member Representatives in Section Three of this article, except that all candidacies for A&R CPEF Annual Convention Delegate shall be for full terms. Any vacancy in the position of A&R CPEF Annual Convention Delegate shall be filled for the unexpired portion of the term by a majority vote of those present and voting at a regular or special meeting of the Representative Assembly.

Section Nine.

A&R Representatives to the CPEF Executive Committee shall be elected by a mail ballot and or electronic ballot, for a term of two (2) years. The number of such A&R CPEF Executive Committee Representatives shall be as specified in the CPEF Constitution. All procedures for voting for A&R CPEF Executive Committee Representatives, and for determination of those elected, shall be the same as the procedures specified for Member Representatives in Section Three of this Article, except that all candidacies for A&R CPEF Executive Committee Representative shall be for full terms. Any vacancy in the position of A&R CPEF Executive Committee Representative shall be filled for the unexpired portion of the term by a majority vote of those present and voting at a regular or special meeting of the Representative Assembly.

Section Ten.

All contested positions shall be elected by mail ballot and or electronic ballot. All uncontested positions shall be filled at the Annual Convention by the Secretary casting one vote for any such positions.

Section Eleven.

All elections shall be held under the supervision of the Convention Committee, whose authority shall include determination of the method of the order of candidates on the ballot, resolution of questions concerning elections arising under this Constitution, and determination of election results.

Section Twelve.

The Secretary, or Secretary's designee, shall ensure the retention of all ballots cast at all elections for at least one year.

Section Thirteen.

Before assuming office, each Officer and Member Representative shall take the following oath:

"I, (name), do solemnly swear that my every action as an (Officer/Member Representative) of the Administrative and Residual Employees Union will be taken, according to my best judgement, for the benefit of its members; and that I will, to the best of my ability, uphold and adhere to the Constitution of this Union and the principles of the labor movement."

**ARTICLE VII
CONVENTION**

Section One.

A Convention Committee and an Amendment Advisory Committee shall be appointed by the Representative Assembly no later than October. The Convention Committee shall handle arrangements for the Annual Convention. The Amendment Advisory Committee shall advise the Representative Assembly and the Convention Committee on proposed amendments to the Constitution.

Section Two.

The Annual Convention shall be held in April. The date, time and place shall be set by the Convention Committee no later than January 1st.

Section Three.

No later than seventy-five (75) days prior to the Convention date, the Convention Committee shall mail a Convention Call to each active member. The Call shall specify (a) the date, time, place and purposes of the Convention; and (b) the procedures and deadlines under this Constitution for filing, (i) nominations of candidates, (ii) proposed Constitutional amendments and (iii) proposed resolutions, and (iv) for registering as a delegate.

Section Four.

A Credentials Committee shall be appointed by the Representative Assembly no later than January.

Section Five.

Any active member may register as a delegate with the Credentials Committee at the Convention. Registration of delegates will close when the Credentials Committee's report has been accepted by the Convention. Only registered delegates may vote except as otherwise provided herein.

Section Six.

There shall be no registration fee.

Section Seven.

The President shall convene and chair the Convention.

Section Eight.

The agenda shall be established by the Convention Committee and shall include the following items:

- (a) Officers' Reports
- (b) Credentials Committee Report
- (c) Adoption of Budget
- (d) Old Business
- (e) New Business
- (f) Election Results
- (g) Installation of Newly Elected Officials
- (h) Good and Welfare

Section Nine.

Proposed amendments to this Constitution shall be initiated either by petition to the President by at least 10% of the membership as of the time of filing of such petition, or by approval of a majority of the Representative Assembly members present and voting at a regular or special meeting. Any proposed amendments so initiated must be filed with the Secretary at least fifty (50) days before the Convention. An amendment shall be adopted if it is approved by two-thirds (2/3) of the eligible voters voting on the question through a mail ballot and or electronic ballot.

Section Ten.

The A&R Union dues shall be determined by a majority vote of those present and voting on the question. Any proposal concerning dues filed in accordance with Article VIII, Section Five (b) must be sent to all active members at least fifteen (15) days before the Convention.

Section Eleven.

Any proposed resolution must be filed with the Secretary at least seven (7) days before the Convention. The Secretary shall compile all the proposals and a copy of the compilation shall be made available at the Convention to each registered delegate.

Section Twelve.

The Convention shall have the sole authority to (a) adopt a budget; and (b) change A&R Union dues.

Section Thirteen.

Policies and resolutions adopted by the Convention shall rule where any conflicts arise with policies or resolutions adopted by the Representative Assembly.

Section Fourteen.

All business shall be conducted under Robert's Rules of Order (latest edition) unless otherwise provided for herein.

Section Fifteen.

A Special Convention may be called by a two-thirds (2/3) vote of the entire membership of the Representative Assembly excluding any vacancies, or by a petition signed by at least 20% of the active membership as of the time of filing of the petition. Such vote or petition shall specify the purpose(s) of the Special Convention. The Special Convention shall be held within sixty (60) days after (a) such vote or (b) the filing of such petition with the Secretary, on a date to be set by the Representative Assembly. A Special Convention Call, specifying the date, time, place, purposes and procedures for the Special Convention, shall be mailed to each active member not later than fifteen (15) days prior to the Special Convention date. Said Special Convention may exercise any of the powers of the Annual Convention except the election of officers or Member Representatives, provided that it may only deal with the purpose(s) specified by the vote or petition calling such Special Convention.

Section Sixteen.

A special mail ballot and or electronic ballot Constitution Amendment Convention may be called by a two-thirds (2/3) vote of the entire membership of the Representative Assembly excluding any vacancies, or by a petition signed by at least 20% of the active membership as of the time of the filing of the petition. Such vote or petition shall specify the purpose(s) of the Special Constitution Amendment Convention. The Special Constitution Amendment Convention shall be held with sixty (60) days after (a) such vote or (b) the filing of such petition with the Secretary, on a date to be set by the Representative Assembly

**ARTICLE VIII
FISCAL OPERATIONS**

Section One.

The Representative Assembly shall establish and maintain the policy for the receipt and disbursement of Union funds and shall be empowered to borrow funds from an institutional lender.

Section Two.

The Union's fiscal year shall be from July I to June 30.

Section Three.

Financial records, statements and reports shall conform to generally accepted accounting principles.

Section Four. Revenues.

- (a) The chief source of revenues shall be the dues paid by the active members, supplemented by other fees and assessments collected.
- (b) Dues shall be paid by all active members.
- (c) Both dues and fees shall be the same sum of the following:
 - i. The total of all dues and assessments levied by the AFT; ii. The total of all dues and assessments levied by the AFT CT; iii. The total of all dues and assessments levied by the AFL-CIO and state/labor councils; iv. The total of all A&R Employees Union dues and assessments levied by the Union membership at the A&R Annual Convention
- (d) Associate fees shall be established by the Annual Convention

- (e) Bargaining unit employees on unpaid leave of absence for reasons other than A&R Union duties shall be exempt from dues and fees during those times.

Section Five. Budget Committee.

- (a) A Budget Committee shall be appointed as provided for in Article XI
- (b) The Budget Committee shall prepare the annual operating budget, which shall include all revenues, operating expenses, and capital outlays. On or before February 1, the Budget Committee shall hold an open meeting, which will be announced not later than thirty (30) days prior to the meeting. At the meeting any active member may propose budget items for consideration. Budget resolution proposals, including proposals concerning dues, by active individual Union members for the annual pending budget shall be submitted no later than February 15 preceding the Annual Convention.

Section Six. Budget.

- (a) The Representative Assembly shall act on the Annual Budget, after compilation by the Budget Committee and before submission to the Annual Convention by majority vote of those Representative Assembly members present and voting at a duly called meeting. If disapproved, the Budget Proposal shall be sent back to the Budget Committee with recommended changes and again acted on at a subsequent meeting of the Representative Assembly before the Annual Convention.
- (b) The budget shall be approved by the Annual Convention, which shall have the right to amend the proposed budget. Failure to act on the budget shall constitute approval.

Section Seven. Audit.

The Representative Assembly shall contract for an annual audit of the Union's financial records, which shall be completed for presentation to the Representative Assembly by January 1 of each year. The Representative Assembly shall review the audit and report the results to the members.

**ARTICLE IX
STEWARD COUNCIL**

Section One.

The Steward Council shall consist of all Stewards serving the Union.

Section Two.

All Stewards will be volunteers from the active membership. Any active member may apply for appointment as a Steward by letter to the Chief Steward.

Section Three.

When a vacancy in an authorized Steward position exists, the Chief Steward shall make a nomination to fill such vacancy, subject to approval by the Steward Council. Any nomination so made and approved shall become a final appointment upon acceptance, or shall be cancelled upon rejection, by the Representative Assembly.

Section Four.

The Steward Council shall be maintained on a statewide basis. Officers shall include the Chief Steward and any Assistant Chief Stewards to be appointed by the Chief Steward at his or her discretion to serve at his or her pleasure. The Chief Steward (or his/her designee) shall be the chair of the Steward Council.

Section Five.

Stewards shall actively administer the collective bargaining contract for the protection of members' rights and benefits; shall encourage all bargaining unit employees to join the Union; shall encourage all members to participate in appropriate Union activities; and shall perform such other duties as may be delineated by the contract or the Steward Council By-Laws, or assigned by the Chief Steward, the Representative Assembly or the Annual Convention.

Section Six.

The Steward Council shall approve and maintain By-Laws for its operation. Such By-Laws, including any amendments thereto, shall be effective upon approval by the Representative Assembly.

**ARTICLE X
RECALL**

Section One.

Recall procedures against any Officer, Member Representative, or Delegate or Representative to an affiliated labor organization or convention shall be instituted upon filing of a valid petition with the Secretary of the Union, who shall give a receipt for such petition.

Section Two.

The petition must be on a form which shall be prescribed by the Secretary and which shall include a statement of cause. Cause will be defined as:

- (a) having engaged in conduct or a course of activity hostile or contrary to the best interests of the Union;
- (b) violation of the Constitution;
- (c) misappropriation of funds; or
- (d) malfeasance in office or neglect of duty.

Section Three.

Any active member may file a petition for recall. It must be signed by at least 10% of the active membership as of the time of filing of such petition.

Section Four.

Upon receipt of the properly filed charges, the Secretary shall present them to the Representative Assembly. The Representative Assembly shall determine by a majority vote whether or not the charges merit a hearing.

Section Five.

The Representative Assembly may take appropriate disciplinary action, including the suspension or expulsion of any Officer, Member Representative, or any Delegate or Representative to an affiliated labor organization or convention found guilty of the charges by a two-thirds (2/3) of the entire membership of the Representative Assembly, excluding any vacancies, following a hearing, of which the accused shall have been notified and furnished with a copy of the charges not less than thirty (30) days in advance of the hearing. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.

Section Six.

The decision of the Representative Assembly shall be final and binding unless appealed to the members by the Special Convention process. See Article VII, Section 15.

ARTICLE XI COMMITTEES

Section One.

The following Committees shall be standing Committees of this Union, and each Chairperson shall make a report at each Representative Assembly meeting and Annual Convention.

- (a) Arbitration Review Committee - shall decide which grievances will be taken to arbitration by the Union. The grievant may appeal the decision of the Committee to the Representative Assembly whose decision shall be final. The President, Chief Negotiator, the Chief Steward, and two (2) Stewards shall constitute the Committee.
- (b) Budget Committee - shall prepare a budget and perform other duties as specified in Article VIII. The Treasurer shall be the Chairperson.
- (c) Communications and Publicity Committee - shall prepare and distribute the Union publications, news releases and other items of interest to the membership and the general public.
- (d) Negotiating Committee - shall prepare and negotiate the contract proposals. The Chief Negotiator shall be the Chairperson.
- (e) Committee on Political Education - shall propose and advocate legislation for the benefit of, and shall study and respond to proposed legislation affecting members and other workers; and shall develop programs of political activity for the benefit of members and other workers.
- (f) Professional Development Committee - shall draft guidelines for the usage of funds as may be appropriated to the Professional Development and Conference Fund, and shall be responsible for planning, conducting and/or informing the membership of programs which contribute to their professional development.
- (g) Social Committee - shall arrange social activities and entertainment for the benefit of the membership.
- (h) Health and Safety Committee – shall educate members and other Committees on Job Health and Safety, and coordinate with other Committees on Job Health and Safety issues.

Section Two.

Any special committee may be established, as the Representative Assembly deems necessary.

Section Three.

Except as specified elsewhere in the Constitution, the Chairperson of each Committee shall be appointed by the President with the consent of the Representative Assembly. No member may chair more than one Standing Committee simultaneously.

Section Four.

Except as specified elsewhere in this Constitution, members of each Committee shall be appointed by the respective Committee Chairperson with the approval of the Representative Assembly.

Section Five.

Every effort shall be made to secure the broadest representation on all Committees. Whenever possible, appointments pursuant to Section Four shall be made from a list of those who volunteer for that Committee.

Section Six.

The Representative Assembly shall charge each Committee with its duties and shall receive and consider all recommendations forwarded by Committees.

ARTICLE XII
AFFILIATION/DISAFFILIATION PROCEDURE

Section One.

A vote to affiliate or disaffiliate with another labor organization may be called by a vote of two-thirds (2/3) of the entire membership of the Representative Assembly or by a petition signed by 20% of A&R active Union members.

Section Two.

When the threshold requirements for a disaffiliation or affiliation vote are met, the vote will be scheduled to take place not less than forty-five (45) days and not more than ninety (90) days later.

Section Three.

Once the requirements for a disaffiliation or affiliation vote have been met, all procedures pertaining to said vote will be supervised by the American Arbitration Association or the State Labor Board.

Section Four.

As soon as possible, but not later than twenty (20) days after the call for a vote, a notice will be mailed to all active members detailing the methods and the scheduling of such vote.

Section Five.

The Representative Assembly shall schedule at least one general membership meeting, and, if possible, additional regional or agency meetings to provide the fullest possible discussion of the respective issues.

Section Six.

There shall be a general mailing or newsletter, which shall include both viewpoints regarding the affiliation or disaffiliation issue not later than twenty (20) days prior to the election.

Section Seven.

The prevailing side shall have received at least one vote more than 50% of the total number of valid votes cast.

ARTICLE XIII
CONCERTED ACTIVITIES

Section One.

Upon the approval of the Representative Assembly by a two-thirds (2/3) vote and a two-thirds (2/3) affirmative vote of active members, by referendum, the President shall be empowered to call for any concerted activities to obtain improved salaries, working conditions, fringe benefits, or to protect and promote the principles of collective bargaining.